



MT. DIABLO UNIFIED SCHOOL DISTRICT

COMPREHENSIVE SCHOOL SITE SAFETY PLAN

El Dorado Middle School

Robert Humphrey, Principal
Nellie Myer, Ed.D., Superintendent
Lawrence M. Schoenke, Interim General Counsel
Bryan Richards, Chief Financial Officer, Fiscal Services
Julie Braun Martin, Assistant Superintendent, Personnel
Kerri Mills, Ed.D., Assistant Superintendent, Pupil Services and Special Education
Rose Lock, Assistant Superintendent, Student Achievement and School Support

2014-2015

Plan Developed by:

<u>Name</u>	<u>Position</u>
Robert Humphrey	Principal
Susan Shih	Vice Principal
Pamela Humphrey	Office Manager
Chris Suess	Nurse
Teresa Ball	Parent
Dianna Pfannkuche	Parent
Madison Bliss	Student
Gabe DeMesa	Student
Madison Bliss	Student
Kurt Erickson	Teacher
Jodi Masongsong	Teacher
Ernie Minglana	Teacher
Wendy Murphy	Teacher
Scott Townsend	Teacher
D'Anne Weitzman	Teacher
Janeen Wheeler	Teacher
Jamie O'Sullivan	Campus Supervisor
Russ Norris	CPD - Sergeant

Public Hearing Date: February 25, 2014

COMPREHENSIVE SCHOOL SITE SAFETY PLAN MEMBERSHIP

El Dorado Middle School

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) School Nurse (J)
1. Robert Humphrey	X								
2. Susan Shih	X								
3. Pamela Humphrey		X							
4. Chris Suess									X
5. Teresa Ball				X					
6. Dianna Pfannkuche				X					
7. Madison Bliss								X	
8. Gabe DeMesa								X	
9. Aasim Yahya								X	
10. Kurt Erickson			X						
11. Jodi Masongsong			X						
12. Ernie Minglana			X						
13. Wendy Murphy			X						
14. Scott Townsend			X						
15. D'Anne Weitzman			X						
16. Janeen Wheeler			X						
17. Russ Norris					X				
18. Jamie O'Sullivan		X							

SCHOOL MISSION STATEMENT

OUR VISION

El Dorado Middle School creates an environment that supports the academic and social needs of the young adolescent. We accept the responsibility to prepare students to be successful in a global society with healthy curiosity and creativity. El Dorado fosters a positive community that is conducive to lifelong learning, provides a safe environment, and encourages all members of this community to achieve their educational objectives.

OUR MISSION STATEMENT

At El Dorado Middle School, our Mission is to collaboratively educate, encourage, and support the educational process for our students by creating a safe and productive learning community.

HUMAN RELATIONS STATEMENT

It is the policy at El Dorado Middle School that each person will be regarded as having human dignity and worth. There is an appreciation for the diversity of all people. Everyone is responsible to show respect to adults, peers, and students at all times. We know that we succeed best in an environment of mutual trust, caring, and cooperation and will work toward creating that setting. We set high expectations for ourselves and others; accept responsibility for ourselves and others; accept responsibility for our actions and seek the best in everyone. It is our goal that all students, staff, and parents participate in school activities **without experiencing prejudice, fear, harassment, intimidation, or bigotry**. Parents and members of the community are welcomed at El Dorado.

SECTION 2

MISSION STATEMENT

SECTION 3

DATA SUMMARY

CURRENT SCHOOL STATUS

Data Source	2010-2011 Aug - March*	2011-2012 Aug - Feb	2012-2013 Aug-Feb	2013-2014 Aug-Feb
Suspensions (average # per month)	25.3	14.5	20.6	11.7
Suspensions (total # of incidents)	202	102	144	82
▪ Fights, Conflicts, Intimidation	59	24	41	48
▪ Tobacco	0	0	0	0
▪ Drugs/Alcohol	25	17	21	13
▪ Weapons	4	1	2	2
▪ Theft, Robbery, Extortion, Property Damage	6	6	2	2
▪ Teacher Assault	0	0	1	0
▪ Sexual Harassment/Assault/ Battery	5	13	8	6
▪ Disruption/Defiance/Obscenity	47	41	69	9
Expulsions	1	0	1	1
Attendance (percentage)	95.12	95.70	94.55	96.31
SART # of Referrals	20	5	53	54
SARB # of referrals	48	5	3	9
SARB # referred to Court	1	1	2	0
SST(number of referrals)	49	35	21	37
Coordinated Care Team (number of referrals)	78	94	85	101
Positive Behavior Team Referrals	19 Incl. follow-ups	2 Incl. follow-ups	5 Incl. follow-ups	2 Incl. follow-ups
Site Safety Surveys	0	0	0	1
Vandalism Reports	0	0	0	0
Other, i.e., surveys, SWIS, California Healthy Kids Survey (CHKS)	CHKS	N/A	CHKS	bullying survey

*-2010-2011 data is based on 8 months period, compared to later years' data (7 months period)

Conclusions from Data:

There has been a significant decrease in high level discipline issues on the El Dorado Middle School campus this school year (2013-2014), compared to the previous three school years. This is highlighted by the striking comparison between this school year's (2013-2014) monthly suspension rate of 11.7 incidents to last year's (2012-2013) monthly suspension rate of 20.6 incidents. The monthly suspension rate has been reduced by nearly 50% this year. When compared to 2012-2013 data, there has been a notable decrease in school suspensions in every category except for the category of fights, conflicts, and intimidation. This category (suspensions related to fights, conflicts, and intimidation) represented over 58% of total suspensions, which points to the ongoing need for more focus on positive social behavior and conflict escalations techniques on campus. The pressing need for these programs have led to staff discussions regarding the addition of an "advisory period" to the seven-period day at El Dorado Middle School. During the advisory period, staff will teach programs that are specifically designed to target discipline issues and clearly define behavioral expectations on campus. In addition, professional development is needed to help teachers and staff members enhance problem solving skills and practice "agree to disagree" conflict mediation models. Finally, ongoing parent and community involvement could be used to help teach and support increased levels of mutual empathy, understanding, and respect at El Dorado Middle School.

Compared to the last school year's (2012-2013) attendance percentage rate of 94.55, there was a significant increase of 1.76% for this school year's attendance percentage rate of 96.31. In fact, the school year's attendance percentage rate is the highest it has been in the past four school years. It was speculated during the School Site Council meeting on February 25, 2014 that a drop in attendance percentage during the last school year (2012-2013) was attributed to the elimination of placing School Resource Officers at school sites. These School Resource Officers had played a major role in monitoring truancy and enforcing attendance at school sites. Last school year, the decision to focus on truancy and attendance led to an increase in referrals to School Review Attendance Team (SART) last year and this school year (2013-2014). When compared to last school year's data, there is also an increase in referrals to the Student Success Team (SST). In SST meetings, the team members including parents and family members help to support student success by addressing needs, including barriers to school attendance. Another significant drop this school year, in comparison to last school year, was the decrease in referrals to Positive Behavior Team (PBT). The two PBT referrals this school year in contrast with the five PBT referrals last school year might have coincided with this year's dramatic decline in suspensions.

Conclusions from Parent, Teacher, and Student Input:

When asked about school safety, students in the 2013-2014 Leadership class listed fighting, bullying, and drug use at school as their top concerns. Similarly, the main concerns from Parent Faculty Club members during the April 16, 2014 meeting was fighting, bullying, and drug use in addition to security on the school campus. These four safety concerns of fighting, bullying, drug use, and security on campus were previously discussed by School Site Council members at their meeting on February 25, 2014. In contrast, staff members listed academic apathy, student defiance, littering, defacing school property, and student theft as their safety concerns in the March 5, 2014 staff meeting.

In addressing these safety concerns, staff members are asked to consider adding the previously mentioned "advisory period" to the school day to provide education and support for students. In building community in the advisory period, students are encouraged to interact with others respectfully and positively in order to reduce conflicts, incidents of bullying, and defiance to authority. Moreover, the staff members hope not only to develop positive interpersonal skills in these students, but also to increase successful

academic skills. This school year, students in the Leadership class who have been trained in conflict resolution techniques were asked to provide support and to mediate conflicts for students.

Because of an increase in the El Dorado Middle School student population two year ago, student ingress and egress is the top priority for the School Site Committee and the Parent Faculty Club. In addition, campus security was a safety concerns shared by both groups. Thus, members of the Safety Committee have added the goal of getting visible signs posted on campus to direct visitors to the office and to remind them that they must sign in at the main office. Furthermore, School Site Council Committee reviewed the allocation of the safety grant and had considered funding more hours for campus supervision. Additionally, increased supervision from staff members before and after school was added to help supervise students coming to and leaving from school. Several parent volunteers and administrators have also been helping with the flow of traffic from pedestrians, motored vehicles, and school buses in front of the school during morning drop-off and afternoon pick-up. This school year, student leadership class hosted a Carpool event and Bike to School day to encourage carpooling and alternative means of transportation in efforts to reduce traffic congestion during school hours.

A school-wide safety survey for all students at El Dorado Middle School was conducted earlier this school year. They were asked if they felt safe at school and if there was a staff member on campus who they felt that they could talk to if they did not feel safe or if they needed help. The survey found a little over 65% of the students felt safe at school. Furthermore, staff members were handed a list of students who named them as staff members who they could talk to. These staff members were asked to check-in with these students throughout the year. In addition to the safety survey, a bullying survey is currently being conducted with all students to assess the frequency and location of bullying incidents. The result of this survey will be used to help develop intervention and prevention programs at El Dorado Middle School.

