Marina Vista Elementary
Pittsburg Unified School District

Comprehensive School Safety Plan

2018 - 2019

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Introduction - Comprehensive School Safety Plan

California Education Code Section 32286 requires each school site to annually review and update its school safety plan, which must be developed and written by a School Site Council (SSC) or its designated Safety Planning Committee in collaboration with teachers, classified staff, parents, and first responders to ensure they are up-to-date and complete.

School Safety Plans must include an 1) assessment of the current status of school crime committed on campus and at school-related functions and 2) an identification of appropriate strategies and programs that provide/maintain a high level of school safety. Plans must have policies and procedures addressing critical issues including: 3) child abuse reporting, 4) suspension and expulsion policies and notification of teachers; 5) policies prohibiting discrimination, harassment, intimidation, and bullying, 6) school dress code, 7) the safe ingress and egress of students and visitor access to campus, 8) ensuring a safe and orderly school learning environment 9) school discipline procedures, 10) disaster preparedness and earthquake emergency procedures (which are included in the school site Emergency Operations Plan).
School Safety Plan - Implementation and Review Timeline

Reminder - In accordance with state law, students and staff must participate in emergency drills at Elementary schools as follows:

- Fire drills – monthly at elementary
- Earthquake drop procedure drills (4x year)
- Disaster/Earthquake evacuation drill (1x year)
- Lockdown drill - TBD

September
- Conduct monthly fire drill date: September 27, 2018

October
- Discuss Comprehensive School Safety Plan with School Safety Committee
- Present Comprehensive School Safety Plan to the public
- Present Comprehensive School Safety Plan for approval of the board
- Review earthquake procedures with students
- Conduct Great California Shakeout Disaster Drill 1 date: October 18, 2018
- Conduct monthly fire drill date: October 18, 2018

November-December
- Review lockdown procedures with students
- Meet with Staff
- Conduct monthly fire drills date: November 27, 2018 date: December 11, 2018
- Conduct indoor lockdown drill 1 date: November 16, 2018
- Earthquake drop, hold, cover drill 2 date: November 16, 2018

January-March
- Recognize students at academic assemblies
- Meet with Staff
- Conduct outdoor lockdown drill 2 date: February 26, 2019
- Conduct monthly fire drills date: 1/15/19 date: February 12, 2019
- Conduct Evacuation Drill date: March 8, 2019
- Earthquake drop, hold, cover drill 3 date: January 25, 2019

April- June
- Review/modify Discipline Plan with Leadership Team and School Site Council
- Conduct lock down drill when students are outside of classroom 2 date: April 11, 2019
- Conduct monthly fire drills date: 4/11/19 date: May 17, 2019
- Earthquake drop, hold, cover drill 4 date: May 21, 2019
1. Assessment of School Crime

Marina Vista Elementary School reports all crime to the Pittsburg Police Department. School district personnel are also notified of any incidents where the police have been called to the school.

<table>
<thead>
<tr>
<th>School</th>
<th>Expulsion</th>
<th>Suspension</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina Vista Elementary</td>
<td>0</td>
<td>87</td>
<td>87</td>
</tr>
<tr>
<td>+Leaving class without permission (48900.k) Disrupt school activities/defy authority</td>
<td></td>
<td>1</td>
<td></td>
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<tr>
<td>+Possess lighter or matches (48900.k) Disrupt school activities/defy authority</td>
<td></td>
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<td></td>
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<tr>
<td>48900.2 Engaged in sexual harassment (Gr 4-12)</td>
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<td></td>
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<tr>
<td>48900.a Battery:2 Willful use force/violence, except self-defense</td>
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<td>26</td>
<td></td>
</tr>
<tr>
<td>48900.b Possess weapon or dangerous object</td>
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<td>5</td>
<td></td>
</tr>
<tr>
<td>48900.g Stole/attempt to steal school/private property</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>48900.g Stole/attempt to steal school/private property &gt;$100</td>
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<td>1</td>
<td></td>
</tr>
<tr>
<td>48900.i Commit obscene act/habitual profanity/vulgarity</td>
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<td>1</td>
<td></td>
</tr>
<tr>
<td>48900.k Disrupt school activities/defy authority</td>
<td></td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>48900.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</td>
<td></td>
<td>1</td>
<td></td>
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<tr>
<td>48900a.1 Fighting: Caused/attempted/threatened</td>
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</tr>
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</table>
2. Appropriate Programs and Strategies that Provide School Safety

Marina Vista Elementary ensures the physical and emotional safety of all through the programs and support strategies the school implements. The principal and vice principal work together to oversee that the programs are understood and carried out. They communicate to and practice with its staff members, students, and its families the district and school safety programs. School administration and staff communicate through e-mail, radio, and the PA system. A radio is assigned to the principal, vice principal, office staffs, PE teachers, and custodian. Communication to families are shared through the school website, parent letters, school flyers, and phone calls.

The physical safety of everyone at the site is the initial step in the safety plan. The school gates and double doors are locked when the school is not in session. The gates are opened and are locked immediately during trash pick-up or health van entrance/exit. The main double door is unlocked once school starts and doubles doors leading to the playground are unlocked when the custodian arrives in the morning. The exterior doors can be locked remotely during an emergency lockdown.

