

DESERT OASIS HIGH SCHOOL

SCHOOL SAFETY PLAN 2014-2015



***DESERT OASIS HIGH SCHOOL
1302 SOUTH THIRD STREET
EL CENTRO, CA 92243
(760) 336-4555***

CENTRAL UNION HIGH SCHOOL DISTRICT

BOARD OF EDUCATION

President Emma Jones
Member Ryan Childers
Member Jacinto Jiménez
Member Steve Walker
Member Jeannie Vogel

ADMINISTRATION

C. Thomas Budde, PH. D, Superintendent

Sheri Hart, Assistant Superintendent

Tracie Baughn, Ed.D, Principal, Desert Oasis High School

Tish Thompson, Principal, Central Union Adult School

Adrian Hernandez, Counselor

Eduardo Lopez, Community Liaison

Desert Oasis High School

DESERT OASIS HIGH SHOOOL MISSION STATEMENT
<p>Desert Oasis High School provides alternative educational programs which offer a new beginning for students of the Central Union High School District. We provide an education in a safe learning environment that will lead to a high school diploma, and empower students to become responsible, caring, and contributing members of society.</p> <hr style="width: 80%; margin: 10px auto;"/> <p style="text-align: center;">Our moral imperatives:</p> <p>EVERY STUDENT AT DESERT OASIS HIGH SCHOOL WILL</p> <ul style="list-style-type: none"> • REACH THEIR FULL POTENTIAL • BE RESPECTED • RECEIVE A QUALITY EDUCATION • KNOW WE CARE

DESERT OASIS HIGH SCHOOL SCHOOL-WIDE GOALS (ESLRs)	
<p>#1: Students will be able to read, write, communicate, think critically, and utilize math skills at an acceptable level upon graduation from high school by demonstrating the following:</p>	<ul style="list-style-type: none"> • Students write and speak with a command of Standard English conventions that are appropriate to each grade level. (CA English Arts Standard, Written and Oral Language Conventions 1.0) • Students read and respond to historically or culturally significant works of literature, particularly American and British literature. (CA English Language Arts Standard, Literary Response and Analysis 3.0) • Students combine rhetorical strategies of narration, exposition, persuasion, and description to produce text of at least 1,500 words. (CA English Language Arts Standard, Writing Applications 2.0) • Students solve multi-step problems, including word problems, involving linear equations and linear inequalities in one variable and provide justification for each step. (CA Math Standards 5.0)

	<ul style="list-style-type: none"> • Students apply algebraic techniques to solve rate problems, word problems, and percent mixture problems. (CA Math Standards 15.0)
<p>#2: Students will have developed the skills and information necessary to learn effectively by themselves and to solve practical problems through individual and group applications.</p>	<ul style="list-style-type: none"> • Students will deliver focused and coherent presentations that convey clear and distinct perspectives and solid reasoning. (CA English Language Arts Standard, Listening and Speaking, 1.0) • Students will construct and test hypotheses, collect, evaluate, and employ information from multiple primary and secondary sources, and apply it in oral and written presentations. (CA History/Social Science Standards;, Historical Research, Evidence and Point of View 4.0) • Students will analyze situations and solve problems that require combining concepts from more than one topic area in science and apply these concepts. (CA Science Standards, Investigation and Experimentation 1.1)
<p>#3: Students will understand the relationship between research, technology, and society, and will demonstrate clear research methods and technology to achieve their educational and vocational goals.</p>	<ul style="list-style-type: none"> • Students use clear research questions and coherent research methods . . . to elicit and present evidence from primary and secondary sources. (CA English Language Arts Standards, Research and Technology 1.8) • Students design and publish multi-page documents using advanced publishing software and graphic programs. (CA English Language Arts Standard, Research and Technology 1.8) • Students will select and use appropriate tools and technology, such as computer linked probes, spreadsheets, and graphing calculators, to perform tests, collect data, analyze relationships, and

	display data. (CA Science Standard, Investigation and Experimentation 1.A)
#4: Students will be aware of the social skills and appropriate behavior that is necessary to thrive within a community.	<ul style="list-style-type: none"> • Students will identify bias and prejudice in historical interpretations. (CA History/Social Science Standards, Historical Research, Evidence and Point of View, 2.0)

EMERGENCY SITUATIONS

If ever an employee or student is in a situation where he/she is not breathing, or breathing is impaired, and/or there is uncontrolled breathing, or is unconscious, a teacher/staff member/substitute should respond by:

- 1. Calling 9-1-1**
- 2. Contacting site administration (ext. 4281 or 4553)**
- 3. Begin administering CPR/First Aid only if trained and certified to do so**

For all other conditions, please:

- 1. Call the school nurse or ext. 4553. If no answer call ext. 4555.**
- 2. Contact site administration (ext. 4281 or 4553; cell 530-680-8503)**
- 3. Begin administering First Aid, if needed, and only if you are trained and certified to do so.**

Desert Oasis High School PHONE LIST In conspicuous box on front of Phone List
EMERGENCY ONLY CALL: if you cannot connect with anyone at Desert Oasis, call Adult Ed at ext. 4545 (760) 336-4545 or 366-4545

(760) 336-4546 Adult Education – (Separate phone at Reception Area, also rings at Adult Ed Secretary)

(760) 336-4555 Front reception or,

(760) 336-4553 Juanita Alaniz

EMERGENCY CALL: ext. 4545 if no answer call ext. 4553

Training

Appropriate personnel have been trained in the importance of the Reception Area not being left unattended.