SECTION 4

SAFETY AND ORDERLY ENVIRONMENT

I. Areas of Pride and Strength (include school programs and practices that promote a positive learning environment).

- School-wide behavior expectations are posted in each classroom.
- Administrators hold assemblies at the beginning of the year to explain school rules and acceptable school behavior. Additional assemblies are held throughout the year to remind students of the rules.
- Teachers volunteer to help with an In-School Suspension program.
- Police officers from the Concord Police Department provide support, education and services to students who commit crimes. These officers take reports and work with the families to prevent further problems. All Concord Police officers use the "Stay in School" program for students who are truant. This includes notifying parents and returning the student to school.
- Kaiser health education programs: "Nightmare on Puberty Street" for our 6th and 7th graders, "Secrets" for our 8th grade students.
- Red Ribbon Week provides drug education and prevention.
- Campus Supervisor is on campus for 4.5 hours each day. She patrols the campus in ensuring the safety of our staff, students, and visitors. She helps with student issues and keeps the bathrooms monitored.
- Coordinated Care Team (CCT) meets weekly to coordinate services for our "at-risk" students and families. Outside agencies (Fred Finch, JKF University, and Center for Human Development) provides group and individual counseling to students. MDUSD Counseling Clinic and Foster Youth/HOPE program also provides counseling support for students who qualify. Prior to a Student Success Team (SST), teachers are asked to hold parent conferences. A CCT referral will then be completed prior to scheduling a SST.
- Teachers and administrators meet with families of students who exhibit behavior problems. Administrators develop individual contracts and behavior support programs with students, families, and staff members. Students with ongoing problems are referred to the Coordinated Care Team. Team members from CCT may refer students to the MDUSD Positive Behavior Team.
- Rigorous academic curriculum aligned with State and District Standards. Teachers are evaluated on their ability to teach to the standards and to engage all students in the learning process. Teachers are trained in Fred Jones strategies, Professional Learning Communities, Respond to Intervention and various academic language and structured engagement techniques. They receive ongoing training in their specific areas of concentrations. The school's master schedule divides teaching team by departments with teachers sharing a common preparation period to enhance communication and collaboration.
- Student school yearbook promotes school pride.
- Student Council and Leadership meets frequently to plan service projects, rallies, spirit days and after school dances. Student Council provides leadership opportunities and promotes an understanding of the democratic process.
- The After School Program provides students after school activities and keeps them off the streets

II. Incentive programs that reward positive behavior

- Ice Cream Social rewards student with positive behavior and no discipline issues.

- Toro Buck Rewards and Incentives are designed to encourage students to be good citizens, work hard, and have good attendance. Student store open on Wednesdays where students are able to purchase items with their Toro Bucks.
- STAR Student Recognition program highlights and rewards all students who achieve improved STAR test scores. Grade level administrators visit classrooms to present certificates of achievement. Our PFC supports the STAR testing program with daily healthy snacks for every student during the testing schedule.
- Honor Roll is for each student with a 3.0 GPA. They receive honor roll bracelets. Their identification cards are hole punched which allows students to go to lunch five minutes early. There are other activities are designated specifically for Honor Roll students.
- Students on the honor roll for the first 3 Quarters earned Marine World Fieldtrip.
- 4.0 Club encourages high academic standards for our achieving students.
- Students with 4.0 GPA are rewarded with Movie Day each quarter.
- California Junior Scholastic Federation promotes academic excellence and community service.

III. Opportunities for tutoring and enrichment

- 21st Century after school grant provides after school sports, recreation and homework assistance.
- Educational Talent Search provides year round and summer activities for at-risk youth in coordination with Diablo Valley College.
- Gifted and Talented Programs include rigorous curriculum and enrichment opportunities including participation in the Odyssey of the Mind competitions.
- After school tutoring
- Students who attend the After School Program may also make use of these services
- Elective class opportunities including Art, Advanced Art, Orchestra, Band, Jazz Band, Handson-Technology, Spanish 1A & B, Leadership, Teacher Assistants (Classroom and Office), Computers, Choir, and Current Events.
- School library is open on Fridays.
- Student Success Team meetings are held for students falling behind academically and strategies are brainstormed with the staff, student, parent and administrators input.

IV. Enhancing Communication and Safety

- We have 30 surveillance cameras installed on campus.
- Parent Newsletters are emailed to parents monthly and posted online in the school website.
- Each quarter, Progress Reports are sent home with students and Report Cards are mailed during the school year.
- Community Liaison is onsite daily for parent assistance and Spanish language interpreting.
- Our administrators, noon supervisors and campus supervisor use walkie-talkies to communicate with one another. We have added the Concord High School radio channel (3) to be able to communicate with their administrators and staff at Concord High School.

- A Parent Handbook is given to each parent during the registration process. This handy booklet includes all important policies, phone numbers, bell schedules, important dates, and "High Fives" for parents.
- Binder Reminders are provided for every student at the beginning of each year. They include a student handbook and a calendar organizer. Every student is expected to use it in every class.
- Our Administrative Team meets weekly. Principals meet monthly with all other principals from our feeder pattern schools. Faculties meet to share and coordinate programs and provide time for articulation.
- School Site Council, PFC, ELAC, and Leadership Team meets monthly.
- Aeries for referrals, suspension and attendance data are used for planning and intervention.

Areas of Focus:

I. Social Climate

- Noon Supervisors to supervise blacktop and outdoor areas at lunch time.
- 4.5 hour campus supervisor
- Staff verses student games (soccer, flag football, and basketball)
- Rewards and praise for student success
- Ice Cream Social for students with positive behavior
- El Dorado Spirit wear, spirit days and fundraisers
- ABC Reward Assembly for students who meet the grade requirements.
- Marine World Field trip for students on the honor roll for 1st-3rd quarter.
- Toro Buck Store

II. Physical Environment

- Four solar panels installed on the blacktop which provided shading for students to stay out of the sun.
- Site map and evacuation map was reviewed and revised.
- Groundskeepers maintain the lawns, bushes and trees
- Custodian makes sure to maintain the hallways and common areas free of leaves and garbage
- Signs for directing visitors and reminding them to sign in at the office will be purchased.
- Additional surveillance cameras are being considered.

2014-2015 El Dorado Middle School – Safe School Plan

Component: The Social Climate People and Programs (Have at least one goal, objective and activity for each component)	Who will take the Lead	Completion Date and Budget	Resources Needed	How We Will Monitor and Evaluate
<p>Goal #1 Increase Positive Student Behavior and Reduce Inappropriate Student Behaviors Objective: By February 2015, the suspension rate at EDMS will decrease by 25% as a result of students learning and development appropriate ways to deal with conflicts and solve problems with respect and empathy for others.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1) Toro Store (Toro Buck Rewards and Incentives) 2) Maintain Noon Supervisors 3) 4.5 hour Campus Supervisor 4) Grade-level Reward Assemblies for positive behavior 5) Individual and group counseling from Center for Human Development, JFK, and Foster Youth/HOPE program. 6) Add an advisory period to teach 				
1.0 Toro Buck Incentives a. Weekly student store	Rewards Committee Members	\$500	PFC, Associated Student Body Fund, and Tesoro Donation	Rewards/Intervention Committee
2.0 Noon Supervisors	Principal	\$28,126.00	Campus Supervision Budget	Administrators
3.0 Campus Supervisor	Principal	\$15,172.70	Safety Grant	Administrators
4.0 Grade-level Reward Assemblies for positive behavior	Administrators	\$1000	PFC	Rewards/Intervention Committee
5.0 Individual and group counseling	Administrators, Counselors	Ongoing funding	SIP Funding	Administrators
6.0 Conflict mediation program and prosocial behavior education	Administrators	Various funding sources	SIP Funding and other Funding Sources	Administrators

Component II Physical Environment Place (Have at least one goal, objective and activity for each component)	Who will take the Lead	Completion Date and Budget	Resources Needed	How We Will Monitor and evaluate
<p>Goal #1 Improve Safety of the Campus Objective: By February 2015, EDMS will have large and visible signs posted on campus directing visitors to the office and reminding them to sign in the office. Our classrooms and school-wide campus will be prepared and supplied for emergency situations.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1) Purchase signs to post on campus surveillance cameras 2) Classroom review on emergency drills. 3) Restock emergency supplies and water for each classroom. 				
<p>1.0 Purchase signs to post on campus directing visitors to the office and reminding them to sign in the office.</p> <p>2.0 Review with students in class on emergency drills.</p> <p>3.0 Restock each classroom with emergency supplies and water for emergency situations</p>	<p>Safety Committee</p> <p>Teachers, administrator</p> <p>Safety Committee, PFC</p>	<p>February 2015</p> <p>August 2014- May 2015</p> <p>August 2014</p>	<p>School Site Council funding</p> <p>Safety Plan</p> <p>Safety Grant, PFC Funding</p>	<p>Administrators, Safety Committee</p> <p>Administrators, Safety Committee</p> <p>Safety Committee</p>

Component II Physical Environment Place (Have at least one goal, objective and activity for each component)	Who will take the Lead	Completion Date and Budget	Resources Needed	How We Will Monitor and evaluate
<p>Goal #2 Improve Communications Objective: By February 2015, walkie-talkies will be used by all supervisory personnel and be used to maintain communication with Concord High School and Westwood Elementary School.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1) Maintain walkie-talkies in working order 2) Maintain channels, including a channel to communicate with Concord High staff, for safety and coordination. 3) Add a channel on walkie-talkies to include Westwood Elementary School. 4) Purchase additional walkie-talkies for staff on yard duty 				
<p>1.0 Maintain existing walkie-talkies in working order</p>	Principal	Ongoing	SIP Funds	Safety Committee
<p>2.0 Maintain Channel 3 on walkie-talkies for Concord High School</p>	Principal	Ongoing	Safety Plan	Safety Committee
<p>3.0 Include a channel on walkie-talkies for Westwood Elementary School (Channel 5)</p>	Principal	February 2015	Safety Plan	Safety Committee
<p>4.0 Purchase new and additional walkie-talkies as needed, to be used by staff members on yard duty.</p>	Principal	February 2015	SIP Funds	Safety Committee

Procedures for Safe Ingress and Egress of Pupils

SECTION 5

SAFE INGRESS AND EGRESS

SECTION 6

MANDATED SAFETY POLICIES

Describe safe ingress and egress procedures of students, parents and school employees to and from school:
Ed Code 32282G

DROP OFF AND PICK UP BY PRIVATE CAR:

- School campus opens at 8:06 a.m. when teacher supervision begins.
- Students enter and exit through our front gate only.
- The bus loop in front of the school is for handicapped school bus only.
- Private vehicles may use the Westwood Loop.
- Students are directed to walk on the sidewalk, not through the parking lots.
- The parking lot is for staff parking only (no official visitor parking).
- Parents may drop students off along West Street, avoiding the marked red zones.
- Many parents arrange to meet their students on the side streets adjacent to the school.