The school accounts for all who are at the site by maintaining a record of students and visitors’ attendance. Student attendance is reported through Aeries. Teachers take attendance in the morning before 8:30 in the morning. Students who come in late or who need to leave school early report to the office and the office staff put a mark in their attendance as necessary. Towards the end of the day, the school clerk calls families of students who did not notify the school of their student’s absence. When a student is being picked up early from school, parents or guardians need to check out students first in the front office and the office staff will call for the student. Office staff checks appropriate student records and adult identification is verified before releasing a student. Visitors check in the office, sign in the log book, and puts on a “visitor” identification sticker before going to a classroom. They are to sign out also in the visitor’s log book at the end of their visit.

The site practices emergency preparedness procedures and monitors emergency supplies throughout the year. A fire drill is conducted every month and other emergency preparedness drills are spread out during the course of the school year. First aid supplies are available in the basement, staff lounge, and in the office. Every classroom has an emergency first-aid kit and an emergency bag with additional items including a flashlight and an emergency contact list in case of a power outage.

The social and emotional safety and development of students are planned for and sustained through the site support programs and staff. The school recognizes and celebrate individual student and whole class achievements. Blue tickets are issued to individual students and classroom certificates are awarded to the whole class for positive behavior. Students exchange their tickets for items in the student store and the lower and upper grade classes with the most certificate are recognized as the classrooms of the month. Students who demonstrate good attendance, academic performance, and positive behavior can apply for and are awarded the independent student badge. The school also responds to negative student behavior constructively. Students are taught and encouraged to use their words to communicate their thoughts and feelings for them to avoid or resolve conflicts among their peers. Marina Vista has worked with Soul Shoppe to teach students how they can take control of their emotions and be able to think through and
choose a better course of action. Grade level assemblies and classroom visits are conducted throughout the year to build students’ knowledge of the different languages used and stages of the process. As the students become more aware of their and other’s feelings, they would be able to communicate their feelings which also includes apologizing to others. Selected students from each class in grades 3 to 5 are trained as “Peace Makers” to help resolve conflicts among students. These students are assigned recess days where they lead students to the Peace Path.

Student behavior is often related to academic success. Marina vista plans for and monitors students’ academic success and progress. All parents are informed of their student’s academic progress during the scheduled school-wide Parent Teacher Conference. However, parents can also be invited to or can request for a conference outside of the scheduled Parent Teacher Conference. Student Success Team meeting is conducted for identified students where an administrator, parents of, and teacher of the concerned student talk about student’s behavior and academic performance. The team will plan for possible course of actions or programs that can support the success of the student. Students in Kinder through 3rd grade are progress monitored in reading and comprehension. The Early Literacy coach assesses these students, schedules a data conference with individual teachers and administrators, and plan with them possible teacher’s next steps in response to the data presented. English Language Development classes are provided to support the language development of the English learners. Additional computer time is imbedded in the ELD schedule for English learners to access district computer programs that support the development of their English language skills. Students are assessed during fall and spring to monitor their progress and are reclassified when they have met the district criteria for reclassification. Parents are informed through a meeting, phone call or a letter. Additional support is provided to students with special needs through the special education team: speech therapist, school psychologist, and special education teacher. They could be spending whole or part of the instructional day with the special education teacher, while others have other support staff such as a teacher aid with them throughout the day. Extended learning is also offered after school. Teachers analyze their data in specific subjects and identify students in their grade level who may benefit from after school tutoring. Letters are sent home to notify parents of students who are invited to participate.

Other key support staff for student safety includes other adults that supervise students throughout the campus. In the morning before school starts, classified staff and administrators monitor student safety and behaviors. During recess, teaching staff are on duty in the cafeteria for detention, in the field, and on the blacktop where the play structure is located. During lunch and lunch recess, classified staff and administrators supervise in the cafeteria and in the field and blacktop. Two Lincoln Child Center staff provide counseling and therapy throughout the week, and additional staff provide support once a week. Lincoln staff also provide art and craft center on Thursdays during recess. A nurse is also available to serve the students for 2 hours a daily.
3. Child Abuse Reporting Procedures

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

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

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

Child Protective Services – 24 hour hotline
1-877-881-1116

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

Fax (925) 798-0756
Child & Family Services
2120 Diamond Blvd., Suite 120
Concord, CA 94520

Send a copy of the report to PUSD Educational Services Director marked as “Confidential”.

3b. SCAR Form Instructions

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: [http://www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html) (specify “Penal Code” and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

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

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

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

III. REPORTING RESPONSIBILITIES

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

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

IV. INSTRUCTIONS (Continued)

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

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

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

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

V. DISTRIBUTION

- Reporting Party: After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.

- Designated Agency: Within 36 hours of receipt of Form SS 8572, send white copy to police or sheriff’s department, blue copy to county welfare or probation department, and green copy to district attorney’s office.

ETHNICITY CODES

<table>
<thead>
<tr>
<th>Code</th>
<th>Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Alaskan Native</td>
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<tr>
<td>2</td>
<td>American Indian</td>
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<tr>
<td>3</td>
<td>Asian Indian</td>
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<tr>
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<td>Black</td>
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<td>Caribbean</td>
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<td>White-European</td>
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4. Suspension and Expulsion Board Policies

Board Policy 5144.1 Suspension and Expulsion/Due Process

The Board of Education 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 Curricular 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.