Introduction-School Profile

Desert Oasis High School is located in the city of El Centro, which has a population of approximately 42,000. It is one of three high schools in the Central Union High School District, which was established in 1908. In 1993, Desert Oasis High School (at its present location) was constructed. It quickly established its unique and separate identity as an “Alternative High School.” This alternative education school serves a transient student population that fluctuates between 150 to 200 high risk students, grades nine through twelve.

Desert Oasis High School continually faces challenges in maintaining a safe and orderly school. Desert Oasis’ Comprehensive School Safety Plan describes programs and strategies that are in place, thus allowing the students, staff, and administration to provide a safe and secure learning environment.

School Crime Status and Reporting

An analysis of the number of suspensions and expulsions from 2008 to the year 2013 reveals that the numbers have fluctuated. These figures were reported with the California Department of Education Safe & Healthy Kids Program Office. These figures include both long-term (more than 90 days enrollment) and short term students (less than 90 days enrollment). The suspension rates are much lower for long-term students. There are no data for 2014 at of the time of this writing.

School:

Year	2008	2009	2010	2011	2012	2013
Suspensions/ #	119	71	21	35	53	30
Suspensions/rate	58.9 %	37.9 %	11%	18.3	29%	11.5%
Expulsions/ #	0	0	0	0	0	0
Expulsions/rate	0%	0%	0%	0%	0%	0%

Desert Oasis High School

School Demographics

Desert Oasis High School is a small school that serves up to 200 students at any given time. The reported ethnic breakdown in 2013-2014 was 95% Hispanic or Latino, 1% Black or African American, 2% White, and 2% reporting two or more races. 90 students are English Learners (53% of the total student population).

Curriculum and Educational Activities

All Desert Oasis High School students complete the same academic requirements set forth for the entire Central Union High School District: eight (8) semesters of English, four (4) semesters of Math, four (4) semesters of Science, four (4) semesters of Physical Education, two (2) semesters of Fine Arts/Foreign Language, one (1) semester of Practical Arts, and (2) semesters of Academic Electives. Students also have the opportunity to participate in after-school clubs and enrichment activities, such as tutoring and supplemental educational services.

School's Social Environment

Leadership at Desert Oasis High school is a shared-management process. All stakeholders assume a proactive role in all phases of the school operation. The current management team is committed to developing “our school” towards excellence in the areas of academic and social behavior.

The Administration sets the tone for the students, staff and community. An open-door policy allows all stake-holders to voice their ideas and concerns related to curriculum, discipline and safety, thus promoting a safe, positive learning environment.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is available to each staff member via the District's School Crisis Response, and Emergency Procedures Handbook. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management Systems.

Classroom Organization and Structure

All students at Desert Oasis High School are assigned to courses that will help them meet the CUHSD graduation requirements: 220 credits in required courses, passage of both sections of the California High School Exit Exam, and 2.00 overall grade point average. Student assessment results are also utilized for course opportunity placement purposes. The assessment tools vary from the CST, SABE and CELDT. All students must successfully pass the District approved proficiency examinations which indicate successful reading, math and writing skills. Teachers have developed competency exams for courses taught as each pupil must demonstrate competency in the subject taught before a passing grade is issued by the teacher. Teachers provide a safe, orderly learning environment, which enhances the learning experience.

School's Cultural Environment

The administration and staff work well as a unit. Members cooperate with each other and support all effort to show sensitivity and concern for all students.

All Desert Oasis High School students are expected to behave in a manner that promotes safety and order. Pupils are encouraged to seek the right solutions when confronted with problems on campus. This includes help from their instructors, visits to the counselor, and visits to the principal. Desert Oasis High School staff is proactive when dealing with students' concerns.

Desert Oasis High School students are recognized for their efforts in maintaining good behavior and positive academic results.

School's Location and Physical Environment

Desert Oasis High School is located in the city of El Centro. The areas surrounding the school tend to have a high poverty level and higher crime rate than other areas of the city. The immediate area around the school includes low income housing (apartments and single-family dwellings).

Description of School Grounds

Desert Oasis High school consists of (17) buildings, housed on a corner lot, that is adjacent to the District Office. Included on the campus are a small athletic field, a basketball court, and the Campesinos Unidos Headstart Program. The main gate, which is at the front of the school, is the only entrance and exit allowed during school hours. The Principal's office sits adjacent to this main entrance, thus, it is very visible.

Staff members monitor "passing periods" daily. This decreases discipline issues, crime, tardiness, and other safety issues. The restrooms are checked during passing periods to prevent vandalism or smoking in the building. Graffiti is not a major problem at Desert Oasis, but when it appears it is immediately removed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and almost always looks neat and clean. District maintenance personnel periodically examine the facility and help to eliminate any obstacle that may be a safety issue. Additionally, health and fire officials inspect the site periodically, thus contributing to the school's safety.

The classrooms and site are monitored daily (through walk-throughs) by the administration, security, and classroom teachers. The students also take pride in the appearance of their school.

Internal Security Procedures

Desert Oasis High School has established procedures in the following areas: California Safe School Assessment reporting procedures, suspension and expulsion procedures, and a summary inventory system.

Desert Oasis High School crime statistics reflect a total of zero (0) non-student firearm incidents and zero (0) total persistently dangerous expulsions reported for the 2012-2013 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving our goal of school supervision, preventative activities, and maintaining a safe, secure campus.

Desert Oasis High School maintains a copy of the District's sexual harassment policy in the Principal's office. A copy is included in registration packets that go to parents upon registration each year. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations and information related to suspension/expulsion for sexual harassment of or by pupils. Additionally, a copy is posted in every classroom, as per state law.