DROP OFF AND PICK UP BY SCHOOL BUS:

- Only handicapped school bus drops students in front of the school by the bus loop.
- Students are dropped off along West Street by the cross walk.
- Administrator/staff member supervise the front of the school during student drop off and pick up by school bus.

STUDENTS WALKING OR BIKING:

- Students use the West Street sidewalk to go to and from the school. They are to walk through the front gate, not through the Staff Parking Lot or down the alley between Westwood Elementary School and EDMS.
- Students are asked to walk on the sidewalk and use the marked crosswalks in front of the school and along Mendocino Street. Students are reminded that "Jay Walking" is illegal, which can warrant a ticket!
- Students must stop riding bicycles on campus.
- Bikes must be stored in the bike cage locked. They must be registered with El Dorado and a sticker will be issued.
- Skateboards, rollerblades, and scooters must be stored in the bike rack.
- The school is not responsible for lost, stolen or broken items. Students are asked not to bring very valuable or important items.
- The bike cage is locked when school begins and unlocked at the end of the day.

Staff is assigned to supervise 15 minutes before and after school at the designated exits and entrances and the hallways, blacktop, and field areas.

HOW TO SUPERVISE/Instructions for Staff

Goal is to keep students safe and to stay positive and friendly.

- Watch for non-El Dorado students.
- Be prompt to your duty stations
- Remind students of rules politely and with respect
- Be polite, calm, and helpful at all times.
- Report students with unsafe behavior.
- Running, horseplay, and bike riding are not allowed.
- Balls must be carried, not bounced, through the halls.
- Skateboards, scooters, and roller blades are not allowed and must not be stored in classrooms by teachers. Confiscate them and take them to the office with the student's name.

STAFF DUTY STATIONS AND STUDENT BEHAVIORAL EXPECTATIONS

Safety Plan for 2014-2015

EDMS-Mt. Diablo Unified School District

Main Parking Lot

- Walkers must use side or bike lanes and not cut through the parking lot. Students must wear helmets and bikes must be registered with our school office.
- Bikes may not be ridden in the main parking lot or in the parking lot between El Dorado and Westwood.
- Bring confiscated bikes to the office and attach student name to the item. They will be stored in the bookroom for parent pickup.

Flagpole Area in Front of School

- Once they arrive in the morning, students are to stay on campus.
- Move students onto campus. Do not allow them to "hang out" in front of the school.
- Once they leave in the afternoon, students should be discouraged from returning.
- Students need to be using the crosswalks.
- Smoking (even by high school students) is not permitted on our grounds (including sidewalk).

Main and Back Corridors

- A.M. duty teachers should remind students to go to class once the bell has rung.
- P.M. duty teachers should begin "clearing" the halls of students about 3:00 p.m.

Bike Area

- There is no loitering inside bike cage.
- Only bike owners should be in cage; friends must wait outside.
- Students walk bikes on the blacktop.
- Students park and lock bike perpendicular (facing in) to the bike racks (due to limited space).
- Bikes are confiscated if there are students misusing them.
- All bikes must be registered with the school office.

Blacktop near Pod

- Areas surrounding the pod are cleared of students by 3:00 pm (Wednesday 2:15pm)
- Students must stay away from side parking lot.

Blacktop near Gym

- Students are not to walk behind the Pod or the alley between Westwood and El Dorado.
- Direct all students to the front entrance.

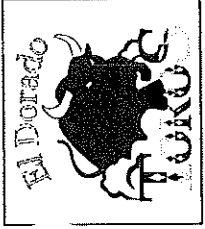
Campus Supervisor

- Hours on campus are from 7:45am to 8:30am and 11:30am to 3:15pm (Wednesday 7:45am to 8:30am and 11am to 2:45pm).
- Assigned to the student bathroom area and the locker rooms
- During three lunch periods she patrols the hallways and the courtyard MUR area.
- Escorts students as needed

Noon Supervisor/s

- Hours on campus are during three lunch periods for two hours. They are positioned to supervise the gym area, blacktop, game room and the bathrooms.

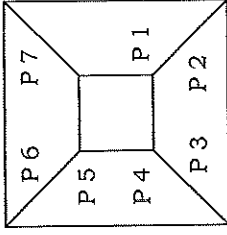
El Dorado Middle School
 1750 West Street • Concord, CA 94521
 (925) 682-5700 • (925) 685-1460



GYM		
B. Locker	P E	G. Locker

E1	E2	E3	E4
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R R	c o	s o	t m
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C10	C9	C8	C7	C6
C1	C2	C3	C4	C5

D8	D7	D6	D5
D1	D2	D3	D4

F1	F2	F3	F4
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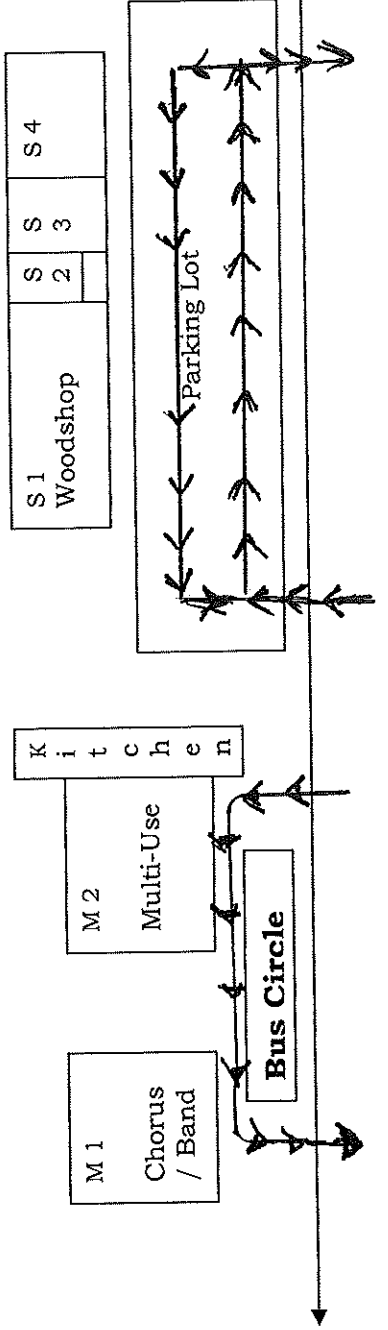
H1	Parking Lot
H2	

Stg	Library		
Blr	B1	B2	B3
B K S.			

A6	A5	A4	A3	G A B	R I R
MAIN OFFICE		A2	A3		

G1	G2
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EGRESS AND INGRESS MAP (2013-2014)



Concord Blvd.

West St.

**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/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/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, 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

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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 approved: MT. DIABLO UNIFIED SCHOOL DISTRICT
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.



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"/> RELATIVES 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	
	2. _____					3. _____	
	3. _____					4. _____	
	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. **GROUND 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

~~351~~ 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)

DRESS CODE

Our Dress Code reflects the standards of our parents, students, teachers, staff and community members. We work hard to be sure every member of the El Dorado community is aware of our school standards. These are some of the ways we notify parents, students and the community.

- Dress Code included in Parent Handbook given to every parent at the beginning of the school year.
- MDUSD Parent Information Packet (PIP) is mailed to families at the beginning of each school year. The PIP includes the MDUSD Board Policy on a variety of subjects including Dress and Grooming and School Dress Codes.
- Dress Code is reviewed with parents when they enroll a student after the school year has begun.
- Dress Code included in Safety and Discipline Plan presented to teachers in August.
- Dress Code included in Staff Handbook.
- Public Hearing – Officials receive letters inviting them to this hearing.
- Dress Code included in Binder Reminder.
- Dress Code clearly posted in every classroom, and Teachers make it a priority to ensure students understand it.
- All Staff at El Dorado make it a priority to enforce the dress code.
- Student Assemblies throughout the year review Dress Code
- Reminders, as necessary, are read in our Daily Bulletin
- Annual Review Meeting – Notices sent home with students, meeting is publicized on our Notice board in front of the school; dates are posted on our website, *School Messenger* phone calls made to every family.

As a member of the EDMS community, each person will show respect for themselves and others safety by not wearing clothing that have offensive, distracting, disrespectful, or unsafe symbols or written messages.

Students in violation of the Dress Code will be asked to call home for appropriate clothing or wear clothing provided by the office. **We also respectfully request that adults visiting and volunteering on campus or at school events model our dress code guidelines.**

COMMUNITY STANDARDS

School is your future.

Dress for success.

Students may not interfere with the learning or teaching process by wearing clothing, or having personal belongings, with messages and/or symbols that are disrespectful, offensive and/or distracting, including: offensive ethnic remarks, violence/death, drugs, including alcohol and tobacco, sexual slurs, harassment,

suicide, and put downs. Students must be well groomed. Hair should be clean and neat. We expect student to practice good personal hygiene at all times.

1. Students may not interfere with the learning or teaching process by wearing clothing that shows parts of the body inappropriately.
 - A. Undergarments of any kind should not be visible and shall not be worn as outerwear. Clothing must conceal undergarments at all times. See-through or mesh fabrics, spaghetti straps or low-cut revealing tops of any kind, bare midriff, sleeveless and/or low cut undershirts, muscle shirts and swimsuits are prohibited. Tank tops may be worn if they have at a least a 1" shoulder strap.
 - B. Flannel / pajama pants are not permitted.
 - C. Shorts, skirts, skorts, and dresses that are mid thigh in length and/or modest when sitting, standing, or bending over are not permitted. Use the "fingertip" rule to judge if a girl's skirt is too short or if a boy's shirt is too long. Extra long tee-shirts are not permitted unless they are tucked in and remain tucked in all day.
 - D. Clothing should fit the student. It should neither be too large or too tight.
 - E. If you have rips / holes in your jeans, they may not be above fingertip length, similar to our shorts / skirt policy.
2. Perfumes / colognes may only be worn with consideration of others, and must never to sprayed or applied in the classroom or locker rooms.
3. Students may not wear clothing or accessories that are **unsafe**:
 - A. Any colors used by a group that can be identified with an unsafe message or activity.
 - B. Articles of clothing or jewelry identifying the individual with an unsafe activity or group.
 - C. Jewelry that could be used for violence.
 - D. Chains **must** be on wallets only, 12-14 inches in length, including the wallet. Chains **must** be kept in pockets.
 - E. Students may wear hats on campus but not in any building or classroom. Sweatshirts or jackets with hoods are allowed. Hoods must be removed when entering a classroom or any school building.
 - F. Pants must be worn securely at the waistline o top of the hipline. Sagging pants my not be worn.
 - G. Shoes must be safe. Slippers are not permitted.
 - H. No sunglasses may be worn in the classroom unless so ordered by a doctor.