Zero Tolerance

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))

On-Campus Suspension Program

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.
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.

Policy PITTSBURG UNIFIED SCHOOL DISTRICT
adopted: March 14, 2007 Pittsburg, California

Administrative Regulation 5144.1 Suspension and Expulsion/Due Process

Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Education for students of the same grade level

2. Referral to a certificated employee designated by the principal to advise students

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

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage, or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets,
and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))

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

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

19. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2) (cf. 5145.7 - Sexual Harassment)

20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3) (cf. 5145.9 - Hate-Motivated Behavior)

21. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)
A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

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

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)
A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possession of an explosive as defined in 18 USC 921

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)
A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee, or the Superintendent with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the principal, designee, or the Superintendent determines that an emergency situation exists. An emergency situation involves a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

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

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

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)
5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

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

Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.

3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student’s parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion."

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

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal or the Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

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

2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis

4. Robbery or extortion

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

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))
1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

2. Brandishing a knife as defined in Education Code 48915(g) at another person

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above

5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

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

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

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

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

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's
suspension and expulsion policy and regulation and shall advise the witness of his/her right to: 
(Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies

3. Have a closed hearing during the time he/she testifies

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

Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing.

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

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

4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

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

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

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student’s privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20 (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

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

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

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

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

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 School Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 School Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing." (Education Code 48918(d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (Education Code 48918(e))

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

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)
If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915 (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48916)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:
1. The student's pattern of behavior

2. The seriousness of the misconduct

3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.

4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.

6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.

7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(j)).

Right to Appeal

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

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

Notifications to Law Enforcement Authorities
Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Post-Expulsion Placements

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

1. Appropriately prepared to accommodate students who exhibit discipline problems

2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6-13 and #18-21 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

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

Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)

2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student’s rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be
disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.

4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding re-admission.

5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion

2. The specific grounds for each recommended expulsion

3. Whether the student was subsequently expelled

4. Whether the expulsion order was suspended

5. The type of referral made after the expulsion

6. The disposition of the student after the end of the expulsion period
Board Policy 5144.2 Suspension and Expulsion/Due Process (Students With Disabilities)

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

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

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been officially identified as a student with disabilities pursuant to IDEA and who has violated the district's code of student conduct may assert the procedural safeguards granted under this administrative regulation only if the district had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred. (20 USC 1415(k)(5))

The district shall be deemed to have knowledge that the student has a disability if one of the following conditions exists: (20 USC 1415(k)(5); 34 CFR 300.527)

1. The parent/guardian has expressed concern to supervisory or administrative district personnel in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, that the student is in need of special education or related services.

2. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.530-300.536.

(cf. 6164.4 - Identification of Individuals for Special Education)

3. The teacher of the student, or other district personnel, has expressed specific concerns directly to the district's director of special education or to other supervisory district personnel about a pattern of behavior demonstrated by the student.

The district would be deemed to not have knowledge that a student is disabled if the parent/guardian has not allowed the student to be evaluated for special education services or has refused services. In addition, the district would be deemed to not have knowledge if the district conducted an evaluation and determined that the student was not an individual with a disability. When the district is deemed to not have knowledge of the disability, the student shall be disciplined in accordance with procedures established for students without disabilities. (20 USC 1415(k)(5))

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.527)

Suspension
The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.519. (Education Code 48903; 34 CFR 300.520)

The principal or designee shall monitor the number of days, including portions of days, that students with valid individualized education programs (IEP) have been suspended during the school year. (cf. 6159 - Individualized Education Program)

Services During Suspension

Any student suspended for more than 10 school days in a school year shall continue to receive services during the term of the suspension, to the extent necessary to provide the student a free and appropriate public education. (20 USC 1412(a)(1)(A); 34 CFR 300.520)

If a student with disabilities is excluded from school bus transportation, the student shall be provided with an alternative form of transportation at no cost to the student or parent/guardian, provided that transportation is specified in the student’s IEP. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

Interim Educational Placement Due to Dangerous Behavior

A student with a disability may be placed in an appropriate interim alternative educational setting for up to 45 school days, without regard as to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.520)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G))

Procedural Safeguards/Manifestation Determination

The following procedural safeguards shall apply when a student is suspended for more than 10 consecutive school days, when disciplinary action is contemplated for a dangerous behavior as described above, or when a change of placement is contemplated due to a violation of the district's code of conduct:

1. The parents/guardians of the student shall be immediately notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504 on the day the decision to take action is made. (20 USC 1415(k)(1)(H))
2. Immediately if possible, but in no case later than 10 school days after the date of the decision, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E))

At the manifestation determination review, the relevant members of the IEP team, the district and parent/guardian shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E))

a. Caused by, or had a direct and substantial relationship to, the student's disability

b. A direct result of the district's failure to implement the student's IEP

If the manifestation review team determines that the conduct was caused by either #a or #b above, the conduct shall be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(F))

3. If the manifestation determination review team has determined that the conduct was a result of the student's disability, the IEP team shall conduct a functional behavioral assessment as specified below. The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and district agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F))