To ensure the safety of students and staff, all visitors are required to report to the main office when school is in session. District employees are required to wear appropriate badges while on campus conducting business. Students are also required to wear visible ID cards at all times when on campus.

Discipline procedures focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers use a visible classroom management plan to communicate classroom/site rules, and promote positive student conduct, thus reducing inappropriate behavior. Appropriate consequences will be administered based on the seriousness of the student's misconduct. A discipline matrix stating the consequences of cumulative behavior is to be given to each student at the beginning of each year.

Student conduct standards and consequences for Desert Oasis High School are specifically described in this Comprehensive Schools Safety Plan, including: A guide for school discipline rules and procedures, District Disciplinary Guidelines, and a school-wide dress code.

Students may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific (heinous) student violations, a mandatory expulsion recommendation shall be submitted by the administration to proper District personnel.

Desert Oasis High School Administration and staff contribute to a positive school climate, promote positive student behavior and help reduce inappropriate behavior. All staff members use available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and promote a safe and orderly school environment. Desert Oasis High School staff complies with all legal mandates, regulations and reporting requirements for all instances of child abuse.

Additional internal security procedures affecting the integrity of the school facility include a fire alarm system in all buildings and operational phones in all classrooms. The administration and security staff use two-way radios/phones to communicate with each other. Community involvement is encouraged to help increase school safety.

Inventory System

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried periodically and there is an established accountability system. Office and classroom supplies are secured in locked cabinets, whenever possible.

Safety Strategies/Procedures

Introduction

Safe schools are orderly and purposeful places where students and staff are free to teach and learn without the threat of physical and psychological harm. Desert Oasis High School promotes an educationally and psychologically healthy environment for all stakeholders. Desert Oasis High School recognizes that there are comprehensive, broad factors directly related to a safe school environment, such as a well-prepared staff, student-oriented programs, well-informed parents and the community. Desert Oasis High School further recognizes that safe school practices enhance both the academic and social well-being of our students.

We also recognize that it takes all stake-holders to ensure that our schools are a safe place to learn. To that end, Desert Oasis High School has included the following strategies/procedures in its Comprehensive School Safety Plan:

Strategies/Procedures:

1. Child Abuse Reporting Procedures
2. Routine/Emergency Disaster Procedures
 - A. Adaptations for ADA
 - B. Earthquake Procedures
 - C. Public Agency Use of School Facilities During Disaster
3. Suspension/Expulsion Policies
4. Teacher Notification of Dangerous Students
5. Discrimination/Harassment Procedures
6. Provision of Dress Code/Gang Related Apparel
7. Procedures for Safe Ingress/Egress
8. Safe and Orderly Environment
9. Rules/Procedures School Discipline
10. Hate Crime Reporting

School Safety Compliance Child Abuse Reporting and Procedures

Central Union High School District Child Abuse Reporting Procedures (BP 5141.4)

The Board of Trustees recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law. (cf. 5141.41 – Child Abuse Prevention); (cf. 5142 – Safety)

Employees, who are mandated reporters as defined by law and district administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters. (cf. 4131 – Staff Development)

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

Parents/guardians may contact the Superintendent or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site. (cf. 1312.1 – Complaints Concerning District Employees)

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

PENAL CODE

152.3 Duty to report murder, rape or lewd or lascivious act 273a Willful cruelty or unjustifiable punishment of child; endangering life or health 288 Definition of lewd or lascivious act requiring reporting 11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTION CODE 15630-15637 Dependent adult abuse reporting CODE OF REGULATIONS, TITLE 5 4650 Filing complaints with CDE, special education students Management Resources.

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

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

California Attorney General: <http://caag.state.ca.us> California Department of Social Services:
<http://www.dss.cahwnet.gov> Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

Central Union HSD
Administrative Regulation
Child Abuse Reporting Procedures

AR 5141.4
Students

Definitions

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

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - District Police/Security Department)

3. The exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)

4. An amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

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

(cf. 5141.41 - Child Abuse Prevention)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. (Penal Code 11166)

Reportable Offenses

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

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

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

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

Responsibility for Reporting

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

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

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

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

Reporting Procedures

1. Initial Telephone Report

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

Imperial Child Protective Services

2995 South 4th Street
El Centro, CA 92243
760-337-7750

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

2. Written Report

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

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

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

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

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

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

3. Internal Reporting

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

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

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

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

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

Training

Training of mandated reporters shall include child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and

employees' confidentiality rights. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 5144 - Discipline)

(cf. 5145.7 - Sexual Harassment)

Victim Interviews

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

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

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

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

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

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

(cf. 5145.11 - Questioning and Apprehension)

Parent/Guardian Complaints

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

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person or in writing with any appropriate agency identified above under "Reporting Procedures."

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

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

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

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

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Regulation CENTRAL UNION HIGH SCHOOL DISTRICT
approved: November 8, 2005 El Centro, California

PROCEDURES ROUTINE/EMERGENCY

Increasing ADA

Goal: To reduce the number of truant/tardy students, unless excused due to illness, appointments, or family needs.

The Safety Committee recognized and commends the staff and administration of Desert Oasis High School, for the following interventions at Desert Oasis that have positively affected the academics and attendance of all students at Desert Oasis:

- A. Automated School Dialer
- B. TeleParent
- B. Community Liaison Officer makes home visit.
- C. SST meetings.
- D. Student/Teacher conference.
- E. Student/Counselor conference.
- F. Student/Parent/Administrator conference.
- G. Truancy letters.
- H. Recognition of students with perfect attendance.