Students who are inappropriately dressed are required to change and leave the clothing in the office for a parent / guardian to pick up.

SECTION 8

DISTRICT AND SITE DISCIPLINE POLICIES

PHILOSOPHY OF DISCIPLINE AND SAFE SCHOOL PLANNING

A. PHILOSOPHY OF DISCIPLINE

The Mt. Diablo Unified School District believes that the best discipline is self-imposed and that each student should learn to assume responsibility for his/her actions.

Schools have an educational responsibility to promote a positive understanding of discipline. Our goal is to enhance each student's awareness of his/her personal responsibility by providing an orderly and predictable set of guidelines so each student can choose the course of action in his/her best personal interests.

There are three distinct phases of this responsibility:

1. To establish a school environment where the activities of the students and adults are orderly and promote a climate of cooperation.
2. To develop an understanding of the need for discipline throughout society.
3. To develop the student's desire for self-discipline.

B. STUDENT CONDUCT AND DISCIPLINE

In the process of developing rules regarding student conduct and discipline, the personnel of the Mt. Diablo Unified School District shall be guided by the following general policy statements:

1. Rules of conduct and disciplinary procedures shall be consistent with state and federal law and with the rules prescribed by the State Board of Education.
2. District personnel shall implement state and federal law and district policy.
3. Each school shall develop rules and procedures on school discipline in accordance with E.C. 35291.
4. It shall be the responsibility of the staff of each school to inform students and parents of the rules.
5. Rules and regulations dealing with discipline policy shall be distributed to students, teachers and parents at the beginning of each school year or at the time of enrollment for students who enter during the school year.
6. The administration shall be responsible for the maintenance of good discipline at the school site or wherever students may be participating in school-related activities. School district employees shall assume responsibility for the enforcement of the established rules.
7. Corporal punishment shall not be administered to a pupil by employees of the Mt. Diablo Unified School District.

NOTE: Nothing in this policy statement shall be construed to prohibit a teacher, administrator or other district employee from protecting himself/herself or others or school property by means of restraining a student, confiscating a weapon, or turning over a lawbreaker to appropriate law enforcement agencies.

The school district or governing board shall not be responsible or in any way liable for the conduct or safety of any pupil of the public schools at any time when such pupil is not on school property, unless the district or Board has undertaken to provide transportation for such pupil to and from school premises, has undertaken a school-sponsored activity off the premises of such school, has otherwise specifically assumed such responsibility or liability, or has failed to exercise reasonable care under the circumstances. [E.C. 44808]

C. CHARACTERISTICS OF SAFE SCHOOLS

What is a safe school?

“Safe schools are orderly and purposely places where students and staff are free to learn and teach without the threat of physical and psychological harm. They are characterized by sensitivity and respect for all individuals, an environment of nonviolence, clear behavioral expectations, disciplinary policies that are consistently and fairly administered, students’ affiliation and bonding to the school, support and recognition for positive behavior, and a sense of community on the school campus. Safe schools are also characterized by proactive security procedures, established emergency response plans, timely maintenance, cleanliness, and a nice appearance of the campus and classrooms.”

*Taken from “Safe Schools: A planning Guide for Action”
California State Department of Education*

D. QUALITY INDICATORS OF SAFE SCHOOLS

Our youth have many divergent needs. Their feelings of safety and security are influenced by wide-ranging factors. Some factors are equally important to all students, while others will be viewed with different levels of importance. The following comprehensive list of quality indicators describe factors considered to be primary in supporting the establishment and maintenance of safe schools. Because of limited resources, it is likely that few schools would meet all criteria. The factors included in this list are intended to be used as a broad measuring stick to assess school safety.

1. Focus on academic achievement

Effective schools convey a positive attitude that all youth can achieve academically. High expectations are established and clearly communicated to students and school community stakeholders. Instruction focuses on district curriculum standards and builds on student readiness profiles, individual learning styles, and interests. The educational approach is developmentally appropriate for students and provides a safe, secure setting free from threat. Students are able to test their skills at real tasks in a safe, noncritical environment. Adequate resources and programs ensure that expectations are met.

2. **Positive environment that values youth and their ideas and is responsive to their needs**

Research shows that a positive relationship with an adult who is available to provide support when needed is one of the most critical factors in preventing youth violence. Students often look to adults in the school for guidance, support, and direction. Effective schools help youth overcome feelings of isolation and support them in developing connections with others. Effective schools encourage youth to help each other and feel comfortable assisting others in getting help when needed. Academic and behavioral expectations are modeled by adult stakeholders.

3. **Comprehensive safe school plan**

Safe schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical and/or psychological harm. Safety on campus is everyone's business. In accordance with state law and district policy, each school has a Comprehensive Safe School Plan approved by the school's Site Council. It is developed by representatives from all of the school's stakeholding groups, including law enforcement.

The plan includes an assessment of the school's current crime status, strategies and programs related to various aspects of school safety, an action plan to correct areas not meeting expectations (if applicable), school-wide discipline and disaster plans, and other components required by law.

4. **Zero tolerance for violence, weapons, and drugs**

Those in the school and community support a zero-tolerance approach to violence, weapons, and drugs. All stakeholders have declared that resorting to physical violence or participating in hate-based violence will not be tolerated. Neither will be possession or use of drugs or weapons be permitted under any circumstances.

5. **Supervision/security**

Every effort is made daily to provide supervision on campuses. Supervision is conducted to observe, and intervene when appropriate, student interactions as well as to maintain security with regard to nonstudents. Teachers and other staff members, participate in supervision before, during, and after school in assigned areas. Administrators monitor the students by supervising before, during, and after school. Special attention is given to those periods of the day when large groups of students are out of class together. Multiple lunch periods are offered as one strategy to reduce the number of students out of class at one time for lunch. Schools utilize either noon or campus supervisors to assist with supervision. Parent volunteers also assist when possible. All staff are aware of contingency plans that will be implemented in the event of an emergency and all have effective means to communicate during a crisis.

6. **Parent and student involvement in school activities and decision-making at school**

Students who have parents involved in their growth both inside and outside of school are more likely to experience school success and less likely to become involved in antisocial activities. Effective schools routinely provide opportunities for parents to become involved in activities related to the educational program and school governance. These schools make parents feel welcome, address barriers to their participation, and keep them positively engaged with their son/daughter's education.

Similarly, student involvement in school activities and decision-making at school provides an avenue to maintain school programs, standards, procedures, and support services that are relevant, as well as ones that reflect the ideas and needs of youth. Students take more ownership and assume more responsibility when involved as partners.

7. **Prevention education**

All staff, certificated and classified, systematically foster effective K-12 prevention education to create a culture that promotes a safe and supportive environment for all members of the school community. Quality prevention education is “skills-based” and teaches asset development, conflict management, anger management, tolerance of diversity, good citizenship, decision-making, and refusal skills that result in healthy life choices.

8. **Intervention services**

When behavioral or emotional signs signal a troubled youth, support services are available to address the youth’s needs. Students have access to caring adults who will listen to their ideas and concerns and who will take proactive steps to provide guidance when needed. Professionally trained individuals are available to provide appropriate support services when needed. Mental health needs of youth are a priority.

9. **Staff training**

Staff training is ongoing, system-wide and includes both certificated and classified staff. It provides for collaboration and is delivered in a safe and respectful environment that is conducive to learning. The school builds in accountability practices and evaluation of programs to provide a foundation of program planning. All stakeholders in the community have an investment in supporting staff training in order to create and sustain a safe environment for all.

10. **Parent education**

Parents do their best to provide youth with an opportunity to succeed. They frequently express the need for training to better respond to the changing needs of today’s youth. Educational opportunities for parents are available to address their needs. Barriers to their participation are addressed, including time and location of classes, child care, and bilingual teachers. Schools work closely with the district’s Adult Education Program to provide parenting education.

11. **Links to the community/interagency collaboration**

Links to the community provide a sense of belonging and responsibility. Opportunities for community service are offered to students. Furthermore, schools that have close ties to families, support services, community polices, and the community at large can benefit from valuable resources. Schools alone cannot meet the diverse needs of youth. All community stakeholders must coordinate efforts and consolidate resources to maximize services to youth.

12. **Alternative educational opportunities**

Students present diverse needs. Traditional approaches to education are not always appropriate for some students. Modifications are made with students when needed, and alternative programs are offered to accommodate the academic and social needs of students when appropriate.

13. **Availability of healthy activity choices during at-risk hours**

Studies have indicated that youth engage in a wide variety of risk taking and illegal activities during after-school hours when they are unsupervised. Schools, cities, and community organizations collaborate to provide youth with healthy choices during at-risk hours. Youth are encouraged to participate in after-school co-curricular and interscholastic activities. An effective truancy prevention program is implemented.

14. **Safe, clean, and attractive physical environment**

The school setting provides an environment that is safe from physical hazards, clean, and attractive. The environment should reflect student interests and display student work. All students learn that they contribute to the overall appearance of their campus. The appearance of the campus is continuously addressed by custodial staff, students through incentive programs, and other staff.

E. **COMPREHENSIVE SCHOOL SITE SAFETY PLAN**

Comprehensive School Safety Plans and the specific contents of the Plans are mandated by Education Codes 32280-32288. A "safety plan" means a plan to develop strategies aimed at the prevention of, and education about potential incidents involving crime, violence, and emergency disaster procedures.