4. If the manifestation determination review team determines that the student's behavior was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. The student shall continue to receive services to the extent necessary to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. (20 USC 1415(k)(1)(D))

Behavioral Assessment and Intervention Plan

The IEP team shall conduct a functional behavioral assessment and implementation plan for a student who has been removed because of dangerous behavior, or whose behavior was determined to be a manifestation of his/her disability, or whose behavior was determined not to be a manifestation of his/her disability. If the student already has an existing functional behavioral assessment, the team shall modify the assessment, as appropriate, to address the behavioral violation so that it does not recur. (20 USC 1415(k)(1)(C),(D), (F))

Due Process Appeals

If the parent/guardian disagrees with the determination that the student's behavior was not a manifestation of his/her disability or with any decision regarding placement, the parent/guardian has a right to appeal the decision to a hearing officer. (20 USC 1415(k)(3); 34 CFR 300.525)
If the student's parent/guardian initiates a due process hearing to challenge the interim alternative educational placement or the manifestation determination, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.526)

If school personnel maintain that it is dangerous for the student to be placed in the current placement (placement prior to removal to the interim alternative education setting) while the due process proceedings are pending, the Superintendent or designee may request an expedited due process hearing. (20 USC 1415(k)(4); 34 CFR 300.526)

Services During Expulsion

Any student with a disability who is expelled shall continue to receive services during the term of the expulsion to the extent necessary to provide the student a free and appropriate public education. Any alternative program must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum, although in another setting, and appropriately advance toward achieving the goals set out in the student's IEP. (20 USC 1412(a)(1)(A); 34 CFR 300.121, 300.520)

(c.f. 6158 - Independent Study)

(c.f. 6185 - Community Day School)

Readmission

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

Suspension of Expulsion

The Board of Education's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student with a disability, the principal or designee shall notify appropriate city or county law enforcement authorities of any act of assault with a deadly weapon which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of acts by any student with a disability which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Regulation PITTSBURG UNIFIED SCHOOL DISTRICT
approved: March 14, 2007 Pittsburg, California
### 4a. Expulsion Guidelines

<table>
<thead>
<tr>
<th>Must Recommend Expulsion (Mandatory Expulsion)</th>
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<tbody>
<tr>
<td>Act must be committed at school or school activity.</td>
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<td>Acts committed at school or school activity or on the way to and from school or school activity. EC 48900 a1 Caused, attempted to cause, or threatened to cause physical injury 2 Willfully used force or violence upon the person of another, except in self-defense b Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object c Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of a controlled substance d Unlawfully offered, arranged, or negotiated to sell a controlled substance e Committed or attempted to commit a robbery or extortion f Caused or attempted to cause damage to school or private property g Stole or attempted to steal school property or private property h Possessed or used tobacco, or products containing tobacco i Committed an obscene act or engaged in habitual profanity or vulgarity j Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia k Disrupted school activities (*cannot suspend students grade 3 &amp; below for “k” - cannot expel student in any grade level for “k”) l Knowingly received stolen school property or private property m Possessed an imitation firearm n Committed or attempted to commit a sexual assault o Harassed, threatened, or intimidated a pupil who is a</td>
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<tr>
<td>1. Firearm</td>
<td>1. Causing serious physical injury to another person, except in self-defense. EC Section 48915 (a)(1).</td>
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<tr>
<td></td>
<td>a. Possessing firearm when a district employee verified firearm possession and when student did not have permission from a certificated employee which is concurred with by the principal or designee.</td>
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<td>b. Selling or otherwise furnishing a firearm.</td>
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<td>2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. EC Section 48915(a)(2).</td>
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<td>3. Possession and/or use of any substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis.</td>
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<td>4. Robbery or extortion. EC Section 48915(a)(4).</td>
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<td>5. Assault or battery, or threat of, on a school employee.</td>
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<td>The recommendation for expulsion shall be based on one or both of the following:</td>
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<td>1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.</td>
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<td>2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical</td>
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safety of the pupil or others [see Section 48915 (b)].

complaining witness or a witness in a school disciplinary proceeding

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

q Engaged in, or attempted to engage in hazing

r Engaged in an act of bullying

t A Pupil who aids or abets the infliction or attempted infliction of physical injury to another person

48900.2 Pupil has committed sexual harassment

48900.3 Pupil caused, attempted to cause, threatened to cause or participated in an act of hate violence

48900.4 Pupil has intentionally engaged in harassment, threats, or intimidation directed against school personnel or pupil that is sufficiently severe or pervasive to have the actual and reasonably anticipated effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or pupils by creating an intimidating or hostile environment

48900.7 Pupil has made terroristic threats against school officials or school property, or both

The recommendation for expulsion shall be based on one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)]
4b. For Staff

**Board Policies 4158, 4258, 4358 Employee Security**

The Board of Education desires to provide a safe, orderly working environment for all employees. As part of the district’s comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

The Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

When violence is directed against an employee by any individual and the employee so notifies the Superintendent or designee, the Superintendent or designee shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the Superintendent or designee of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

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

The Board recognizes that access to two-way communications devices allows employees to call for assistance from their supervisor or law enforcement in the event of a threat of violence or medical emergency. The district shall provide such communications devices in classrooms to the extent possible.