Related strategies and activities to improve attendance:

- A. First, Second and Third letters of truancy to be mailed to guardian.
- B. Continue with SST meetings/with parent included.
- C. SARB students who have received the third letter of unexcused absences and are now considered "truants.
- D. Support staff will be trained on what to do when they see students off campus.
- E. Community will be informed that all students should be in school and will be provide with school numbers they can call when they see students out during school hours.
- F. Continue to work with local law enforcement agencies (Police Dept., and Probation Dept.) to detect truant students.
- G. Re-hiring the Community Liaison Truant Officer.
- H. Continued monitoring of attendance by Administrator in charge of Discipline/Attendance.

Evaluation: Will be measured by improved attendance.

EARTHQUAKE

At first sign of shaking, adults should give the drop and cover command. Stay calm:

A. If students and or staff are indoors, all should:

1. Get under a desk or table. Otherwise, stand next to an inside wall or under an inside doorway. Stay away from computers, televisions and stacks of books, file cabinets and other heavy objects.
2. Get as far away from the window as possible. Drop to knees with back to the window(s) and knees together. Clasp one hand firmly behind head, covering neck. Wrap other arm around a table or chair leg. Bury face in arm, protecting head.
4. Close eyes tightly.
5. Stay put until the earthquake is over.

B. If students and staff are outdoors, all should:

- 1 Direct students away from buildings, trees, poles and wires.
- 2 Call “duck and cover” command. Students and staff should cover as much skin surface as possible; close eyes and cover ears.

C. If earthquake occurs while students are on the bus.

- 1 Driver should pull to the side of the road, away from buildings, poles, wires and bridges, then issue drop and cover.
- 2 Driver should set brakes and turn off the ignition.
- 3 After earthquake, driver should proceed with route, watching for hazards.
- 4 Driver shall radio or otherwise contact transportation department and check in.

D. If the students are on the way to or from school, instruct them to:

- 1 Stay in open away from buildings, signs, trees and wires.
- 2 Do not run!
- 3 After the quake subsides, they should continue home or to school.

FOLLOWING THE QUAKE:

- 1 Anticipate aftershocks
- 2 Evacuate all students and staff in an orderly manner using pre-planned evacuation routes from fire drill. Then initiate the earthquake evacuation procedure.
- 3 All teachers should take roll and note missing students or staff. Write names of missing individuals on the back of attendance sheets. If individuals are trapped, attach emergency ribbon to door.
- 4 Students should remain outdoors, in evacuation area, until building(s) are declared safe.
- 5 Consider the impact on students. Involve the psychological service crisis team as appropriate.
- 6 Be prepared to operate without police or fire assistance for an unknown time in the event that county services are overwhelmed.

PSYCHOLOGICAL FIRST AID PROCEDURES:

In a natural disaster, like an earthquake, the first concern is with physical safety. Once safety needs have been assured, attention can and should be given to the emotional trauma. In many cases students (and staff) will be concerned and anxious about the welfare and safety of family and love ones. It is important for crisis team members to recognize and acknowledge the fear and anxiety everyone is experiencing but may not be expressing. Students will need to be reassured and feel secure. Adults may be experiencing very similar feelings of fear and anxiety and should be encouraged to share these fears with students while continuing to model appropriate behavior.

Providing an opportunity to share their fears and feelings begins the process of helping victims gain control and mastery over the experience. Encouraging victims to take action also helps to lessen the feelings of helplessness and loss of control. If the individual appears immobile, the crisis team members should assist by directing and/or requesting the individual to take a specific action.

Dealing with reactions to an earthquake

The following suggestions will assist school personnel

- A. **Students and adults need facts.** Give a realistic orientation of what an earthquake is how and when it happens. Prepare individuals for the possibility of aftershocks. Remind individuals that only certain areas have been affected.
- B. **Students and adults need opportunities to share feelings and experience**
Students and adults need opportunities to talk and share their feelings and experiences. Talking helps diminish anxieties. Adults need to admit their own feelings so children will have permission to share. This is especially true with older boys.
- C. **Students need to be together with adult and family members.**
Students are not as fearful of their own personal safety as they are of being separated from their parents and not knowing if they are safe or if they will see them again. Let students know that parents will be contacted or come to them as soon as they are able. In the meantime, assure students they will be cared for. Implement a buddy system with classmate. Initiate activities to help gain control over the situation. Encourage students to straighten up the room and rearrange the tables, for greater safety during aftershocks. Use classroom materials and/or recreational games to structure time.

USE OF SCHOOL/PUBLIC GROUNDS BY PUBLIC AGENCY DURING DISASTER

Introduction

Public schools are among some of the safest places for school-aged children to be on a daily basis. Our teachers, administrators, parents and community, take the safety of our children as a high priority; thus, ensuring that the learning environment is a place to learn and grow safely.

Unfortunately, violent and alarming incidents have occurred across the nation. It is for this reason that School Safety Plans, and the resources of the community, such as Police Departments, Fire Departments and other agencies as the Red Cross, have been pushed to the forefront when it comes to the safety of our schools.

Under each school's safety plan, a procedure to allow a public agency, including the above mentioned entities, are allowed to use buildings, grounds and equipment for mass care and welfare shelters during disasters or other emergencies affecting not only our students, but the public health and welfare. Each school district or county office is encouraged to cooperate with the public agency in furnishing and maintaining and services as the district or county office may deem necessary to meet the needs of the community.

SUSPENSION AND EXPULSION POLICIES Central Union High School District Student Suspension and Expulsion (BP 5144.1)

The Board of Trustees has established policies and standards of behavior in order to promote learning and protect the safety and well-being of students. When these policies and standards are violated, it may be necessary to suspend or expel and student from regular classroom instruction. (cf. 5144 – Discipline)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion. (cf. 6145 – Extracurricular and Co-curricular Activities)

Except in cases 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 is usually 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 caused a continuing danger to him/herself of others. (Education Code 48915)

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

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

Alternatives to suspension or expulsion will be used with students who are truant, tardy or otherwise absent from assigned school activities. (Education Code 48900)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and required that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or the director of Student services, any incidence of offenses specified in law. Board policy and administrative regulation as caused for suspension or policy.

The Superintendent or designee shall notify staff, students and parents/ guardians about the district's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

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 Superintendent or designee shall comply with procedures for notices and appeals as specified in regulation and law. (Education Codes 48911, 48915 and 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 my fall behind in the course work. The Board believes that in many cases, it would be better to manager 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 in-house suspension program which meets the requirements of law for suspended students 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; students study

teams of other assessments-related teams; and/or referral to school support services staff. The use of such alternatives do not preclude off- campus suspension.

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. The Board recognizes that current law enables parents/guardians to be absent from work without endangering their employment status in order to attend a portion of their child's school day at a teacher's request. Besides furthering improved classroom behavior, such attendance should promote positive parent-child interactions. (Education Code 48900.1)

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or was otherwise removed, the site administrator may provide that the student's parent/guardian attend a portion of a school day in that class. 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 Board encourages teachers, before requiring parental attendance, to 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 with the classroom. This policy shall apply only to a parent/guardian who lives with the student (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The board recognized that parental 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 from work.

District regulations and school site rules for student discipline shall include procedures for implementing parental attendance requirements.

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 requirement of the law.

Legal Reference:**EDUCATION CODE**

212.5 Sexual harassment 233 Hate violence reductions 1981 Enrollment of students 17292.5 Program for expelled students 32050 Hazing 35146 Closed sessions (re suspension) 35291 Rules (for government and discipline of schools 35291.5 Rules and procedures on school discipline 48660-48666 Community day schools 48900-48926 Suspension and expulsion 48950 Speech and other communication 49073-49079 Privacy of student records

CIVIL CODE

47 Privileged Communication

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt 54950-54963 Ralph M. Brown Act (re closed sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia 11053-11058
Standards and schedules

LABOR CODE

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

PENAL CODE

240 Assault defined 242 Battery defined
243.4 Sexual battery 245 Assault with deadly weapon 261 Rape defined 266c Unlawful sexual
intercourse 286 Sodomy defined 288 Lewd or lascivious acts with child under age 14 288a Oral
Copulation 289 Penetration of genital or anal openings 417.25-417.27 Laser Scope
422.6 Interference with civil rights; damaging property
422.7 Aggravation factors for punishment
422.75 Protected classes
626.10 Entry upon campus after written notice of suspension or dismissal without permission
868.5 Supporting person; attendance during testimony of witness

COURT DECISIONS

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807 Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182 Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

ATTORNEY GENERAL OPINIONS

80 Ops. Cal. Atty. Gen. 347 (1997) 80 Ops. Cal. Atty. Gen. 91 (1997) 80 Ops. Cal. Atty. Gen. 85 (1997) UNITED STATES CODE, TITLE 20 7151 Gun free Schools

Management Resources:

CDE PROGRAM ADVISORIES 0306.96 Expulsion Policies and Educational Placements, SPB 95/96-04

Central Union HSD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1

Students

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 Trustees 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(q))

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 48900(q). (Education Code 48900(q))

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

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)

(cf. 5145.3 - Nondiscrimination/Harassment)

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))

(cf. 5138 - Conflict Resolution/Peer Mediation)

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

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.

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

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. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7
3. 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
4. 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, 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(b))

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(c))

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.

(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)

On-Campus Suspension Program

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, 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 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 non-attorney 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.

Non-attorney 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: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

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 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)

- 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."

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.

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(a)-(q), Education Code 48900.2-48900.4, 48900.8, and 48915(c). (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 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1. (Education Code 48918)

Decision 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)

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 readmission.
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 re-admittance 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)

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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (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

Regulation CENTRAL UNION HIGH SCHOOL DISTRICT
approved: November 8, 2005 El Centro, California

PROCEDURES FOR NOTIFYING TEACHERS ABOUT DANGEROUS PUPILS

When a student is suspended for any reason, that student's teachers are told. If enrolled students have one or more suspensions of a serious or violent nature, teachers will be notified by receiving a list. This list includes student suspensions for the current year plus the previous three years. The following procedure is used in notifying teachers of the suspension history:

- 1 Suspension lists are provided to each teacher using a routing sheet. All teachers sign the routing slip indicating their review of the data.
- 2 Teachers are advised about the confidential nature of the data.
- 3 All routing sheets and suspension reports are to be returned and filed in the school office.

To notify teachers of suspensions as they occur during the school year, the following process is used:

- 1 Teachers are provided with a copy of the student suspension form.
- 2 Teachers are advised about the confidential nature of the data.

When students are administratively transferred from one school to another for disciplinary reasons, teachers (to whom the student is assigned) at the new school are notified by the school administration and provided with written information about reasons for the student's transfer and a copy of the student's behavior contract. Copies of the written notice are maintained in the school office.

When the district receives information from the juvenile court system that a student has been convicted of the serious or violent crime requiring teacher notification, the principal and teachers are provided with written notice from the district Student Services Department. Copies of this notice are maintained in the school office and the district Student Services' Office.

DISCRIMINATION AND HARRASSMENT POLICY

Central Union HSD

Board Policy

Sexual Harassment

BP 4119.11

Personnel

The Board of Trustees prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the district's sexual harassment policy,

particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

2. Publicizing and disseminating the district's sexual harassment policy to staff.

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

3. Ensuring prompt, thorough and fair investigation of complaints.

4. Taking timely and appropriate corrective/remedial actions. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

Any district employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

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

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

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

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

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

Policy CENTRAL UNION HIGH SCHOOL DISTRICT

adopted: July 12, 2005El Centro, California

Officer. The complainant shall make an appeal in writing stating the reasons why the complainant is dissatisfied with the report and recommended disposition. The written appeal shall be on a form prescribed by the district and shall be signed by the complainant.

8. The Cabinet office shall review the basis for complainant's appeal and the report and recommended disposition compiled by the manager. The Cabinet officer may make a decision based on the record presented or, if he/she determines it is necessary, collect any additional information deemed necessary.

The decision of the Cabinet officer may be appealed to the Superintendent or designee and then to the Board using the same appeal process and form.

ENFORCEMENT

Each work site supervisor, manager, and administrator has full responsibility for maintaining a work environment free of sexual harassment. Work site managers shall take appropriate actions to reinforce the district's sexual harassment policy.

These actions will include:

1. Maintaining an available supply of the policy and the district's brochures and materials regarding this policy.
2. Removal of vulgar or sexually offensive graffiti or other displays.
3. Annual staff in-services within the first four weeks of each work year.
4. Appropriate disciplinary action as needed
5. All supervisors, managers, and administrators shall instruct employees on the procedure for reporting sexual harassment on an as needed basis.
6. Employees determined to have violated district prohibition against sexual harassment shall be subject to disciplinary action up to and including termination from employment. Disciplinary actions may include, but are not limited to:
 - a. Verbal and written warnings
 - b. Written reprimands
 - c. Suspension with or without pay
 - d. Transfer to another work location.
 - f. Demotion and termination.
7. A violation of policy or regulations shall constitute just and reasonable cause for discipline and shall be deemed to be a violation of and refusal to obey the school laws of California and reasonable regulations prescribed for the government of the district by the Board under Education Code 44932.

CONFIDENTIALITY

District employees involved in processing sexual harassment complaints shall endeavor in good faith to protect the privacy of all parties involved in a complaint of sexual harassment. Files pertaining to sexual harassment complaints shall not be made available to the general public.

RECORDS

Copies of all reports of sexual harassment shall be forwarded to the chief personnel officer who is responsible for maintaining overall district records of incidents. Such records and reports shall not be made available to the general public.

EDUCATIONAL OUTREACH

As a means of preventing sexual harassment, the Superintendent shall ensure that all employees are notified of the adoption of policies and procedures to prevent sexual harassment. Each manager of a work site shall have a plan of file for providing staff in-service and procedures relative to sexual harassment education and the policies, regulation, and procedures.

REPORTING TO OUTSIDE AGENCIES

Federal Equal Employment Opportunity Commission Employees who have been sexually harassed may have the right to file complaints with Federal regulatory agencies. Time limits for filing complaints with Federal regulatory agencies vary. The employee should check directly with this agency for specific instructions for filling a complaint:

Equal Employment Opportunity Commission State of California Department of Fair Employment and Housing

Employees or job applicants who believe that they have been sexually harassed may, within one year of the harassment file a complaint of discrimination with the California Department of Fair Employment and Housing. The Department serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If the Department finds evidence of sexual harassment and settlement efforts fail, the Department may file a formal accusation against the employer and the harasser. The accusation will lead to either a public hearing before the fair Employment and Housing Commission or a lawsuit filed on the complainant's behalf by the Department. If the Commission finds that harassment occurred, it can order remedies, including up to \$50,000 in fines or damages for emotional distress for each employee of harasser charged. In addition, the Commission may order hiring or reinstatement, back pay promotion, and changes in the policies or practices of the involved employer. A court may order unlimited damages. For More information, employees should contact the [Enter Appropriate Agency] office as follow:

State of California

Retaliation Prohibited The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of sexual harassment will not negatively reflect on the employee who initiates the complaint, nor will it affect the employee's job assignment, statue rights, privileges, or benefits.

Central Union HSD Administrative Regulation Sexual Harassment

AR 4119.11

Personnel

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 work or

educational setting, when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made expressly or implicitly a term or condition of the individual's employment
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work performance; creating an intimidating, hostile or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through the district

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, an employee, or a non-employee, in the work or educational setting, include but are not limited to:

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

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Notifications

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

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all

members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct

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

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DFEH and the EEOC

Regulation CENTRAL UNION HIGH SCHOOL DISTRICT
approved: July 12, 2005 El Centro, California

DRESS CODE POLICY

In accordance with board policy and Education Code 35183, 35183.5, 48907, 49066, and Code of Regulations Title 5, 302 both students and staff of the school campus have the constitutional right to be safe and secure in their schools. Students will come to school having paid proper attention to their personal cleanliness and neatness of dress.

Desert Oasis High School Dress Code

Effective August 28, 2006 the following dress code will be utilized by Desert Oasis High School to support the safety of all children while attending school .(Ed code 35183)(Ed code 32281)

Basic Uniform for both males and females

Khaki pants, skirts, shorts (note guidelines below), black or teal short sleeve polo shirt or school t-shirt, shoes and socks to district code. Pants, shorts, skirts, and shirts, are to be worn no larger or smaller than two sizes different than the student's standard size.

Guidelines

A black or white short sleeved tee shirt may be worn under the black polo shirt. A female student may wear a khaki skirt no shorter than fingertip length. Students who are cold may wear a black polo pull over fleece. Students may opt to wear khaki shorts that follow the guidelines stated above, have a finished hem, and be no shorter than fingertip length.

These guidelines are designed to help reduce potential problems on campus and provide a positive learning environment. *Parents may choose not to have their child comply with an adopted school uniform policy. (Ed code 35183) To discuss this option an appointment must be made with the principal.*

Head gear/Backpacks

Hats may be worn as long as there are no logos depicting sex, weapons, alcohol, drugs, gangs, or violence. Hats must be worn the way they were designed (cap bill forward), and must be removed indoors. No bandanas or hairnets.

Back packs, make-up bags, and purses will not be allowed in classrooms.

PROCEDURES FOR SAFE INGRESS/EGRESS OF STUDENTS/EMPLOYEES/PARENTS

INTRODUCTION

It is the policy of Desert Oasis, and the Central Union High School District, that everything possible will be done to protect employees, students, customers, parents, and other visitors from accidents. Safety is a cooperative undertaking, requiring participation by everyone.

Related strategies and procedures to make sure that all persons entering, leaving, or on campus, are provided with the safest options:

- 1 Means of ingress/egress shall be kept unblocked, well-lighted, and unlocked during working hours.**
- 2 Exit doors must comply with fire safety regulations during business hours.**
- 3 Aisles must be kept clear at all time**
- 4 All chords running into walk areas must be taped down or inserted though rubber protectors to preclude them from becoming tripping hazards.**
- 5 A covering, guardrail, or its equivalent must secure any floor openings.**
- 6 There must be sufficient exits to permit prompt exit in case of emergency.**
- 7 When ramps used as part of required exiting from a building, ramp slope must be limited to 1-foot vertical, and 12 foot horizontal.**
- 8 Exit door must be side hinged.**
- 9 Doors that swing both ways must have viewing panel.**
- 10 Exit doors must be “operable” from the direction of exit travel without use of a key or any special knowledge of operation when building is occupied.**
- 11 Doors that are neither exit nor access must be marked “Not an Exit.”**
- 12 All spills/wet areas will be wiped up promptly.**

BLOOD BORNE PATHOGEN INCIDENT REPORTING FROM AND EXPOSURE CONTROL PLAN

Central Union HSD Board Policy Infectious Diseases

BP 5141.22 Students

The Board of Trustees desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because blood borne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of blood borne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a blood borne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to blood borne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Blood borne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of blood borne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Legal Reference:

EDUCATION CODE

48210-48216 Persons excluded
49073-49079 Privacy of pupil records
49403 Cooperation in control of communicable disease and immunization of pupils
49405 Smallpox control
49406 Examination for tuberculosis (employees)
49408 Information of use in emergencies
49602 Confidentiality of student information
51202 Instruction in personal and public health and safety

CALIFORNIA CONSTITUTION

Article 1, Section 1 Right to Privacy

CIVIL CODE

56-56.37 Confidentiality of Medical Information Act
1798-1798.76 Information Practices Act

HEALTH AND SAFETY CODE

120230 Exclusion for communicable disease
120325-120380 Immunization against communicable diseases
120875-120895 AIDS information
120975-121022 Mandated blood testing and confidentiality to protect public health
121475-121520 Tuberculosis tests for pupils

CODE OF REGULATIONS, TITLE 8

5193 California blood borne pathogens standard

CODE OF REGULATIONS, TITLE 17

2500-2511 Communicable disease reporting requirements

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

COURT DECISIONS

Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 376

Management Resources:

CSBA PUBLICATIONS

Saving Lives: AIDS Issues for California Schools 1994, rev. 2006

Avian Influenza, Governance and Policy Services Fact Sheet, April 2006

WEB SITES

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

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

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Contra Costa County Office of Education, Pandemic Flu Resources:

http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit

U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>

Policy CENTRAL UNION HIGH SCHOOL DISTRICT

adopted: November 8, 2005 El Centro, California

Central Union HSD

Board Policy

Exposure Control Plan For Blood borne Pathogens

BP 4119.42

Personnel

As part of its commitment to provide a safe and healthful work environment, the Board of Trustees recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with blood borne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

The Superintendent or designee may exempt designated first aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. (8 CCR 5193(f))

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

Legal Reference:

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

CODE OF REGULATIONS, TITLE 8

3204 Access to employee exposure and medical records

5193 California blood borne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA blood borne pathogens standards

Management Resources:

CDE ADVISORIES

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings

WEB SITES

OSHA: <http://www.osha.gov>

Cal/OSHA: http://www.dir.ca.gov/occupational_safety.html

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Policy CENTRAL UNION HIGH SCHOOL DISTRICT

adopted: July 12, 2005 El Centro, California

Central Union HSD

Administrative Regulation

Exposure Control Plan For Blood borne Pathogens

AR 4119.42

Personnel

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b))

Exposure incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 (b))

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions. (8 CCR 5193(b))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A sharps injury is any injury caused by a sharp, including but not limited to cuts, abrasions or needle sticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b))

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the blood borne pathogens hazard from the workplace. (8 CCR 5193(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

Exposure Control Plan

The district's exposure control plan shall contain at least the following components: (8 CCR 5193(c))

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials

The district's exposure determination shall be made without regard to the use of personal protective equipment and shall include a list of:

- a. All job classifications in which all employees have occupational exposure
- b. Job classifications in which some employees have occupational exposure
- c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #b above