The School Site Council, or the Safety Planning Committee authorized by the Site Council, is responsible for the development and ongoing reviews of the Plan. If the school chooses to form a Safety Planning Committee, the Committee must include the following members:

- The school's Principal or his/her designee
- One teacher representative of the certificated employee organization
- One parent whose child attends the school
- One employee representative of the classified employee organization
- Other appropriate members
- **The School Site Council or the Safety Planning Committee shall consult with a representative from law enforcement in the writing and development of the safety plan.**

The School Site Safety Plan shall include, but is not limited to:

- An assessment of the current status of crime committed at school or related school activities
- Appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety which include the following:
 - Child Abuse Reporting Procedures
 - Disaster procedures, routine, and emergency
 - Policies pursuant to serious actions, which would lead to suspension and/or expulsion
 - Procedures to notify teachers of dangerous pupils

- Establishing an earthquake emergency procedures system and a school building disaster plan
- Sexual Harassment Policy
- Provision of a school side dress code.
- Procedures for safe ingress and egress of pupils
- The rules and procedures for school discipline
- Hate Crime reporting procedures pursuant to Penal Code 628-628.6
- A safety plan may also include an action plan for implementing strategies and procedures

Yearly each school site shall adopt its Comprehensive School Site Safety Plan. Before the School Safety Plan is adopted, the site council or 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 Safety Plan.

The Site Council or the School Safety Planning Committee shall notify, in writing, the following persons or entities, if available, of this public meeting:

- The local mayor
- A representative of the school employee organization
- A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
- A representative of each teacher organization at the school site
- A representative of the student body movement
- All persons who have indicated that they want to be invited

The Site Council or the School Safety Planning Committee is encouraged to notify, in writing, the following person or entities, if available of this public meeting:

- A representative of the local churches
- Local civic leaders
- Local business organizations

To assist schools in the development of their plans, a template has been developed and is available from the Student Services Department. A copy of each school's plan must be on file in the MDUSD Student Services Department. (See Appendix for template.)

In order to ensure compliance with this article, each school district shall annually notify the California Department of Education by October 15 of any schools that have not complied with Section 32281.

Administration

An asterisk (*) indicates the initial office consequence for the first behavioral offense of that particular type. Aggravated circumstances may result in more serious consequences.

Some of these offenses may not need to be referred to the office if the student is able to work out a classroom consequence at the teacher's discretion.

Repeated offenses will lead to increased consequences.

THE COMBINATION OF ANY TWO ADMINISTRATOR-ASSIGNED FRIDAY DETENTIONS OR SATURDAY SCHOOLS IN ONE QUARTER WILL RESULT IN THE LOSS OF THAT QUARTER'S CITIZENSHIP ACTIVITY.

	Behavior Support Call	Lunch Detention	Before / After School Detention	Before / After School Detention w/ loss of activities	Campus Beautification	Friday School	Friday School w / loss of activities	In-House Suspension - Partial Day	In House Suspension - Full Day	In House Suspension - Full Day w / loss of activities	Out of School Suspension: 0-2 Days w / loss of activities	Out of School Suspension: 3-5 Days w / loss of activities w / possibility of Expulsion	SART	SARB	Restitution (When Applicable)	Report to Local Law Enforcement
Attendance																
Skipping Class	*	*														
Habitual Tardiness (10 tardies in one quarter)													*			
Truancy													*			
Leaving Class or School without Permission		*														
Rule Violations																
Dress Code	*															
Lunch Detention - No Show		*														
After School Detention - No Show			*													
Friday School - No Show						*										
Campus Beautification - No Show					*											
Disruptive Incidents																
Disruptive Behavior	*															
Defiant Behavior	*															
Disrespectful Behavior	*															
Disruption of School Activities	*															
Language, Obscene		*														
Language, Profanity		*														
Profanity Directed towards a Staff Member / District Employee											*					
Lying / Misrepresentation / Forged Signature			*													
False Fire Alarm											*					
Substance Abuse/Drug Incidents																
Unauthorized Use / Possession of Over-the-Counter Medication	*															
Unauthorized Use / Possession of Prescription Medication	*															
Tobacco Use / Possession / Sale									*							
Alcohol Use / Possession / Under the Influence / Transmittal											*					
Alcohol Sale / Distribution												*				*
Drug Use / Possession / Under the Influence / Transmittal											*					
Drug or Imitation Drug Sale / Distribution												*				*

Administration

	Behavior Support Call	Lunch Detention	Before / After School Detention	Before / After School Detention w/ loss of activities	Campus Beautification	Friday School	Friday School w / loss of activities	In-House Suspension - Partial Day	In House Suspension - Full Day	In House Suspension - Full Day w / loss of activities	Out of School Suspension: 0-2 Days w / loss of activities	Out of School Suspension: 3-5 Days w / loss of activities	SART	SARB	Restitution (When Applicable)	Report to Local Law Enforcement
Acts Against Persons																
Confrontation or Rough Housing		*														
Fighting / Assault								*			*					
Inciting Fights or Conflicts								*								
Bullying / Harassment - including Cyber-bullying		*														
Racial Slur								*								
Sexual Misconduct / Indecent Exposure / Obscene Act											*					
Sexual Harassment										*						
Threats to Students				*												
Threats to Staff											*					
Making a False Accusation Against School Staff								*								
Battery Upon a Teacher / School District Employee												*				*
Property Incidents																
Theft								*								*
Stealing from the Cafeteria								*								*
Vandalism / Damage to Property					*											*
Inappropriate / Illegal Use of Technology	*															
Arson											*				*	*
Burglary											*				*	*
Other Serious Incidents																
Possession of a Weapon											*					
Robbery											*				*	*

*El Dorado Middle School
Discipline Plan*

Administrative Incident Checklist

Student(s) involved: _____ Date: _____
_____ Time: _____
_____ Location: _____

Administrator in Charge: _____

Briefly Describe Incident: _____

Documentation:

Student Information:

Name:

	Statement Written & Signed:	
1.	Yes	<input type="checkbox"/>
2.	Yes	<input type="checkbox"/>
3.	Yes	<input type="checkbox"/>
4.	Yes	<input type="checkbox"/>
	Yes	<input type="checkbox"/>

Role in Incident:

Participant, Witness

Victim, Aggressor: _____

Staff / Teacher Information:

Name:

	Statement Written & Signed:	
1.	Yes	<input type="checkbox"/>
2.	Yes	<input type="checkbox"/>
3.	Yes	<input type="checkbox"/>
4.	Yes	<input type="checkbox"/>

Parent Called:

1. Student: _____
Parent Name: _____ Phone #: _____ Time: _____

2. Student: _____
Parent Name: _____ Phone #: _____ Time: _____

3. Student: _____
Parent Name: _____ Phone #: _____ Time: _____

4. Student: _____
Parent Name: _____ Phone #: _____ Time: _____

*El Dorado Middle School
Discipline Plan*

Miscellaneous Information:

1. Police Report Filed? Yes Case #: _____

2. Medical / Hospital Involvement? Yes No
Describe: _____

3. District Personnel Contacted? Yes No
Name(s): _____

4. Principal's Conference scheduled for: _____

Administrator's Signature: _____

El Dorado Classroom Expectations

El Dorado Students Will:

1. be in their seat / PE number, working when the bell rings.
2. be prepared with their binder, supplies, PE uniform and homework.
3. listen carefully, follow directions and work quietly.
4. raise their hand for permission to speak or get out of their seat.
5. not eat or drink in class, not chew gum at any time (school wide), and remove their hoods / hats in any room / building.
6. show respect for everyone and their property.

Classroom Consequences Will Be:

1. Warning
2. Teacher determined and will include, but not be limited to:
 - a) Detention
 - b) Written Essay / Time Out / Buddy Room
 - c) Phone call home / parent meeting
3. Administrative consequence

El Dorado Middle School

Teacher _____
Classroom / Location _____

Behavior Reflection

First and last name _____

Where were you sent? (outside, room #, teacher, etc.)

Grade Level _____

Date _____

Day of Week _____

Referral # _____

Time left classroom _____

Time you returned _____

You are receiving this reflection because something went wrong in the classroom. Often when there is a conflict, the best thing to do to permanently resolve it, is to go back and think about what happened. Please answer all of the questions below with thoughtful and honest responses in your best handwriting. Please use complete sentences as well.

"I don't know," will NOT be accepted as an answer.

1. What events or actions led to you being sent out of the classroom?

2. Were you warned before you were sent out? How many times?

3. In your own words, how were you involved in the incident?

4. Please name any other students that were involved and what their role in the incident was.

5. What could you have done to prevent the incident?

6. What steps should you take in the future to prevent a similar incident from happening again?

When you return to class, give this to your teacher. Please be aware that if the negative behavior(s) continues, your parents and administration will be involved in the matter.

SECTION V.

STUDENT SUPPORTS / DISCIPLINE POLICIES AND PROCEDURES

504'S

Teachers receive copies of 504 Plans in August / September. Get to know these students well. Communicate with their parents on a regular basis. You will need to attend annual review meetings. Tell the appropriate administrator and / or the 504 Coordinator if the plan is not supporting the student's needs and we will discuss how to rewrite the plan.

SUPPORT CALLS PROGRAM

Purpose:

- **to keep kids in class, learning**
- to avoid rewarding students by removing them from class
- to "nip problems in the bud"
- to avoid making little problems into bigger ones
- to prevent a power struggle from developing

Ideally:

- the teacher has tried a "Time Out" with a partner teacher
- the teacher has made contact with the family before the administrator needs to call
- the teacher and the team have met with the student before the administrator needs to call.

How:

- Call the office for a support call. Give them the student's name. An administrator will come to your classroom and speak to the student outside the classroom door.
- When you see a power struggle beginning, a student trying to challenge the teacher or do things that would cause the teacher to send the student to the office.
- You see a problem developing between students that you are unable to resolve.

Other:

- **Support Calls are not used to remove students from class.**
- Teachers have the right to "Teacher Suspend" a student for that period and the following day. It is the responsibility of the teacher to meet with / contact the parent regarding the suspension. This information will be entered into Aeries as well.

EL DORADO STUDENT SUPPORT SYSTEM

Team Level Meetings

Expected to meet at least once a week.
Please invite your Grade Level Administrator to attend.



Positive Contact with Parent

1. Phone Call
2. E-mail
3. Positive Referral



Time Out with Buddy Teacher

1. Send student to Buddy teacher
2. Student completes Behavior Reflection Form



Teacher (Class) Suspension

1. Call Parent
2. Arrange meeting time.
3. Notify Grade Level Admin & complete Suspension form.
4. Give to Secretary to mail.



Teacher / Student Meeting

1. Meet with the student.
2. Write an Action Plan.
3. Turn into Grade Level Administrator



Administrator Meetings

Request when you continue to see ongoing problems and have implemented an Action Plan.