(cf. 5141 - Health Care and Emergencies)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

**Reporting of Injurious Objects**

The Board requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action

3. Immediately notify the local law enforcement agency and the principal

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144. - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Regulation  PITTSBURG UNIFIED SCHOOL DISTRICT
approved:  October 22,2008  Pittsburg, California

**Procedures to Notify Teachers of Dangerous Pupils**

Throughout the school year, pursuant to Education Code 49079, all Pittsburg Unified School District teachers have access to a list of enrolled students who have, sometime within the past three years, engaged in or been reasonably suspected of having engaged in one or more activities leading to suspension or expulsion. The following procedure is used in notifying teachers:

1. Teachers will be notified of this process at the first staff meeting of the school year
2. Sign in sheets for the staff meetings will be kept like all sign in sheets.

California Education Code 48900 identifies acts that make a student eligible for suspension/expulsion. These acts include:

- Causing/threatening physical injury to another person;
- Using physical force or violence;
- Sale or possession of firearms/weapons;
- Use, sale or furnishing of controlled substances, alcohol or intoxicants;
- Possession, sale or furnishing of drug paraphilia; and
- Committing of crimes such as robbery, vandalism, extortion, or theft.

Education Code 48900.2 through 48900.7 identifies additional acts such as sexual harassment, hate violence, harassment, threats or intimidation of school personnel or pupils; and terroristic threats against school officials or school property, or both.

**Accessing Discipline Data**

To access, you must sign on to your Aries Portal.

- A red Safe Schools Act (SSA) icon will appear in your class attendance.
- Hovering over the SSA with your mouse will show an infraction date.
- Clicking on the SSA opens the Assertive Discipline screen where incidents will be visible.
- Print rosters will also show this information. Students that have a Safe Schools Act date, will have an * to the left of their name on a printed class roster.
5. Nondiscrimination and Harassment Policy

Board Policy 5145.3 Nondiscrimination/Harassment

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district’s academic and other educational support programs, services, and activities. District programs and activities shall be free from discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, mental or physical disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, martial or parental status, sex, sexual orientation; the perception of one or more of such characteristics; or association with a person or a group with one or more of these actual or perceived characteristics. This applies to all acts related to school activities or school attendance under the jurisdiction of the Superintendent.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.6 - Identification and Education under Section 504)

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe or 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 effect of substantially or unreasonably interfering with a student’s academic performance; or otherwise adversely affects a student’s educational opportunities.

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

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 5145.7 - Sexual Harassment)

The Board of Education 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. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision. The district may provide male and female
students with separate shower rooms and sexual health and HIV/AIDS prevention classes in order to protect student modesty.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.

(cf. 1240 - Volunteer Assistance)

(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, harassment, intimidation, bullying, or retaliation 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 prohibited discrimination, harassment, intimidation, bullying, or retaliation 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 with Disabilities))

(cf. 5145.2 - Freedom of Speech/ Expression)

The Board hereby designates the following position as Coordinator(s) for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying and to answer inquiries, regarding the district's nondiscrimination policies:

Assistant Superintendent of Educational Services

2000 Railroad Ave.

Pittsburg, CA 94565

(925) 473-2313

(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, harassment, intimidation, or bullying should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes any such incident should report the incident to the Coordinator or administrator, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall report the incident to the Coordinator or principal, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, or harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the district's Uniform Complaint Procedures specified in AR 1312.3- Uniform Complaint Procedures. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

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

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6163.4 - Student Use of Technology)

When required pursuant to Education Code 48985, complaint forms shall be translated into the student’s primary language.

Policy PITTSBURG UNIFIED SCHOOL DISTRICT
adopted: March 14, 2007 Pittsburg, California
revised: November 13, 2013

**Administration Regulation 5145.7 Sexual Harassment**

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 made on the basis of sex and under any of the following conditions: (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. Unwelcome 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, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer generated images of a sexual nature.
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 movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual assault, sexual battery, or sexual coercion

Complaint Process/Grievance Procedure

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student’s report or who observes the incident shall instead report to the Superintendent or designee.

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have
relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district’s ability to investigate.

4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district’s risk manager.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.

6. Optional Mediation: In cases of student-on-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal 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, and he/she shall be advised of the right to end the informal process at any time.

(cf. 5138 - Conflict Resolution)

7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Coordinator/Principal 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

To judge the severity of the harassment, the Coordinator/Principal 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 identity, age, and sex of the harasser and the student who complained, and the relationship between them

d. The number of persons engaged in the harassing conduct and at whom the harassment was directed

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents at the school involving different students

8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Administrator shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Administrator shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

Enforcement of District Policy

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
   (cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
   (cf. 4131 - Staff Development)
   (cf. 4231 - Staff Development)
   (cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

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

(c.f. 5125 - Student Records)

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

(c.f. 4118 - Suspension/Disciplinary Action)

(c.f. 4218 - Dismissal/Suspension/Disciplinary Action)

(c.f. 5144.1 - Suspension and Expulsion/Due Process)

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

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)

(c.f. 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)

Regulation PITTSBURG UNIFIED SCHOOL DISTRICT
approved: March 14, 2007 Pittsburg, California
revised: November 13, 2013

APPROPRIATE DRESS FOR SCHOOL

The Pittsburg Unified School District has adopted a mandatory uniform policy for all students in grades K-8. Marina Vista Elementary expect all students to follow this policy. We feel that this policy promotes a positive school climate as well as improved academic focus.