2. The schedule and method of implementing:

- a. Methods of compliance required by 8 CCR 5193(d), such as universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

- b. Hepatitis B vaccination
 - c. Blood borne pathogen post-exposure evaluation and follow-up
 - d. Communication of hazards to employees, including labels, signs, information and training
 - e. Recordkeeping
3. The district's procedure for evaluating circumstances surrounding exposure incidents
 4. An effective procedure for gathering information about each exposure incident involving a sharp, as required for the log of sharps injuries
 5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents documented in the sharps injury log
 6. An effective procedure for identifying currently available engineering controls and selecting such controls as appropriate for the procedures performed by employees in their work areas or departments
 7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in a patient's care determines, in the reasonable exercise of clinical judgment, that the use of an engineering control would jeopardize an individual's safety or the success of a medical, dental or nursing procedure involving the individual
 8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193(c))

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. To the extent that sharps are used in the district, reflect progress in implementing the use of needleless systems and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e))

Preventive Measures

The Superintendent or designee shall use engineering and work practice controls to eliminate or minimize employee exposure, and shall regularly examine and update controls to ensure their effectiveness. (8 CCR 5193(d))

Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, or antibody testing has revealed that the employee is immune, or vaccination is contraindicated by medical reasons. (8 CCR 5193(f))

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f))

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193 (f).

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. (8 CCR 5193(g))

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193(g))

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193(f))

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(c))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(c))

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred
 - c. The procedure that the exposed employee was performing at the time of the incident
 - d. How the incident occurred
 - e. The body part involved in the incident
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
 - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193(f))

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred

2. Identify and document the source individual, unless that identification is infeasible or prohibited by law
3. Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional with a copy of 8 CCR 5193; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193(f))

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Medical records for each employee with occupational exposure shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h))

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h))

1. Medical records shall be maintained for the duration of employment plus 30 years.

2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
4. Exposure records shall be maintained for at least 30 years.
5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

Regulation CENTRAL UNION HIGH SCHOOL DISTRICT
approved: July 12, 2005 El Centro, California

PROCEDURES TO ENSURE A SAFE AND ORDERLY ENVIRONMENT RULES AND PROCEDURES ON SCHOOL DISCIPLINE

PHILOSOPHY OF DISCIPLINE

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior. Additionally, the school staff recognizes that the high school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be “minor”) is a simple warning (“Your behavior is unacceptable. Please stop such behavior”). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

ELEMENTS OF A GOOD DISCIPLINE PROGRAM

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration’s role is to support, not to replace).
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process:
8. Rules are enforced:
 - A. By all staff members at all time.
 - B. Strictly, but not rigidly (beware of “automatics”)
 - C. In substantial part by adult modeling.
 - D. Using techniques that promote the growth of positive self-esteem.
 - E. As close to the source as possible.
 - F. By keeping parents informed.
9. The discipline program is understood, endorsed and supported by staff, parents and students.

Principal's Statement to DOHS Staff Expectations in Developing & Maintaining Discipline

As Principal of our school, I expect each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed with me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other staff members.

You can expect me to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect that when you refer a student for discipline:

- 1 The student has been fully aware of classroom and school rules and knows what rule he/she has violated, and that the parent will be notified by you of the referral
- 2 Teachers will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
- 3 That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
- 4 You have exhausted the interventions at your disposal (i.e., you have done everything you can do, including calling the parent and/or having a parent conference) and you have followed the guidelines established by the administrator and staff on what constitutes an appropriate behavior referral.
- 5 The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
- 6 The written referral will be explicit in stating the offense (s).
- 7 You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
- 8 If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect:

- 1 The administrator to support your position in every reasonable way.
- 2 The availability of the administrator to discuss unresolved referrals after school on any given day.
- 3 That the administrator will exercise independent judgment regarding disposition of referrals

I will expect:

- 1 That each teacher will go to the doorway of his/her classroom after each class period and assume control of student behavior in the walkways.
- 2 That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect:

- 1 Administrator support, investigation, and follow-through as indicated.
- 2 A response to referrals from incidents outside the classroom to be the same as to those within.

School Discipline/Rules/Procedures

Behavioral and academic problems are an on-going problem with some of our students. Staff members need guidelines in dealing with these problems. The following are some guidelines for staff members to use when dealing with students on a daily basis:

- A. Seek an administrator**
- B. Communicate with student's parent when discipline and academic problems first occur. Ask for their input, and make sure you document your calls.**
- C. When possible, discuss your concerns with individual student on a one to one basis. Do not embarrass them in front of peers.**
- D. Look at student's cum-folder. Look for similar patterns**
- E. When using referrals, make sure you document precisely what the student did. Call the parent.**

- F. When dealing with academic concerns, look at test scores, report cards and student's past history. Talk to student's counselor.**

- G. Use SST when student is showing signs of poor behavior and academic failure. Do not wait till student has failed.**

Central Union High School District

Desert Oasis High School

Comprehensive Schools Safety Plan

Safety Plan Committee Evaluation and Public Hearing Certification

2014-2015

California law requires the comprehensive School Safety Plan of each school to be annually evaluated and amended, as needed, to ensure the plan is properly implemented (Ed. Code 35294.2e). An updated file of all safety-related plans and materials is maintained by Desert Oasis High School and readily available for inspection by the public.

California law also requires notice for public input prior to the adoption of the Comprehensive School Safety Plan.

Desert Oasis High School’s safety plan committee has evaluated our Comprehensive School Safety Plan.

Signatures of Desert Oasis High School Safety Plan Committee Members:

Signature

Signature

Signature

Signature

Date _____