COORDINATED CARE TEAM

- Meets every Thursday at 9:15 AM
- Reason for Referrals may be Academic, Behavior, Health or Attendance.
- Referrals can be made to request an SST, Counselors, Nurse, School Psychologist, Violence Prevention Counselor or other services.

Process:

1. Teacher or Teaching Team completes referral.
2. Turn referral into Susan Shih who will immediately put the student's name on the next CCT agenda.
3. CCT gathers information and makes recommendations.
4. Referring Teacher or Team is notified of disposition of referral.

COORDINATED CARE TEAM

Our El Dorado Coordinated Care Team meets weekly to discuss and refer students to various school and community resources. Complete the confidential 2 sided referral form with your team members.

REFER TO CCT:

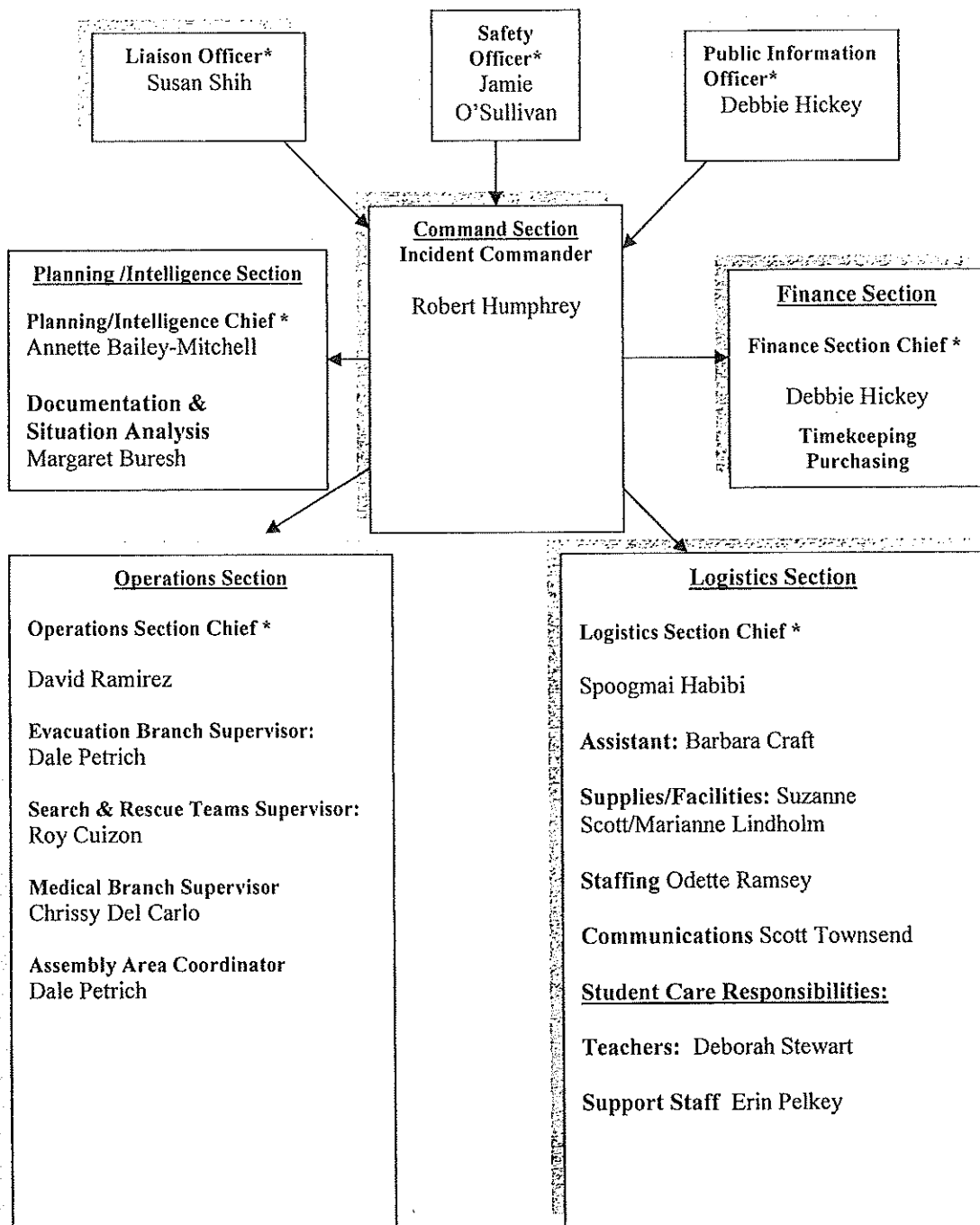
****Be sure to use the appropriate forms.****

- all requests for Student Success Team Meeting (SST's)
- a student who may need counseling
- a student with excessive absences or tardies
- a student with failing grades
- any student being considered for retention
- any "high profile" students who need extra assistance.

—SECTION 9

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

**EL DORADO MIDDLE SCHOOL
Emergency Preparedness
Organizational Chart**



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 (Conference Room adjacent to the Principal's 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).

EL DORADO MIDDLE SCHOOL
Annual PlanTimeline

June-August

Fire extinguisher checks
Supply inventory and purchase
Safety Walkthrough with maintenance
Review student handbook

September

Staff review of safety procedures and attendance
Staff survey of skills
Fire Drill

October

Earthquake preparedness review and drill
Fire Drill

November

Shelter in place drill

December

Fire Drill

January

Fire drill
Safety plan review/revision

February

Fire Drill
Safety plan review/revision

March

Fire Drill
Safety plan review/revision

April

Shelter in place drill
Site council approval of safety plan and submission to Dent

May

Fire Drill
Intruder drill

EL DORADO MIDDLE SCHOOL 2013-2014

Emergency Preparedness and Crisis Response Plan

Emergency Response Outline

Guiding Principles:

- The 3 C's: Control, Communication and Coordination
- Stay calm and alert
- Intervene immediately
- Provide safety for the greatest number
- Cooperation and intelligence will save the day.

Administration Expectations:

- Provide instruction and practice to students.
- Take appropriate action for student safety.
- Contact parents or guardians as appropriate.
- Carry out any emergency actions as required.

Chain of Command

In the event of a crisis or emergency, the Principal, Robert Humphrey, will act as the Crisis Response Team Incident Commander. If the principal is not present, or cannot assume control for any reason, the Chain of Command is as follows:

Susan Shih, Vice-Principal – Operations Chief
Andrea Uhle, SSC – Logistics Chief
Cheri Scrippter, SSC – Assistant to Logistics Chief
Pamela Humphrey, Office Manager – Public Information Officer
Martha Gonzalez – Office Secretary – Scribe
Annette Bailey-Mitchell – Attendance Secretary – Assistant to Public Information Officer
Barbara Craft, Custodian – Team Member
Lavinia Henlon, School Psychologist, Team Member
Kenya Brown, School Psychologist, Team Member

Emergency Team Responsibilities

Incident Commander – has overall responsibility for the care, welfare, and security of all personnel and students. He determines the risks and establishes priorities to minimize risk.

Operations Chief – has responsibility for the safe evacuation and release of students and staff.

Logistics Chief – has responsibility for providing facilities, services, personnel, equipment and materials in support of the incident.

Public Information Office (PIO) – has responsibility for handling the media and developing press releases under the direction of the Incident Commander. No other staff member is to speak to the media.

Scribe – maintains a written record of all communications and actions related to the incident.

Faculty Expectations:

- Carry out emergency actions as required
- Account for all students in your classroom.
- Have activities available during confinement.
- Initiate emergency first aid as needed.

Summary of Emergency Situations

Fire

- Alarm will sound.
- Evacuate the building immediately.
- Close your door and leave a chair outside of the door indicating there are no persons left in the room.
- Take your emergency backpack as you walk out with your students to the designated evacuation position on the field
- Account for your students. They are to be with their teacher in their class period that they last had in the event that they are in their lunch period (i.e. 8th grade students report to their 4th period teacher and 6th and 7th grade students report to their 5th period teacher.)
- Once roll has been called, hold up a green card signifying all students are accounted for or a red card if you cannot locate one of your students.
- Attendance monitors will help locate students

Earthquake

- Move away from windows, shelves and heavy objects.
- Drop to the floor and duck, cover and hold under a table or desk.
- Stay in this position until told to evacuate the buildings. Proceed to the primary evacuation spot if possible.
- Follow the same procedures for Fire.
- If you are outside, move away from buildings and trees, duck to the ground and cover your head with your arms. When shaking stops, proceed to evacuation site.

Chemical Spill/Release

The Incident Commander will notify you via the school intercom that a "Shelter in Place" emergency exists.

- Do not permit anyone to leave your room.
- While locking your door, bring any students in the vicinity into your room.
- Close windows, curtains/blinds.
- Turn off heating and air conditioning.
- Keep your students calm and working.
- Wait for further instructions or an all clear.

The safety and well being of our students and our staff is of paramount importance. Together, by being prepared, well trained and calm, we can see our students and ourselves safely through any crisis.

The responsibility of Public Employees in a Disaster is covered under California Government Code, Section 3100. It states that we should be prepared to stay at our site for up to 72 hours or longer in the event of a disaster.

Bomb Threat Suspicious Package

Upon notification of a bomb threat/suspicious package, the Incident Commander will decide whether to clear the buildings or not. Once notified by intercom to evacuate, follow the same procedures for Fire. Anyone discovering a suspicious package, box or strange device should not touch the device or allow anyone else to touch it. Notify the Principal immediately.

Intruder Alert

The Incident Commander will notify you via intercom that a "Lockdown" emergency exists.

- Remain calm and lock your door.
- Do not permit anyone to leave your room.
- Close windows, curtains/blinds.
- Turn off all lights, computers/TV's
- Move students away from windows and doors
- Wait for further instructions or an all clear.