- Pants/shorts – Navy Blue fitted at the waist and may not be more than one size too large or one size too small. NO OVERSIZED PANTS. Walking shorts will not be shorter than mid-thigh and no longer than the top of the knee. Fabric should be twill, cotton blend, or corduroy. Jeans are not permitted.

- Shirts/Blouses – White or Navy Blue collared shirts, such as polo, oxford, turtleneck, or mock turtleneck. Shirts and blouses must be tucked in. Spirit shirts from school may be worn on designated days.

- Skirts/Jumpers/Skorts – Navy Blue must be worn with an appropriate uniform shirt, blouse or sweater

- Shoes – Must be safe and appropriate for school attire. Thongs and backless sandals are not allowed.

- Outerwear – Jackets, sweaters, and coats must be Navy Blue

Board Policy 5132 Dress and Grooming

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board policy and administrative regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

Each school shall allow students to wear sun-protective clothing, including but not limited to hats and sunglasses, for outdoor use during the school day. The principal may determine that hats are prohibited in certain locations or areas where sun protection is not necessary. (Education Code 35183.5)

Shoes must be worn at all times, slippers are not allowed. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, obscene, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice. Dress which is disruptive and contrary to school rules regarding drugs, alcohol, violence, and gang affiliated or related clothing is not permitted. Clothes shall be sufficient to conceal undergarments for males and females at all times. Student clothing such as but not limited to see-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, exposed mid-drifts and skirts or shorts shorter than mid-thigh and pajamas may be prohibited. Pants are to be worn at waist level. Belts are to be worn if
needed to support clothing. Dress that presents a health or safety hazard or a distraction which would interfere with the educational process is prohibited.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

The principal may establish dress, grooming and hygiene guidelines for times when students are engaged in extracurricular, physical education or other special school activities.

(cf. 5121 - Grades/Evaluation of Student Achievement)

At individual schools that have a dress code prohibiting apparel that interferes with the educational process or threatens to disrupt the school's activities, the principal may identify in the school safety plan attire that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because student dress is constantly changing, clothing and grooming styles that present a health or safety hazard or a distraction which would interfere with the educational process/school activities shall be reviewed at least annually and updated whenever related information is received.

K-8 Mandatory School 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 Board may wish to establish a dress code requiring students to wear uniforms. 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.

When the 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. 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. (Education Code 35183)

Policy PITTSBURG UNIFIED SCHOOL DISTRICT
adopted: January 25, 2006 Pittsburg, California
7. Safe Ingress and Egress Procedures

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

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

Emergency scenarios that students need to be prepared for:

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

List main entrances/exits to and from the school site:
- There is one main designated point of entry to the building located on East 8th Street.

List gates and when or if they are locked during the day:
1. The gate located on Black Diamond Street is locked all the time except on the day the health van is on site.
2. The gate located on Railroad Avenue is locked all the time except when trash is being picked up.
3. The underground garage are operational to staff 6:00 AM – 9:00 PM.
7a. Visitor Access to School Campus

Marina Vista Elementary School is a closed campus. State law requires that all visitors report to the school office before going into the classroom (P.C. 653 (G); (P.C. 647 (A-F). Under no circumstances are students to bring friends or relatives to stay with them while school is in session. Parents and other visitors are welcome, but are asked to call to request a time to visit beforehand. This ensures the class will be in session and not on a prep time, excursion, or other activity.

During school hours, all visitors must go to the main office where they need to present their identification card, and office staff verifies if they are in the student’s contact information or record. If they are not, staff contacts parents of student for them to be added in the student’s record. Staff informs the teacher of the visit before sending the visitor to the classroom. Verified visitors sign in and wear a “visitor” sticker while on campus.

Former students are not allowed to visit Marina Vista except at the request or invitation of a teacher or the Principal. This invitation must be pre-arranged with Marina Vista’s teacher. Junior High students are instructed by their schools not to visit elementary schools upon dismissal or minimum days.
8. Ensuring a Safe and Orderly Environment

Marina Vista Elementary is located in an ethnically diverse community serving students in Preschool through 5th grade. Our current student body consist of 699 students with the following ethnic backgrounds:

- Hispanic or Latino – 59.86%
- African American – 19%
- White – 7.29%
- Filipino – 3.57%
- Asian – 2.43%
- Muti-ethnic – 5.43%
- American Indian – 0.29%

Marina Vista staff is committed to working together with all stakeholders to provide the best quality education for our students.

Our staff will continue to deepen their knowledge of the Common Core State Standards and plan instructional lessons where students will apply their skills in ELA and math. Grade level teams and individual teachers will also continue to work with their colleagues and other support providers in the district to address the unique need of our student body. They will continue to meet during their Professional Learning Community time to analyze data, reflect on instruction, and plan for student learning. They will continue to work on providing students with opportunities to engage in higher order thinking activities as well as problem solving.