Earthquake Response Procedures

Faculty Responsibilities

- After the first shock, teachers will evacuate classrooms, being alert to the possibility of aftershocks.
- Make every effort to take the emergency backpack and announce that no student is to return to a room unless directed.
- When possible, avoid walking under the roof overhangs.
- Students in wheelchairs should be assigned a "buddy" in each classroom. The buddy is to provide assistance as needed.
- Leave the classroom door unlocked and place a chair outside the door to indicate that the classroom is empty.
- Classes walk with their teacher out to the primary evacuation spot and then are to line up with their teacher. Students are to be with their teacher in their class period that they last had in the event that they are in their lunch period (i.e. 8th grade students report to their 4th period teacher and 6th and 7th grade students report to their 5th period teacher.)
- Once lined up students are to sit down, weather permitting. Teachers take roll, and then write the names of any missing student on a yellow post-it. Teachers will hold up the green card if all students are present and accounted for. Teachers will hold up

- the red cards if they cannot account for any student. Attendance takers will collect the post-its and take them to the Operations Chief.
- Teachers are to remain with their class until reentry to the buildings has been approved, or students have been picked up by parents or other authorized persons.
- Schools will remain open indefinitely until every child has been released to parents or to an authorized person.

Emergency Team Responsibilities

Chain of Command is immediately in effect. A Command Center will be established and a runner will notify faculty and staff of that location.

Communication will be by intercom, walkie-talkie or megaphone.

Evacuation sites are as follows. Primary – field areas directly behind the E Wing and Backstops. Secondary is along the fence at Mendocino Street, and finally, across Concord Blvd. at the Concord Community Park. The Incident Commander will give directions should the primary site not be usable.

Injuries will be treated in the Gym, if possible. Notify the Command Center by runner if you have an injury that cannot be moved. A triage team will come to your location.

Emergency Supply Barrels are located in Teacher's Lounge (A2), P.E. Office, Center Pod, C6, F1, D4, S4, B3, and M1.

Emergency supplies of water are stored in the PE Storage room, behind the gym

Morgue, if necessary, will be located in S-1.

Release Point for students will be established after the situation has been assessed. The release cards are in the

Emergency Backpacks and must accompany the student to the release point when the runners come for the students. It is to be expected that parents may not follow the procedure. Every effort should be made to obtain a parent signature on the release card. Be reminded that only the Superintendent can authorize the release of students.

Remember that structural factors make it necessary to alter all established plans. You will be notified of any changes by runner, walkie-talkie or bullhorn.

SPECIFIC FACULTY/STAFF ASSIGNMENTS

Wing Reporters (during the prep period) will check as required and report findings to Command Center:

AREA 1

Calder/Tal (1st), Haley (2nd), Peirich (3rd), Shedd (4th), Heney (5th), Fashokun/Starman (6th), and Hatch/Heney(7th) will check B1-3, A2, A3, G1-2, H1, M1, and S1-4.

AREA 2

Tress/Vargas (1st), Collier/Nicola (2nd), Afable/Machado (3rd), Townsend (4th), McChesney (5th), Cadile/Ghiozzi /Masongsong (6th), and Davis/DiMaggio (7th) will check Wings C1-5, D1-4, F1-4, Library, and A4-6.

AREA 3

Romer/Taylor (1st), Lieb (2nd), Pelkey/Murphy (3rd), Hansing/ Wheeler (4th), Hood (5th), Burham/Realgeno (6th), and Kelly (7th) will check Wing P1-7, Pod, and Gym.

AREA 4

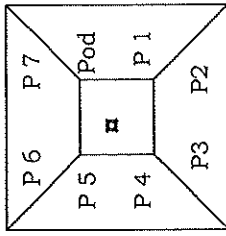
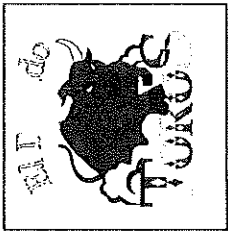
Holland/Thomas (1st), Minglana (2nd), Ovadia (3rd), Kuhl-Albert (4th), Tomasulo (5th), Rollins/Wetzman (6th), and Kuhl-Albert (7th) will check Wings E1-4, C6-10, and D5-8.

Attendance Monitors on the field will get names of missing students and try to locate them.

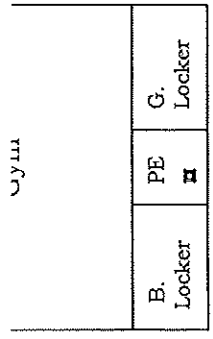
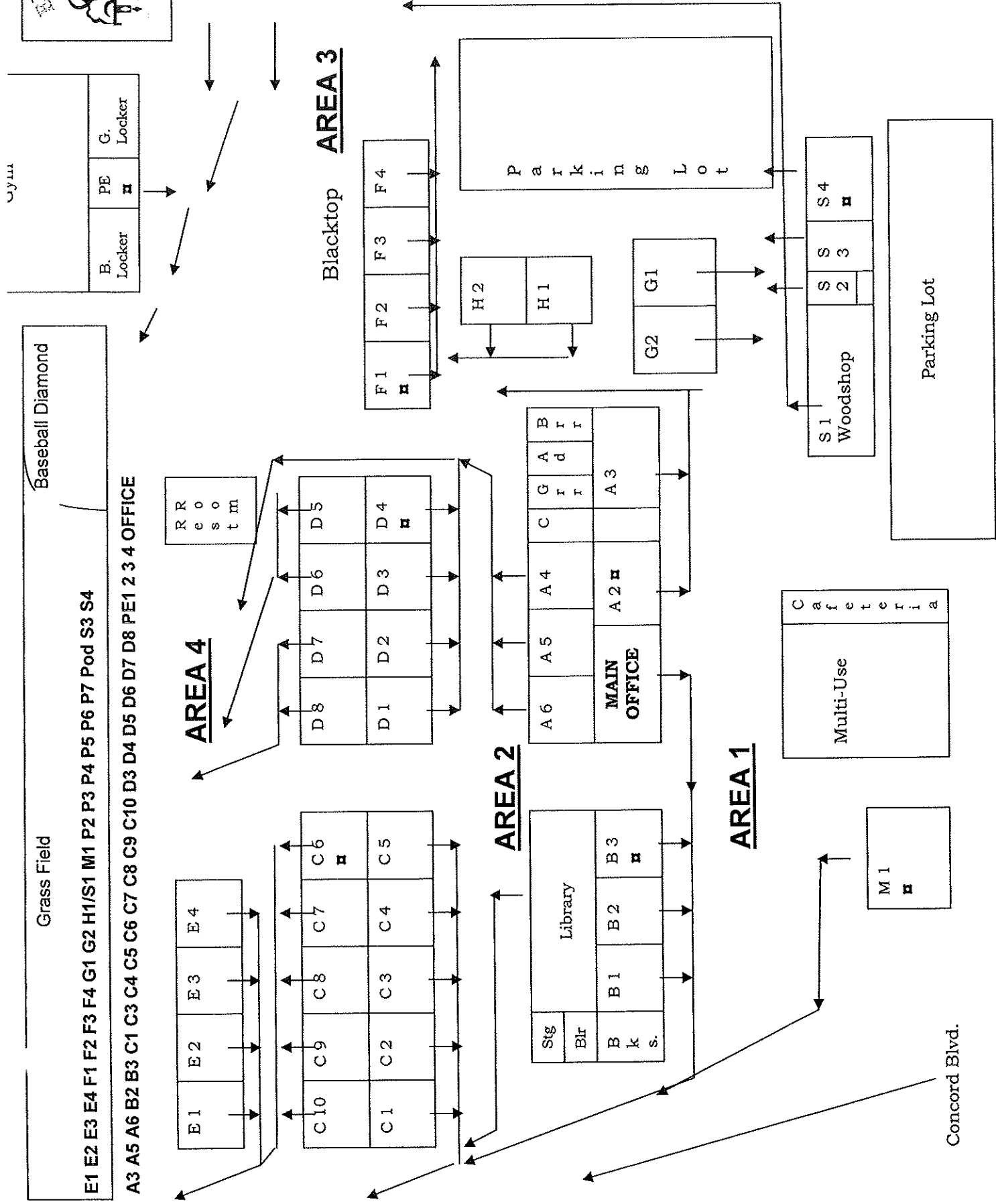
All Teaching Assistants are to walk out with their classes and then report to the Operations Center on the field.

Assistants to the Hearing Impaired stay with their students until released.

The Noon Supervisor under the supervision of the Campus Supervisor will report to the front of the school to manage non-school personnel.



E V A C U A T I O N M A P



Baseball Diamond

E1 E2 E3 E4 F1 F2 F3 F4 G1 G2 H1/S1 M1 P2 P3 P4 P5 P6 P7 Pod S3 S4
 A3 A5 A6 B2 B3 C1 C2 C3 C4 C5 C6 C7 C8 C9 C10 D3 D4 D5 D6 D7 D8 PE1 2 3 4 OFFICE

AREA 4

AREA 2

AREA 1

AREA 3

Blacktop

P a r k i n g L o t

Parking Lot

Concord Blvd.

updated 1/27/14 □ - Trashcan w/Emergency Supplies

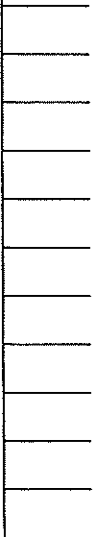
West St.

EMERGENCY BUDDY LIST

A 3: Fashokun	H 1: Tress
A 5: Nicola	A 6: Tal
B 2: Erikson	B 3: Davis
C 1: Weitzman	C 2: ASP
C 3: Rollins	C 4: Minglana
C 5: Haley	C 6: Vargas
C 7: Thomas	C 8: Wheeler
C 9: Hansing	C 10: Townsend
D 1: McGraw	D 2: Counseling Room
D 3: Collier	D 4: Heney
D 5: Burham	D 6: Holland
D 7: Petrich	D 8: Ovadia
E 1: Shedd	E 2: S. Taylor
E 3: Score	E 4: Kuhl-Albert
F 1: Cadile	F 2: Stearman
F 3: Ghozzi/Hai	F 4: Masongsong
G 1: Kelly	G 2: DiMaggio
PE: McChesney	PE: Romer
PE: Taylor	PE: Tomasulo
M 1: Emigh/McNulty	Office
P 2: Machado	P 3: Afable
P 4: D. Hood	P 5: Lieb/Realgeno
P6: Pelkey	P7: Murphy
S 1: Woodshop	S 2: School psychologist
S 3: Hatch	S 4: Calder

**El Dorado Middle School
FIELD CLASS LOCATIC AREAS (2013-2014)**

MENDOCINO FENCE



ALTERNATIVE STATIONS



GRASS FIELD

GYM		
Boys Locker Room	PE OFFICE	Girls Locker Room

Baseball Diamond	
Fence	Bleachers

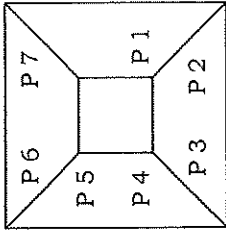
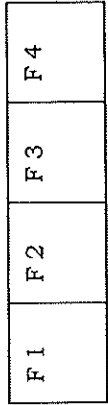
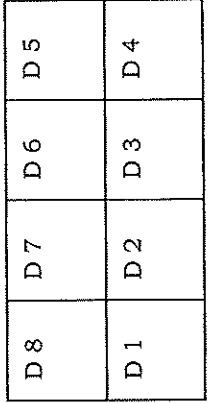
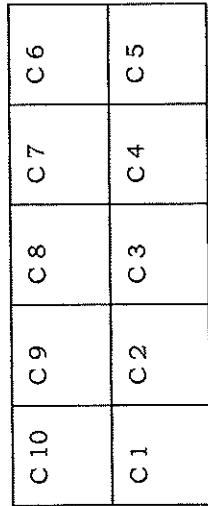
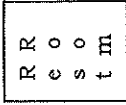
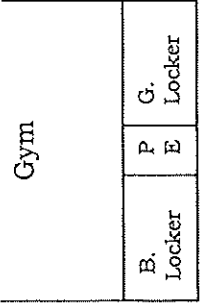
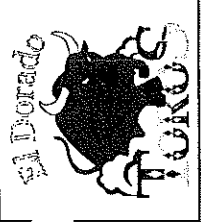
E1 E2 E3 E4 F1 F2 F3 F4 G1 G2 H1 M1 P1 P2 P3 P4 P5 P6 P7 Pod S3 S4

A3 A5 A6 B2 B3 C1 C3 C4 C5 C6 C7 C8 C9 C10 D2

D3 D4 D5 D6 D7 D8 PE Office

El Dorado Middle School

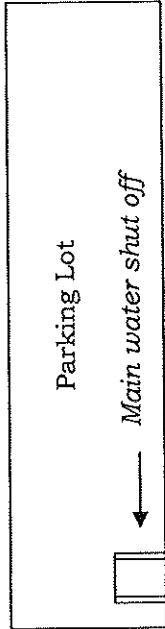
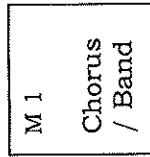
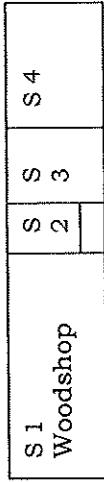
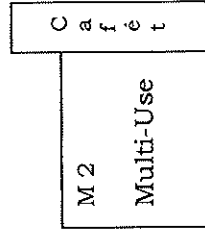
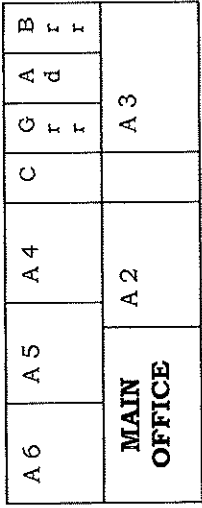
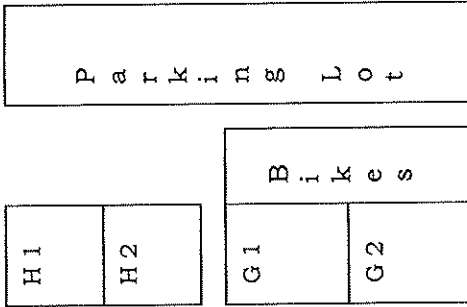
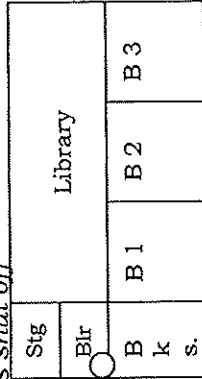
1750 West Street • Concord, CA 94521
 (925) 682-5700 • (925) 685-1460



Main electrical shut off

Main gas shut off

Main gas shut off in boiler room



- A 3: Fashokun
 A 4: Staff Room
 A 5: Nicola
 A 6: Tal
 B 1: Book Room
 B 2: Erickson
 B 3: Davis
 C 1: Weitzman
 C 2: ASP
 C 3: Rollins
 C 4: Minglana
 C 5: Haley
 C 6: Vargas
 C 7: Thomas
 C 8: Wheeler
 C 9: Hansing
 C10: Townsend
 D 1: McGraw
 D 2: Counseling
 D 3: Collier
 D 4: Heney
 D 5: Burham
 D 6: Holland
 D 7: Petrich
 D 8: Ovadia
 E 1: Shedd
 E 2: S. Taylor
 E 3: Score
 E 4: Kuhl-Albert
 F 1: Cadile
 F 2: Stearman
 F 3: Ghozzi/Hai
 F 4: Masonsong
 G 1: Kelly
 G 2: DiMaggio
 H 1: Tress
 H 2: Computer
 M 1: Emigh/McNulty
 M 2: Mutli-use Room
- PE: McChesney
 Romer
 Taylor
 Tomasulo
 P 1: Counseling
 P 2: Machado
 P 3: Atable
 P 4: D. Hood
 P 5: Lieb/
 Realegeno
 P6: Pelkey
 P7: Murphy
 Pod:Speech
 S 1:Woodshop
 S 2: Psych
 S 3: Hatch
 S 4: Calder

Concord Blvd.

West St.

Emergency Student Release Procedures

When picking up your child . . .

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

PLEASE

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

El Dorado Middle School Emergency Pick Up Location

Students may be picked up in the Multi-Use Room.

Updated 4/02/12

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 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 students.

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



El Dorado Middle School

Mount Diablo Unified School District

1750 West Street
Concord, CA 94521
(925) 682-5700
(925) 685-1460 fax

EMERGENCY PREPAREDNESS

STUDENT RELEASE

What Parents Need
to Know

SPECIAL STAFF SKILLS AND EQUIPMENT

(2013-2014)

Page 1 of 2

List staff members with:

Medical or First Aid Experience:

CPR- D. Hood, Minglana, Scriptor, Shih, Lieb

1st Aid- Clary, Hickey, Scriptor

Search and Rescue Experience:

CERT – D. Hood

Lifeguard-Thomas

Military Experience – Petrich

National Camp Certification for Response for Emergencies at Camp – D. Hood

Scouting – D. Hood, Minglana

Firefighting Experience:

Nationally Certificated Firefighter – Petrich

Communications Experience:

Ham Operator-Machado

Emergency Vehicle

RV/Van –Townsend

4Wheel Drive – Hansing,

Truck-Stearman, O’Sullivan

Motorcycle – Taylor

SUV – Collier, Hatch, Heney, Lieb, Masongsong

Temporary Shelter (for 50 People) –Collier, Haley, Kuhl-Albert, Lieb, Nicola

SPECIAL STAFF SKILLS AND EQUIPMENT

Page 2 of 2

Skills:

Languages:

ASL –Cadile

Hebrew – Tal

Japanese – Tress

Mandarin Chinese-Shih

Spanish-Rollins, Heney, Duran, Realgeno, Davis

French-Scripter

Other Skills:

Pro Act Training-Shih, Petrich

Electrical/Plumbing/Carpentary-Lieb, Petrich, Stearman, Townsend

Auto Repair: Petrich, Stearman, Townsend

SECTION 10

**PUBLIC NOTICE LAW
ENFORCEMENT
REVIEW**



MT. DIABLO UNIFIED SCHOOL DISTRICT
EL DORADO MIDDLE SCHOOL
1750 West Street
Concord, California 94521-1097
(925) 682-5700

OFFICE OF THE
PRINCIPAL

February 18, 2014

Mr. Tim Grayson
Mayor of Concord
1950 Parkside Drive
Concord, CA 94519

Dear Mr. 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:

- 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 Site Council or 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 School Site Council or the School Safety Planning Committee shall notify, in writing, the following persons or entities, if available, of this public meeting:

- The local mayor
- A representative of the school employee organization(s);
- A representative of each parent organization at the school site, including the parent/teacher association and parent/teacher clubs;
- A representative of the student body government; and
- All persons who have indicated that they want to be invited.

The date of our school's public meeting at which the school safety plan will be adopted will be Tuesday, February 25, 2013, at 3:15 p.m. 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 provide input.

Please contact me at (925) 682-5700 ext.5103 if you are planning to attend or you have any questions regarding this matter. I look forward to speaking with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Shih".

Susan Shih, Vice Principal
El Dorado Middle School



MT. DIABLO UNIFIED SCHOOL DISTRICT
EL DORADO MIDDLE SCHOOL
1750 West Street
Concord, California 94521-1097
(925) 682-5700

February 18, 2014

Sergeant Russ Norris
Concord Police Department
1350 Galindo Street
Concord, CA 94520

Dear Sergeant Norris,

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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Sincerely,

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Susan Shih, Vice Principal
El Dorado Middle School

Public Notification

<p>Method for Communicating Plan and Notifying Public: <i>Ed Code 32288</i></p>	<p>Date of Public Hearing is February 25, 2014</p> <p>The School site council or school safety planning committee shall notify, in writing, the following persons and entities, if available, of the public meeting:</p> <ul style="list-style-type: none"> > Local Mayor > Representative of the local school employee organization > A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs > A representative of each teacher organization at the school site > A representative of the student body government > All persons who have indicated they want to be notified
<p>Review of Progress for Last Year (Safety Plan for 2013-2014)</p>	<p>The School site council or school safety planning committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:</p> <ul style="list-style-type: none"> > A representative of the local churches > Local civic leaders > Local business organizations <p>In order to ensure compliance with this article, each school District or County Office of Education shall annually notify the State Department of Education by October 15 of any schools that have not complied with <i>Ed Code 32281</i></p>
<p>Law Enforcement review</p>	<p>Goal 1 of Component I was met and will be continued, Goal 1 of Component II was met and was revised, and Goal 2 of Component II was not met and will be continued.</p>
<p>Site Council Approval</p>	<p><i>[Signature]</i> <i>R. Murray #340</i> Date: 5/19/14</p>
<p>School Board Approval</p>	<p><i>[Signature]</i> Date: 4-22-14</p> <p>Date: _____</p>