Parents and community will continue to be given opportunities to become involved in our school and partner with us in our decision-making in order to provide a great experience for our students. The School Site Council, English Learner Advisory Committee, and the Parent Booster Club meets monthly to discuss various topics or provide feedback and/or make decisions regarding school finance, academic initiatives, and trainings families may need to support student learning.

The school communicates with families through an auto dialer, e-mail, flyers, letters, and the school website. Individual teachers message parents through the Class Dojo, e-mail or phone calls. Additionally, the school has a scheduled Parent Teacher Conference where families have individual conferences with the teachers of their students. Unique and individual student needs are also addressed during SST meetings, 504 Plans, and Individual Education Plan process. Translators are also provided during school events, and in other meetings as necessary.

Marina Vista Elementary continues to work in improving the school culture. The staff recognizes the need for the students to feel safe and connect with their school environment. The Equity Leadership team meets monthly to assess and discuss student behavior, academics, and attendance of our different subgroups. They also discuss culturally responsive teaching with the staff. Student Council and Student Clubs are offered to connect our students to leadership opportunities within our school and to prepare them for junior high and high school. Students will continue to receive music instruction, and interested
students will have access to join our school choir and beginning band. These will make our students feel more connected to their school experience.

While we continue to acknowledge students for their success in academics, attendance, and behavior, it is also our goal to continue to decrease negative student behavior. Students who have great attendance, excellent effort and participation in their learning, and who have mastered our school rules, can earn an Independent Student Badge. These students are able to participate in special activities throughout the year in hopes that they will continue being successful and encourage their peers to join them in their success. The school responds to negative student behavior constructively and aims to provide interventions for students who are facing emotional hardships and need additional support. Marina Vista continues to work with Soul Shoppe to teach students how they can take control of their emotions and be able to think through and choose a better course of action. Grade level assemblies and classroom visits are conducted throughout the year to build students’ knowledge of the different languages used and stages of the process. As the students become more aware of their and other’s feelings, they would be able to communicate their feelings which also includes apologizing to others. Selected students from each class in grades 3 to 5 are trained as “Peace Makers” to help students resolve conflicts on the playground during recess and lunch time. Identified students and families in need are provided mental health services through the Lincoln Child Center Counseling. JFK Interns also visits the site for additional mental health services to our students.

Marina Vista Elementary is proud of its programs and the participation of its staff members and families. We will continue to review and revise our programs throughout the year with our stakeholders to make adjustment as needed to better serve our students.
9. Discipline Procedures

Marina Vista Elementary has high but not unreasonable standards of conduct for all our students. We believe appropriate student conduct is essential for maintaining an optimum learning atmosphere and protecting the rights and safety and safety of all students. We understand that the process of growing up includes testing limits and making mistakes. However, we believe children are capable of being responsible for their own behavior, especially when they receive fair and consistent treatment which includes a clear explanation of rules and consequences. Our district is committed to learning in an orderly and productive school environment.

Parents have the responsibility of developing in their children respect, courtesy, obedience to rightful authority, consideration for the rights of others, and the desire to learn. Parents are encouraged to work cooperatively with the school to develop these traits in their children.

In our school we have implemented an effective behavior program. This method begins with a list of behavior expectations, the “3 Be’s”, which are explicitly taught and discussed with the students. This short list is posted in the classroom and common areas. If a student breaks one of these rules, the student must change a color card which shows in his/her individual pocket on the classroom behavior chart. The color progressions are:
- Green - verbal warning
- Blue - written warning
- Yellow - loss of privilege
- Orange - time out in a buddy room and phone call home
- Red - referral to the principal

With an understanding of the purposes of discipline in our school and with cooperation between home and school, we can maintain an effective learning environment at Marina Vista. Students will be disciplined using our Response to Intervention practices and Soul Shoppe as much as possible. Additionally, Marina Vista follows the district K chard and The Student Misbehavior and Progressive Disciplinary Action Chart located in the Pittsburg unified School District Student/Parent handbook.

Below is a copy of our Response to Intervention practices at Marina Vista Elementary.
<table>
<thead>
<tr>
<th>ACADEMIC</th>
<th>SOCIAL/EMOTIONAL</th>
<th>ATTENDANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TIER 1:</strong> Available to all students</td>
<td><strong>TIER 1:</strong> Available to all students</td>
<td><strong>TIER 1:</strong> Available to all students</td>
</tr>
<tr>
<td>• Good 1st Instruction – explicit direct Instruction for Balanced Math/Literacy Blocks</td>
<td>• PBIS – 3B’s (explicitly taught)</td>
<td>• Positive Daily Attendance</td>
</tr>
<tr>
<td>• Active student engagement</td>
<td>• Social-Emotional Curriculum (Soul Shoppe)</td>
<td>• Perfect Attendance Awards (daily/monthly)</td>
</tr>
<tr>
<td>• Assessment/Feedback</td>
<td>• Positive reinforcement:</td>
<td>• Trimester Awards</td>
</tr>
<tr>
<td>• Universal Access (differentiated for all)</td>
<td>- blue tickets/class tickets</td>
<td>• Absence Phone calls – verify absence</td>
</tr>
<tr>
<td>• Data Driven whole class Reteach</td>
<td>- independent students</td>
<td>• Truancy Letter (1st letter)</td>
</tr>
<tr>
<td>• RAZ Kids</td>
<td>- student of the month</td>
<td></td>
</tr>
<tr>
<td>• Standard-based assignments independent practice)</td>
<td>• Building Classroom Community</td>
<td></td>
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<tr>
<td>• Parent Conferences</td>
<td>• Classroom Community</td>
<td></td>
</tr>
<tr>
<td>• Trimester awards</td>
<td>• Community Building Circles – SEEDS</td>
<td></td>
</tr>
<tr>
<td><strong>TIER 2:</strong> Individualized – targeted</td>
<td>• Restorative language &amp; practices</td>
<td></td>
</tr>
<tr>
<td>• Universal Access (targeted students)</td>
<td>• Culturally Responsive Pedagogy/Teaching</td>
<td></td>
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<tr>
<td>• Expanded Learning</td>
<td>• Home-School Communication</td>
<td></td>
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<tr>
<td>• SST-Referral</td>
<td>• Reteach expected behaviors</td>
<td></td>
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<tr>
<td>• Intervention targeted</td>
<td><strong>TIER 2:</strong> Individualized – targeted</td>
<td></td>
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</tbody>
</table>

<table>
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<tr>
<th><strong>TIER 3:</strong> Intensive interventions</th>
<th><strong>TIER 3:</strong> Intensive interventions</th>
<th><strong>TIER 3:</strong> Intensive interventions</th>
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</thead>
<tbody>
<tr>
<td>• SST – Follow-up</td>
<td>• BIP/BSP – formal</td>
<td>• Truancy Letter (3rd letter)</td>
</tr>
<tr>
<td>• Assessment</td>
<td>• Behaviorist (District)</td>
<td>• SARB - Truancy Court (possible)</td>
</tr>
<tr>
<td>• Accommodations-intended to help students gain full access; removes barriers to gain learning to GLS</td>
<td>• Assessment</td>
<td></td>
</tr>
<tr>
<td>• Modifications-changes expectations of what a student needs to know and do; lowering academic standards i.e. 5 problem not 15</td>
<td>• 1:1 relationship building</td>
<td></td>
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<tr>
<td></td>
<td>• Parent Communication</td>
<td></td>
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<tr>
<td></td>
<td>• Lincoln Center</td>
<td></td>
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<tr>
<td></td>
<td>• 1:1 Psych Services</td>
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9a. Discipline Board Policy

Board Policy 5144 Discipline

The Board of Education desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy and administrative regulation. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

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

(cf. 4158/4258/4358 - Employee Security)

(cf. 5136 - Gangs)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

Policy PITTSBURG UNIFIED SCHOOL DISTRICT

adopted: March 14, 2007 Pittsburg, California

**Administrative Regulation 5144 Discipline**

Site-Level Rules

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student for advice and counseling

   (cf. 6164.2 - Guidance/Counseling Services)

2. Discussion or conference with parents/guardians

   (cf. 5020 - Parent Rights and Responsibilities)
3. Recess restriction

4. Detention during and after school hours

5. Community service

6. Reassignment to an alternative educational environment

7. Removal from the class in accordance with Board policy, administrative regulation and law

8. Suspension and expulsion

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

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

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to obtain possession of weapons or other dangerous objects within the control of the student. (Education Code 49001)

(Cf. 4158/4258/4358 - Employee Security)

(Cf. 5131.7 - Weapons and Dangerous Instruments)

Recess Restriction

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

2. The student shall remain under a certificated employee's supervision during the period of restriction.
Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board of Education, Superintendent, principal or principal's designee may, at his/her discretion, require a student to perform community service on school grounds, or with written permission of the student's parent/guardian off school grounds, during nonschool hours. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension pursuant to this section. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district.

Regulation PITTSBURG UNIFIED SCHOOL DISTRICT
approved: March 14, 2007 Pittsburg, California
10. Disaster Procedures, Routine & Emergency - EOP

Please refer to the school site Emergency Operations Plan EOP, dated 2018, which is incorporated by this reference.

The Emergency Operations Plan is reviewed annually in conjunction with the Supervisor of Site Safety and Emergency Preparedness. Included in the EOP are updated listings of emergency response team members and assignments, including team members responsible for adaptations for pupils with disabilities.

Staff members will be trained in emergency response and management procedures, with reviews each school year so that they are able to provide directions and to keep students safe in the case of emergency. In addition school sites will hold regular fire/emergency drills and the dates/times are recorded at each school site and shared with the Supervisor of Site Safety and Emergency Preparedness. Information on all school site drills is maintained by the Supervisor of Site Safety and Emergency Preparedness.

Emergency Procedure Guide Flip Charts are available in each classroom and each classroom has a Basic First Aid Kit. School offices will have emergency response plans, guidelines, and reference guides to assist staff in every type of emergency.

The district has an emergency communications system designed to allow schools to report status during an emergency via computer, radio, phone and the district’s internal phone system. Schools have hand-held radios for on-campus communications. School bus drivers and campus staff use a district-wide radio system to connect school sites to the district office and Transportation. The district participates in and has communication capabilities with the City of Pittsburg Emergency Operations Center EOC through cell phone, radio, and telephone.

Pursuant to Education Code 32282, the Pittsburg Unified School District grants the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. We cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs.