

Comprehensive School Safety Plan

RICHARD HENRY

DANA MIDDLE SCHOOL

Submitted to:

Wiseburn Unified School District

Administrative Office

201 N. Douglas Street

Hawthorne, California 90245

2018-19 School Year

TABLE OF CONTENTS

SECTION 1: GENERAL INFORMATION	5
Commitment to School Safety	5
Content of the Comprehensive Safety Plan	5
School Profiles	6
School Site Council Membership	6
Principal's Certification	7
SECTION 2: SCHOOL BEHAVIOR AND SAFETY ASSESSMENT	8
Data Reviewed	8
Key Analysis Points	8
Findings	8
Sharing of Information	8
Strategies and Programs	8
SECTION 3: CHILD ABUSE REPORTING PROCEDURES	9
Definitions	9
Notifications	10
Mandated Reporter Training	10
Reportable Offenses	10
Reporting Responsibility and Liability	11
Reporting Procedures	11
Complaint of Child Abuse Committed at a School Site	12
Interview of Student by an Agency Representative	13
Release of Student to Peace Officer	13
SECTION 4: DISASTER PROCEDURES	14
Chain of Command	14
Emergency Procedures for Students with Disabilities	14
Emergency Practice Drills	14
Evacuation Map	15
Biological/Chemical Weapons Assault	16
Bomb Threat	17
Earthquake Procedures	18
Explosion, Aircraft Crash or Similar Incident	18
Fire Procedures	19
Flood Procedures	19
Hazardous Substance Incident	19
Severe Windstorm Procedures	20
Suspicious Mail/Packages	20
SECTION 5: SCHOOL RULES AND REGULATIONS	22
SECTION 6: SUSPENSION AND EXPULSION PROCEDURES	24
Alternatives to Suspension	24

Grounds for Suspension	24
Suspension Procedures	28
Grounds for Expulsion	30
Expulsion Procedures	33
Expulsion Appeals	38
Special Considerations: Suspension and Expulsion of Students with Disabilities	39
Involuntary Removals	41
Notification Requirements	42
SECTION 7: NOTIFYING TEACHERS OF DANGEROUS STUDENTS	43
SECTION 8: BULLYING & CYBERBULLYING	44
Reporting and Filing of Complaints	44
Investigation and Resolution of Complaints	45
Corrective Actions and Disciplinary Measures	46
SECTION 9: SUICIDE PREVENTION	47
Suicide Prevention	47
Assessment and Referral	48
In-School Suicide Attempts	48
Re-Entry Procedure	49
Out-of-School Suicide Attempts	49
Parental Notification and Involvement	49
Postvention	49
SECTION 10: DRESS AND GROOMING	52
SECTION 11: SAFE INGRESS AND EGRESS	53
Arrival and Departure of Students	53
Visitors/Outsiders	53
Sexual Offenders	54
SECTION 12: RESPONSE TO IMMIGRATION ENFORCEMENT	55
Responding to Request for Information	55
Responding to Requests for Access to Students or School Facilities	55
Responding to the Detention or Deportation of a Student's Family Member	57
Notification Requirements	57
SECTION 13: NONDISCRIMINATION & HARASSMENT	59
Access for Individuals with Disabilities	59
SECTION 14: SEXUAL HARASSMENT	61
Employees – Sexual Harassment Policy	61
Employees – Prohibited Acts	61
Employees – Notifications	62
Students – Sexual Harassment Policy	62
Students – Prohibited Acts	63

Students – Notifications	63
SECTION 15: UNIFORM COMPLAINT PROCEDURES	65
Complaints Subject to UCP	65
Non-UCP Complaints	66
Compliance Officer	66
Notifications	67
Responsibilities	68
Filing of Complaints	69
Mediation	70
Investigation of Complaint	70
Final Written Decision	71
Corrective Actions	73
Appeals to the California Department of Education	74
SECTION 16: APPENDIX	75
Appendix A. School Safety Plans (Education Code 32280-32289)	75
Appendix B. Child Abuse and Neglect Reporting Act [Penal Code 11166]	80
Appendix C. Employee Acknowledgement of Child Abuse Reporting Requirements	84
Appendix D. Child Abuse Reporting Form	85
Appendix E. Emergency Drills Log	87
Appendix F. Bomb Threat Checklist	88
Appendix G. Classroom Preparedness Checklist	89
Appendix H. Bullying Incident Report Form	90
Appendix I. Response to Immigration Enforcement	92
Appendix J. Uniform Complaint Procedures Form	93
Appendix K. Local Crime Statistics	94
Appendix L. School Attendance Data	95
Appendix M. School Discipline Data	96

SECTION 1: GENERAL INFORMATION

Commitment to School Safety

RICHARD HENRY DANA MIDDLE SCHOOL is committed to ensuring that students and staff attend campuses that are safe and secure, and where they are free from physical and psychological harm. RICHARD HENRY DANA MIDDLE SCHOOL believes that a step towards maintaining safer schools is for each school site to develop a comprehensive school safety plan that takes into account the school's staffing, available resources, building design, and other factors unique to the site. The school site council shall be responsible for developing and annually reviewing and updating the plan by March 1 of each year and forwarding the plan to the Board of Trustees for approval. The status of the school safety plan, including a description of its key elements, shall be reported every July in the annual school accountability report card. The Principal of each school site shall also ensure that the most current comprehensive school safety plan is readily available for inspection by the public.

Content of the Comprehensive Safety Plan

The comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. RICHARD HENRY DANA MIDDLE SCHOOL shall work with law enforcement, examine local assessments and data, and utilize Schoolzilla data warehouse of student information to assess reports of crime, suspension and expulsion rates, and surveys of students, parents/ guardians, and staff regarding their perceptions of school safety and school connectedness.

The plan shall also, at minimum, identify strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following:

- Child abuse reporting procedures
- Routine and emergency disaster procedures, including adaptations for students with disabilities
- Policies for students who commit acts which would lead to suspension or expulsion
- Procedures to notify teachers of dangerous students
- Policies prohibiting discrimination, harassment, intimidation, and bullying
- Provision of a schoolwide dress code, which defines and prohibits "gang-related apparel"
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment conducive to learning
- Rules and procedures on school discipline
- Current and future goals
 - Olweus Bullying Training
 - PBIS modifications based on 17/18 discipline data
 - Multi-Tiered System of Supports assessment and initial plan
 - ADCO Safety Plan Committee
 - Taylored Site Safety Security Assessment completed by ACTUS Consulting and Training

School Profile

The Wiseburn Unified School District, located just a few miles southeast of the Los Angeles International Airport, was established in 1896 and remains one of the last small school districts in Southern California. Dana Middle School, with a population of approximately 1000 students, is an urban school welcoming nearly 50% of its students from many school districts all over Los Angeles County, on inter-district permits. Parents seek their child's admission to our school because Dana offers a rigorous curriculum, high test scores, extensive course offerings, outstanding teaching, and a safe environment; all in a \$36 million dollar state-of-the-art facility opened in September 2007.

Dana is a special place where children not only learn and discover, but grow as individuals. Our diverse school culture reflects vitality, enthusiasm, and a commitment that all students can and will be successful. Student success and safety are always our top priorities. The Dana community of professionals reflects an unparalleled work ethic. Our staff is continuously striving to ensure the success of all students, as evidenced by the numerous staff members who can be found on our campus well into the evening collaborating with colleagues or lesson planning. 100% of our teachers hold valid California teaching credentials.

In 2014 R.H. Dana Middle School (Dana) successfully applied for and received the California Department of Education's prestigious Gold Ribbon Award. This followed Dana Middle School's recognition as a California Distinguished School during the 2012-2013 school year. This was the third nomination for Dana Middle School to apply for the distinction of a California Distinguished School, a program that continues to include a very strict set of guidelines and expectations. Preparation for each of these award visitations included a multi-stakeholder process of collaboration. In 2006, Dana Middle School was named a national model middle school by National Forum to Accelerate Middle Grades Reform. This esteemed designation made Dana Middle School a nationally recognized "School to Watch" (STW) school in 2006. In 2009, 2012, 2015 and again in 2018 Dana was successfully re-designated as a National Forum School to Watch and continues to participate in site visits to potential STW schools.

The outstanding community of teachers, parents, students, and community partners that make up Dana Middle School is best reflected in the positive and safe environment found on campus. Students have access to various activities beyond the bell to fit all interests. A full complement of sports teams and events, drama productions, subject specific tutorials, and homework clubs open up new opportunities for students. The Project Lead the Way (PLTW) elective is open to all GATE students beyond the school day. Community partners such as Northrop Grumman, Loyola Marymount University, Chevron, and the Boeing Corporation provide support via grant funding and volunteer time to support programs within and beyond the school day. Dana's comprehensive school counseling program, in conjunction with Pepperdine University and Loyola Marymount University, supports students and families through the middle grades and in planning for high school and beyond.

The Dana staff recognizes that all students can learn and utilizes rigorous curriculum, instructional materials, and instructional practices that are aligned to the California State Standards. Standards and learning targets are used to provide consistent purpose for what students learn. Teachers provide students with challenging lessons and multiple opportunities to think critically and demonstrate their learning in a variety of ways. Dana uses data, accessed through multiple measures such as PowerSchool®, Canvas®, Brainpop®, Dreambox®, No Red Ink®, Accelerated Reader® and Google Apps for Education (GAFE) for measuring student progress. This allows for development of appropriate instruction and school wide academic interventions and enrichment opportunities such as English Language Arts (ELA) and Math

Interventions, Dolphin Workshops, PLTW, and teacher initiated homework clubs. During district staff/professional development days and staff/department/grade level meetings, Dana teachers analyze data and collaborate to ensure that all students receive challenging grade-level instruction. At Dana, rigor is critical in equipping students with the skills needed to succeed in high school, college, and beyond. The emergent California State Standards, Next Generation Science Standards (NGSS), and the new History-Social Science Framework, are the new foundation for rigorous and non-repetitive curriculum and instruction. The impact of analyzing data is demonstrated by the continued growth in State testing outcomes between 2015 and 2017 with increases in CAASSP achievement as measured by students either "meeting" or "exceeding" the standards in both Mathematics and English Language Arts at all middle school grade levels.

School Site Council Membership

The School Site Council (SSC), established pursuant to Education Code section 52852, at RICHARD HENRY DANA MIDDLE SCHOOL is responsible for writing and developing a comprehensive school safety plan relevant to the needs and resources of the school. The RICHARD HENRY DANA MIDDLE SCHOOL SSC for the 2018-2019 school year is comprised of the individuals listed in the chart below.

<i>Name</i>	<i>Title/Position</i>
Kiana Clark	Principal
Lisa Wilberg	Assistant Principal
Kathy Ory	Classified Staff
Aimee Glotz	Teacher - <i>SSC Secretary</i>
Amanda Gragg	Teacher
Jessica Aguilar Huff	Teacher
Brandy Garcia	Teacher
Emily Gomez	Student - <i>SSC Co-Chair</i>
Audrey Garcia	Student - <i>SSC Chair</i>
Nia Robinson	Student
Jessica Manriquez	Parent
Debbie Felt	Parent
Ann Tittle	Parent

School Site Council Safety Subcommittee


<i>Name</i>	<i>Title/Position</i>
Jessica Aguilar Huff	teacher

Amanda Gragg	teacher
Brandy Garcia	teacher
Aimee Glotz	teacher
Jessica Manriquez	parent
Debbie Felt	parent
Audrey Garcia	student
Emily Gomez	student
Lisa Wilberg	assistant principal
Megan Enge (adjunct member)	school counselor
Ayana Cadres (adjunct member)	school psychologist

Principal's Certification

As the Principal of RICHARD HENRY DANA MIDDLE SCHOOL, I certify the following:

1. In accordance with Education Code section 32281(b)(3), the School Site Council consulted with Interim Chief Michael Ishii from the Hawthorne Police Department in the writing and development of this Comprehensive School Safety Plan.
2. A meeting for public input on this Comprehensive School Safety Plan was held on February 8th, 2019. Members of the school community were notified in writing of the public meeting in accordance with Education Code section 32288:
3. The plan was adopted by the School Site Council on January 29, 2019.
4. The plan was approved by the Board of Trustees of the Wiseburn USD on February 21, 2019.
5. The Plan is available for public inspection.

Principal's Signature: 

Date: 2/12/19

SECTION 2: SCHOOL BEHAVIOR AND SAFETY ASSESSMENT

Data Reviewed

RICHARD HENRY DANA MIDDLE SCHOOL continuously reviews data as we strive for ongoing improvement. Attendance data is tracked through our PowerSchool student information system. The school also monitors discipline and suspension data through Educator's Handbook online program, as well as PowerSchool. Local crime statistics, including juvenile crime incidents, are also reviewed periodically.

Key Analysis Points

- two year school discipline data
- two year school attendance data
- school safety plan
- local crime statistics
- school safety assessment

The School Site Council Safety subcommittee met on December 17, 2018 to examine data (local crime statistics, two year discipline data, and two year attendance data). They worked in teams comprised of teachers, a parent, and a student, to identify key data points.

Sharing of Information

An overview of information was shared at the School Site Council meeting on November 27, 2018. More specific data was reviewed by the Safety Subcommittee at their meeting on December 17, 2018.

Findings

Based on review of the data, the Safety Subcommittee noted the following:

- Crime rates (particularly violent crimes) in our school neighborhood are low
- Dana has fewer absences during semester 1, compared with semester 2.
- Attendance rates seem to dip in the days surrounding breaks from school, and on minimum days.
- Incidents of physical aggression are high this year, with the majority of incidents occurring in 6th grade.
- Incidents of defiance/insubordination are significantly lower this year than last.
- Bullying incidents have been highest in 7th grade during both the 2017-2018 school year and so far in the 2018-2019 school year.
- Restorative consequences are used as the primary response for discipline issues in 2018-2019, compared to detention as the primary response in 2017-2018.

The ACTUS School Safety consultant noted:

- The primary need for Dana Middle School will be to assess and redesign our school entrance, including implementing new procedures for visitors to enter and exit the campus.
- It is recommended that Dana updates and installs additional cameras, as well as placing viewable monitors in the main office.
- It is recommended that teachers keep classroom doors closed throughout the school day as a safety precaution.

Strategies and Programs

It is a priority of the administration and staff at RICHARD HENRY DANA MIDDLE SCHOOL that every student who attends our school will be provided with an environment in which the students not only feel physically safe, but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements. To this end, several initiatives and practices are in effect to create a safe and supportive campus:

- ***Community of Respect and Empathy Committee (CORE)*** -: This committee is comprised of several teachers, a school counselor, and the assistant principal. The committee's focus is on creating lessons and events that promote character building and positive choices among our students.
- ***P.R.I.D.E.*** - This acronym stands for preparedness, respect, integrity, determination, and empathy. Throughout the school year, these are the five traits around which the C.O.R.E. team focuses their events and initiatives. Each school year begins with a P.R.I.D.E. week in which these characteristics are focused on heavily, to set the tone for the new school year.
- ***Restorative Justice*** - This is a system of alternate consequences employed by front office staff when discipline issues arise. Strategies include student mediation sessions, letters of apology, and learning activities on a range of topics. This system is designed to repair harm done while also shifting student behavior to prevent subsequent behavior incidents.
- ***Olweus Bullying Prevention*** - This program is designed to raise awareness of the issue of bullying on our campus. Launched by our school counselor along with the C.O.R.E. committee, students participate in lessons and learning activities designed to teach how to identify bullying and what to do when it is encountered.
- ***Student Merit*** - Student Merit is an online program employed by the school to reward students for exhibiting positive behaviors. Teachers and staff can award merits to students for exhibiting any of the P.R.I.D.E. traits, and students can redeem these merits for rewards and incentives at the Merit Market run through our school library.
- ***Teams*** - Each grade level at Dana is divided into two teams. The purpose of this is to create a smaller, more personalized environment for students within the larger school setting. All students on a team share the same set of teachers, so a group of caring adults can work together to support a particular cohort of students.

Additionally, our administration encourages staff to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds. Staff work together in grade-level and department teams to plan lessons and monitor student progress.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. In addition to speaking out during their Pod advisory class, students have the opportunity to participate on ASB or School Site Council.

RICHARD HENRY DANA MIDDLE SCHOOL shall comply with existing state and federal laws related to school safety. This comprehensive safety plan outlines several elements critical to maintaining a safe school environment.

GOALS:

School Climate

- To increase attendance during second semester, efforts will be made to plan student activities and school events that increase engagement. Currently, second semester of the 2018-2019 school year will include activities such as Literacy Week, Pennies for Patients, grade level field trips, and the Apex Color Battle.
- To bolster social/emotional learning at Dana Middle School by the following measures:
 - continue and expand the use of student P.R.I.D.E. merits. This year has introduced “Fintastic Cards,” which give students the opportunity to give merits to classmates for demonstrating positive character traits.
 - expand current systems in place such as student P.R.I.D.E. merits, Olweus anti-bullying lessons, and character-building Pod lessons.
 - continue and expand the W.E.B. (Where Everyone Belongs) program to support our 6th grade students as they transition to middle school
- To continue increasing the use of restorative practices at Dana Middle School by creating a menu of options that can be used by administrators, counselors, teachers, and office staff, as needed, in response to student discipline issues.

Campus Safety

- To create safer school entry by redesigning the physical space and entrance procedures used in our front office. Due to the need for planning and construction, this will be a multi-year goal.
- To increase the number of cameras on campus and to install viewing monitors in our front office.
- To change and enforce the school safety plan to reflect a policy requiring that classroom doors be closed throughout the school day to the greatest degree possible.

SECTION 3: CHILD ABUSE REPORTING PROCEDURES

RICHARD HENRY DANA MIDDLE SCHOOL is committed to supporting the safety and well-being of all students and desires to facilitate the prevention of and response to child abuse and neglect.

Employees of RICHARD HENRY DANA MIDDLE SCHOOL who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. All mandated reporters shall receive training on child abuse identification and reporting within the first six weeks of each school year, or within the first six weeks of employment if employed after the beginning of the school year. All employees currently take an online class called “Mandated Reporter: Child Abuse and Neglect Training” through the Keenan Safe Schools online program. Completion of this course is monitored by district office personnel, to ensure that all staff receive adequate yearly training.

RICHARD HENRY DANA MIDDLE SCHOOL’s instructional program may include age-appropriate and culturally sensitive curriculum in the prevention of child abuse, sexual abuse, sexual assault, and human trafficking. Upon written request of a student’s parent/guardian, the student shall be excused from taking such instruction.

Definitions

“Child abuse or neglect” includes the following:

1. A physical injury or death inflicted on a child by another person other than by accidental means
2. The sexual abuse, assault, or exploitation of a child
3. The negligent treatment or maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person
4. Willful harming or injuring of a child or the endangerment of the person or health of a child where the person responsible for the child’s welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency
5. The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition

Child abuse or neglect does not include the following:

1. A mutual fight between minors
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment
3. An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school to accomplish any of the following:
 - a. To stop a disturbance threatening physical injury to people or damage to property
 - b. For purposes of self defense
 - c. To obtain possession of weapons or other dangerous objects within control of a student

- d. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of students, and maintain proper and appropriate conditions conducive to learning
4. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student
5. Homelessness or classification as an unaccompanied minor

“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; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; school security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program.

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

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167.

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

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

Mandated Reporter Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to employees of RICHARD HENRY DANA MIDDLE SCHOOL and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. Proof of each mandated reporter’s completion of the training shall be maintained by the Superintendent or designee.

Each year, all RICHARD HENRY DANA MIDDLE SCHOOL employees are required to take an online training module in the identification and reporting of child abuse and neglect. The training includes information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified.

Reportable Offenses

A mandated reporter shall make a report using the established procedures 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.

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

Any employee of RICHARD HENRY DANA MIDDLE SCHOOL who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer.

Reporting Responsibility and Liability

The reporting duties of mandated reporters are individual and cannot be delegated to another person.

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

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report.

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. No employee shall be subject to any sanction by RICHARD HENRY DANA MIDDLE SCHOOL for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report.

No mandated reporter shall be civilly or criminally liable for filing a report of known or suspected child abuse as required or authorized by law. 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.

Reporting Procedures

Reports of known or suspected child abuse or neglect may be filed with any police department (excluding the school security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department.

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to:

Los Angeles County: Department of Children and Family Services

Toll-free within California, phone (800) 540-4000

If calling from outside of California, phone (213) 639-4500

TDD [Hearing Impaired] (800) 272-6699

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

2. Written Report

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

The Department of Children and Family Services has created the Suspected Child Abuse Reporting (SCAR) System that enables mandated reporters to complete their written report online at <https://mandreptla.org/>. To utilize the SCAR System, the mandated reporter must have obtained a referral number when making the initial telephone report.

Form SS 8572 may also be accessed through the State of California Department of Justice website at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf.

Reports of suspected child abuse or neglect shall include, if known:

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

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

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

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or Designee.

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

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

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

Complaint of Child Abuse Committed at a School Site

Upon request, the Superintendent or Designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

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

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

Interview of Student by an Agency Representative

Whenever a representative of police, sheriff’s, or county welfare department is investigating suspected child abuse or neglect that occurred within the student’s home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Principal or Designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student.

A staff member or volunteer aide selected by a student may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements:

1. The purpose of the selected person’s presence at the interview is to lend support to the student 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 student.
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.

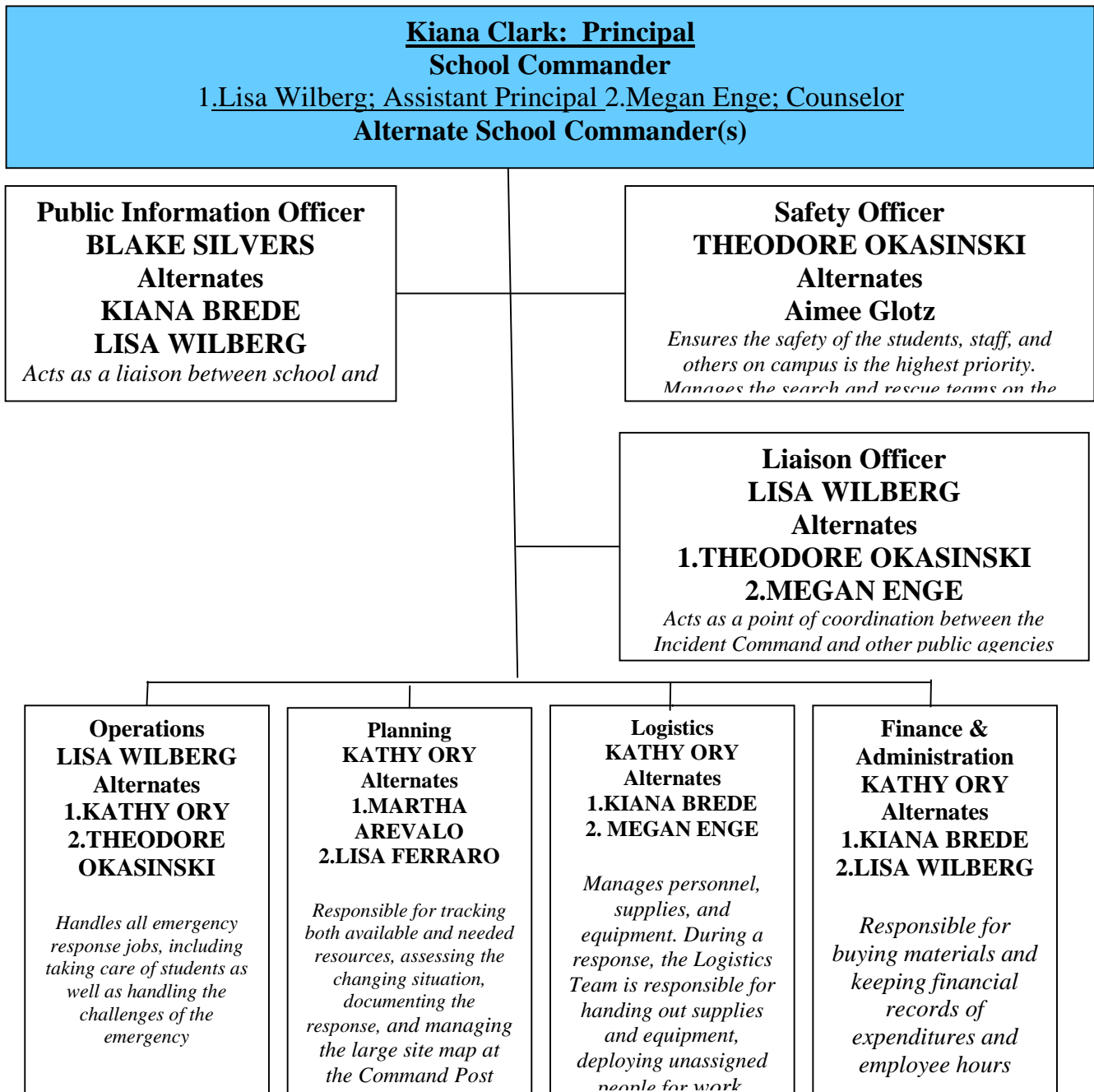
Release of Student to Peace Officer

When a student is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the peace officer shall be provided with the address and telephone number of the child’s parent/guardian. No employee of RICHARD HENRY DANA MIDDLE SCHOOL shall notify the parent/guardian of the student’s release to the peace officer; it is the responsibility of the peace officer to notify the parent/guardian of the situation.

SECTION 4: DISASTER PROCEDURES

RICHARD HENRY DANA MIDDLE SCHOOL will take all necessary measures to protect the lives and well-being of its students and staff through the prompt and timely response of trained school personnel should an emergency affect the school. To meet these objectives, the school has established a comprehensive emergency operations program that includes plans and procedures, training and exercise, and plan review and maintenance. The plan is in alignment and compliance with all facets of the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). The following sections outline basic responsibilities for all staff for specific incidents.

Chain of Command



Dana Middle School – Staff Responsibilities

The following committees will perform various assigned tasks that will help maintain an effective response to an emergency. These committees are part of the OPERATIONS BRANCH of the ICS System. Individuals performing these duties should report directly to the Operations Manager (Lisa Wilberg).

A. Utility Control/ Sanitation –

Lead – Lisa Wilberg (Operations Manager)

Committee Members - Marco, Mark, Roger, Rafael (all Dana Custodians)

- Make sure that all utilities are shut off when necessary. See attached map for details. Clean or clear any debris, if you can do so safely, to make for a smoother evacuation or emergency control environment.

B. Pupil Request and Release/Information

Lead – **Melissa Rodriguez**

<u>Student Request</u>	<u>Student Release</u>
Lisa Ferraro (6 th)	
Martha Arevalo (7 th)	Candy Gray
Jennifer Suh (8 th)	Maria Garcia
Melissa Rodriguez	Tania Morosan

Student Runners – Gamez’s classes (Nguyen’s class for Period 6)

Lead – Gamez, Daniel Espinoza

- This committee will oversee the reunification between students and parents. Please see Pupil Request and Release page for information regarding the Pupil Release Process and familiarize yourself with the procedures.

C. Search Teams

Lead – Lisa Wilberg (Operations Manager)

<u>Team 1 (RED)</u>	<u>Team 2 (BLUE)</u>	<u>Team 3 (GREEN)</u>	<u>Team 4 (PURPLE)</u>
*Aguilar-Huff	*Thomas	Snider*	Williams
Murray	de Jesus	Marcelletti	B. Garcia
Shakstad	Martinez	Hastings-Owens	Staal*

*Team Leader – These individuals will be the primary communicators between the Search and Rescue teams and the Operations Manager or Command Post. See map for individual team search areas.

D. Rescue Teams

Lead – Lisa Wilberg (Operations Manager)

Rescue Team #1 (Rescue 1)	Rescue Team #2 (Rescue 2)
Alvarez	DeSeriére
Corrinet	Barnett

The Rescue Teams will be responsible for communicating with the Search Teams and removing injured people from the campus. They will physically lift or move injured students to the Medical/First Aid Station. The Search Teams will relay pertinent information regarding injured students or staff to the Rescue Teams. Rescue Teams will respond as quickly as possible to the Search Team requests. **One member from the Search Team should stay with an injured victim until the Rescue Team arrives.**

E. Student Care

Lead – **Spadafora**

Alternate-- **Maria Garcia**

The Student Care team will stay with the students at the original assembly area until otherwise instructed. All questions and concerns should be directed to the Student Care Lead indicated above.

Sector 1 – Shim, Andrade, Spadafora*, Jeffrey, Harwell, Davis

(Room #s - 201,202,203,301,302,401,402,403,404,501,502,503,504,511)

Sector 2 – Elder, Perillo, Uhart, Wright, Tatum*, Prieto, Gragg

(Room #s - 601,602,603,604,701,702,703,704,705,706,801,802,803,804)

Sector 3 – Carpenter*, Nolasco, Croft, Rehbein, Nguyen

(Room #s - 805,806,807,808,901,902,903,904, Physical Education)

*Indicates sector leader who reports directly to Student Care Leader

F. Medical (First Aide/Morgue)

Lead –**Kris Torrey**

Committee Members – Torrey, Cavezza, Sullivan (School Nurse clerk)

The School Health Clerk will direct all activities at the medical station. All members should be certified and/or trained in First Aid, CPR, Emergency Response.

G. Food Services

Lead – **Michael Gengler**

Committee Members – Gatelein, Hernandez, Ray, Reina, Turner

Emergency Procedures for Students with Disabilities

Additional procedures for students with disabilities may need to be implemented in an emergency situation to accommodate and address each student's specific needs and/or limitations. As such, the IEP or Section 504 team shall, as part of the plan development and annual review, also ensure that an Individual Emergency Procedures Plan (IEPP) is established and up to date. The IEPP shall consider the degree of the student's mental and physical impairment and determine if assistance and/or specialized equipment will be required so that the student may, for example, evacuate the classroom or building in a timely manner. A copy of each student's IEP shall be placed in the Site Emergency Operations Plan and with the individual classroom teacher's emergency materials.

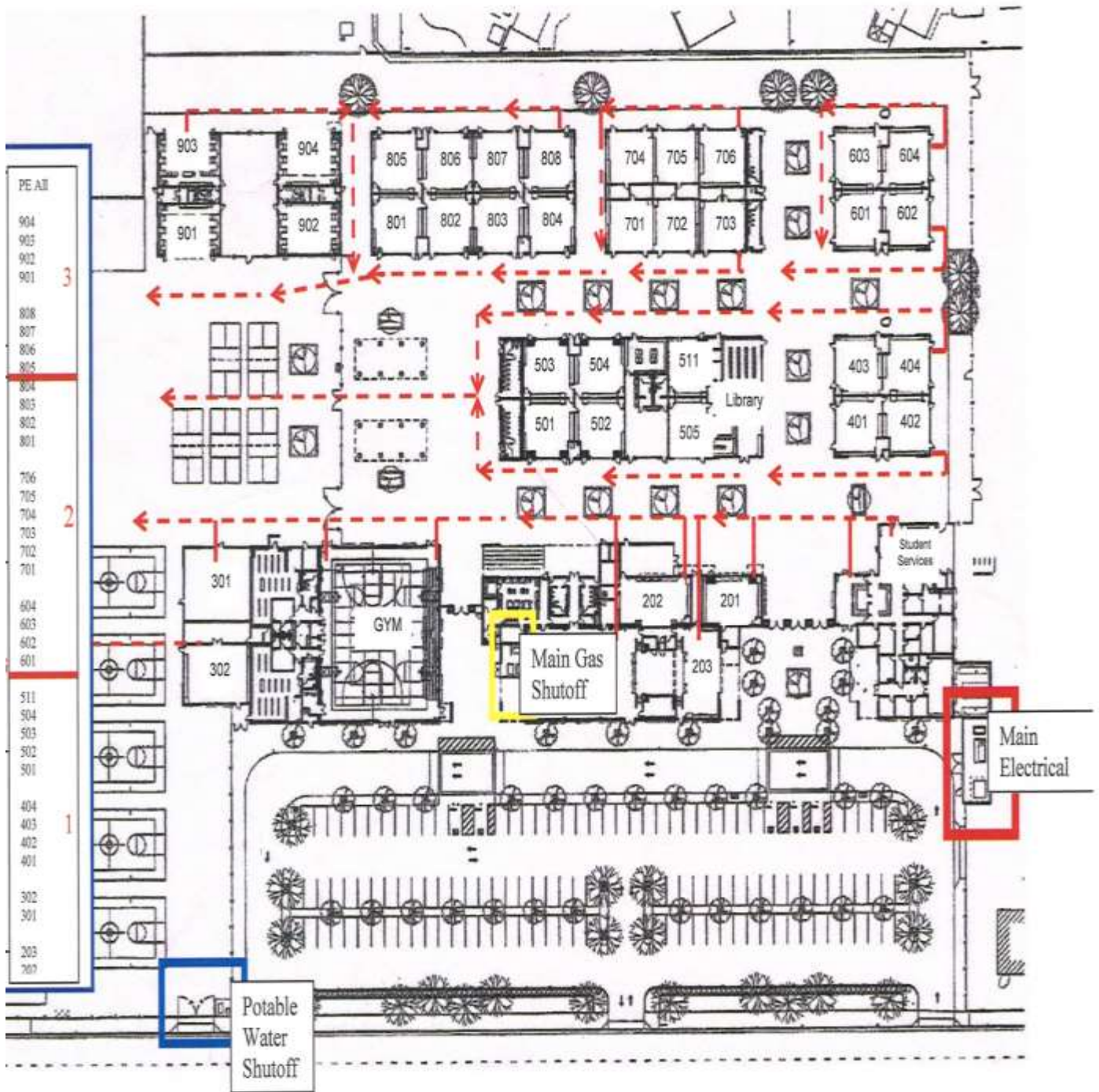
Emergency Practice Drills

To ensure that staff and students are knowledgeable and prepared to implement school emergency procedures, the following required practice drills are conducted as indicated throughout each school year.

1. Earthquake drill – at least once per semester [EC 35298]
2. Fire drill – at least twice a year [5 CCR 550; EC 32001]
3. Fire alarm system – at least once each calendar month [EC 32001]
4. Lockdown/shelter-in-place drill – at least twice a year (recommended)

Verification of the drills are to be recorded on the "Emergency Drills Log", which shall be maintained for two years.

Evacuation Map



Emergency Procedures

EVACUATION

The purpose of an evacuation is to move students, faculty/staff, and any other people inside school buildings to a safer location designated outdoors. The cause of an evacuation can be a fire, explosion, hazardous material spill, etc.

1. School Commander must designate someone to call 911, identify the school, describe any other pertinent information regarding the emergency, which would include the address and the location of the school Incident Command Post (ICP).
2. The School Commander will do one, both, or all of the following:
 - Make an ALL CALL announcement that says,
“Attention Dana Middle School. We are going to institute an evacuation of the school. Teachers, please take your students to the designated staging/assembly area. Please take your class roster and take roll to ensure that all students are accounted for and wait for further instructions.”
 - Use the designated bell warning to indicate a necessary evacuation. **The signal for an evacuation is a series of short or intermittent bell rings.** In the case that a fire alarm was pulled, there will also be strobe lights flickering from certain areas around the school buildings.
 - Contact the district office to relay the important information.
3. The Office Staff will do the following:
 - Take all the necessary paperwork including the visitor log and student sign out sheet to the staging area in preparation for the student release process.
 - Gather registration cards, and student schedules to help facilitate student accountability and release.
 - Gather the information from teachers regarding student count and will report any missing students or faculty members to the incident commander.
4. The teachers will:
 - Lead students through the evacuation process by guiding them using the designated evacuation route. In the case that the main route is blocked, the teacher will use the designated alternate route or the most sensible route to the staging area.
 - Turn off lights and close the door to their classrooms
 - Take attendance as students are leaving the classroom and make note of any students who were away at the bathroom, another classroom, the office, etc. These students should be reported to the incident command post in an effort to locate them. After taking roll, please fill out the **Evacuation Absence List** (located in the Emergency Response Folder) to be turned in to the Incident Command Post.
 - Proceed to the Student Staging Area and get their class in order (seated) and hand off control of the class to the lead Student Care personnel in their location. Then, the teacher should report to their assigned duty.

Other Pertinent Evacuation Information

- ✓ Any student that is not in a classroom should follow the directions of the teacher closest to their location.
- ✓ If the need for an evacuation arises during non-structured school time (recess, lunch, passing period) students should report to their marked homeroom number at the staging area. Teachers please reinforce this information with your students so they are aware of this procedure.
- ✓ Please exit the school building quietly and in an orderly fashion to avoid any confusion and to ensure the ability to hear any important directives and/or safety information.
- ✓ All people should remain in the appropriate evacuation area until the all clear signal is given and/or a voice signal is given by the principal or designee. Students should return to class or another designated location with their teacher.
- ✓ **Students should be seated in an orderly fashion with their class.**

Classroom Teacher Buddy List

- During an emergency, teachers should conduct a classroom status check and buddy teachers should check with each other to determine each other's health status, the need to assist with injuries, the need to stay with injured students, etc. If possible, injured students should not be left alone.
- Remember: The teacher's responsibility is to all students, **but in situations that threaten the lives of all, teachers should do the greatest good for the greatest number.**
- If necessary, one buddy teacher should evacuate both classrooms. In these cases, the students should exit without the teacher leading them. The teacher should stay back to check the classroom and close the door (but not lock it). If both buddy teachers are available for evacuation, one should lead and one should bring up the rear, checking briefly to make sure that both classrooms are empty and closing doors.
- Ensure that each classroom contains a "go kit" that contains the teacher's class roster and the buddy teacher's class roster.
- Immediately following student accounting, one member of each buddy team must check in at the Command Post.
- In emergency situations that do not involve evacuation, it may be necessary to move all students from one buddy's classroom into the other. One teacher is then available for assignments.
- Ensure that substitute teachers are familiar with emergency procedures and who their buddies are.

Buddy List

Room Number	...Buddies With...
202, 201	203
Cove/301	302
401	402
403	404
501	502
503, 504	506
601	602
603	604
701	702, 703
704, 705	706
801	802
803	804
805	806
807	808
901	903
902	904
Martha, Margarita	Lisa
Theresa	Kathy, Paulette
Lisa	Kiana
Megan, Cadres (and any interns)	Ted, Stacy

***Note – Please make sure that your buddy teacher/staff member is ok/not injured before exiting to the appropriate evacuation area. In the event that your buddy teacher is injured, take his/her class to evacuation area and immediately consult with Incident Commander.**

Reverse Evacuation

Purpose: *When conditions are safer inside the building than outside such as: severe weather, community emergency, gang activity, hazardous material release outside, etc.)*

School Commander:

- Order a **REVERSE EVACUATION** for students and staff outside to move inside the building. Use the All Call System, megaphone, 2-way radio or runners to gather school community inside.
- Notify the district office of the situation.

Teachers:

- Immediately move back to classrooms or safe areas (if it is safe to do so) using the closest entry.
- If movement into the building would present a danger to persons outside, teachers and staff outside will direct students to the designated assembly areas or off-campus assembly site.
- Teachers will take attendance and account for all students on the appropriate form. Report any missing students to administration
- No students or staff are allowed outside the building.
- Close and lock all exterior doors and windows. Monitor the main entries until the “All Clear” is given.

Lockdown

Purpose: *Used when there is a threat of violence or serious incident that could jeopardize the safety of students/staff (I.E. gang fights, civil disturbance, etc.)*

School Commander:

- The School Commander or designee will make the following announcement using the building ALL CALL:

“YOUR ATTENTION, PLEASE. WE ARE EXPERIENCING AN EMERGENCY SITUATION AND NEED TO LOCKDOWN THE SCHOOL IMMEDIATELY. TEACHERS LOCK YOUR DOORS AND KEEP STUDENTS INSIDE UNTIL FURTHER NOTICE: STUDENTS OR STAFF ARE TO RETURN TO THE NEAREST CLASSROOM OR OFFICE. IGNORE ALL ALARMS AND BELLS UNLESS ADVISED OTHERWISE. PLEASE REMAIN AS FAR AWAY FROM WINDOWS AS POSSIBLE.”

- Designate someone to Call 9-1-1, identify the name and address of the school, describe the emergency, state the school is locking down, provide intruder description and weapon(s) if known, and identify the location of the school command post. Direct staff to stay on the phone to provide updates and additional information.
- Direct staff to switch bells to manual mode and deactivate the fire alarm.
- Notify district office

Office Staff:

- Stay by the phones to wait for additional procedures from district office and incident commander.
- **Do not allow anyone from outside the school, including parents, children, etc. on to the campus as that could open the doors for an intruder.**
 - Remotely check status of classrooms via PA., telephone, computer or other methods
- Assist the principal or Incident Commander to establish the school Incident Command Post.

Custodians:

- Close and lock all delivery doors.
- Direct any contractors, delivery drivers, or vendor repairmen located inside the building into a safe area and lock the door.

Teachers:

- Clear the walkway and bathrooms by your room, moving everyone into the classroom.
- Lock your doors, turn off your lights, and shut your blinds and windows
- Move students and staff away from the doors and windows.
- Have all persons sit down against an interior wall.
- If a life threatening situation exists, exit immediately to a place of safety.
- Ignore all bells and alarms unless otherwise instructed
 - Take attendance and be prepared to notify Incident Commander of missing students or additional students, staff or guests sheltered in your classroom. Fill out the provided Student Count Forms.
 - Allow no one outside of the classroom until the Incident Commander gives the “All Clear” signal.
 - Any student, teacher, etc. who is outside a classroom when the lockdown begins, must immediately proceed to their classroom if safe. If it is not safe, they must move to the closest available classroom.

A.L.I.C.E. (Violent Intruder Protocol)

Purpose: *The purpose of the following procedures is to ensure the highest likelihood of survivability during a violent incident that might occur on campus (i.e. active shooter). The steps taken in the ALICE approach are not necessarily to be conducted in a linear fashion, but rather the selected response should be based on the best judgment of the adult in charge. Overall, ALICE provides a framework for staff and students to proactively respond to a violent situation on campus that could occur with little to no notice.*

There will likely be no announcement or warning when a violent situation arises on a campus and, therefore, staff members have the flexibility and autonomy to make the decisions necessary to keep their students safe. The objective is to ‘do something’ proactively to maximize the survivability of all involved. The following tools are not intended to be completed or executed in order, but rather as deemed fit by the adult in charge. In some cases only some of the steps might be necessary, while in other cases all the steps may be employed to ensure the maximum number of stakeholder safety.

- **TOOL #1 –ALERT** – This tool encourages any adult and/or student to alert as many people as possible of an event that might be deemed violent or potentially violent. There is no designated alert system as the location of the reporter will affect the way the information can be disseminated. Alerting can be in the form of yelling, informing only one class, or as a widespread “all call” over the school Public Announcement (P.A.) system. The more people that can be alerted to imminent or potential danger, the more likely of maximum survivability.
- **TOOL #2 – LOCKDOWN** – This tool is likely the most important to understand and practice as a school prepares for a violent intruder situation. The tool redefines lockdowns as described earlier in this emergency response manual to a more active and specific means of locking and securing a room. Violent intruders generally want very little resistance as it alters their goal of mass casualties. This tool must include barricade training so stakeholders are aware of what furniture, and/or other materials/objects are in the room and where they are located so these objects can serve as **barricading** tools. Yearly training (at least 3 times/year) is essential in building the comfort level of staff members as they prepare for a barricade situation. **Barricading is key.**
- **TOOL #3 - INFORM:** This is one step that ALICE training includes in their protocol that is different from most. Generally, it can get confused with the **ALERT** tool. However, this tool is to be used as a comprehensive attempt to inform as many people as possible to the specifics of the violent intruder, his/her whereabouts, descriptions, routes, mannerisms, weapons, and any other pertinent information. The **INFORM** tool includes the use of any technology that might provide a play-by-play and/or any other specific information. Important tools to inform include cell phones, surveillance cameras, tablets, etc. The goal is to provide as much, up to date information as possible, but also in a manner that does not put the reporter in any more danger.
- **TOOL #3 – COUNTER** – This tool should be used as a last resort if an intruder has breached a room and there is no other way out. In this case, the goal is to disrupt the ability for a violent intruder to successfully aim and fire a weapon. **COUNTERING** can include screaming, yelling, and throwing any and everything in the direction of the intruder. Any of these strategies, especially throwing objects (even soft objects) greatly affects the ability for a shooter to accurately use a firearm. This tool can also include “swarming” or tackling the intruder by a number of individuals (generally late middle to high school).
- **TOOLS #5 – EVACUATE** - The rule of thumb for this tool is – “if the intruder gets in, you get out.” Staff members should be aware of their exit options and the contingency plan for a quick escape. Doors and windows are viable options for escape if a room is breached and/or in

jeopardy of being breached. All stakeholders should know exactly where the exits are at all times and where to run if needed (see below)

The tendency in a case that requires this type of response is to over analyze (ALICE, 2013), however that can lead to paralysis/freeze response. Therefore, **the only requirement of staff members is to do something that is in the best interest of safety for all.**

RALLY POINTS - In the case of a necessary evacuation, staff members have two rally points – a meeting place for those looking to escape from a campus incident. To the West, the rally point would be the Vistamar Parking Lot (near the corner of Aviation and Rosecrans) and to the East it would be Cabrillo Elementary School (135th St.). A rally point is **not** a reunification point. Police Officers will be dispatched to a rally point for security, but parents will not be allowed to pick up students from this location for safety and accountability purposes. In fact, it is in the best interest of a safe evacuation process to keep the rally points as confidential as possible.

REUNIFICATION POINTS - Once the incident has been cleared by law enforcement and the necessary procedures are completed for adults to account for survivors, the rally points will be vacated by staff and students as they will make way to the **reunification points** at Del Aire Park or the Wiseburn District Office Parking Lot – depending on the recommendation from Law Enforcement. Note that both the rally points and the reunification points are only recommendations. It is likely that law enforcement and/or district personnel determine other areas as more safe and secure sites for rallying students and reunification with parents. The Incident Command System (ICS) described in this document should allow for the appropriate commander to deliver the necessary information to the site and staff members affected.

The ALICE Training Institute asserts that the best way to continue training for staff members is to incorporate diverse scenarios (15 minute exercises) at several staff meetings. These scenarios allow staff members to discuss an incident in the context of the available ALICE tools, both in small group and in a whole group setting.

Bomb Threat

Call Taker: Upon receiving a message that a bomb has been placed in school:

- Use bomb threat checklist (Appendix #6)
- Ask where the bomb is located, when will the bomb go off, what materials are in the bomb, who is calling, why is caller doing this. Listen closely to caller's voice and speech patterns and to noises in background.
- Notify the Principal/School Commander or designee.

School Commander:

- School Commander or designee notifies law enforcement by calling 911. Assign staff to meet and brief emergency responder agencies outside.
- Notify staff through the Public Address system:

“YOUR ATTENTION PLEASE. A BUILDING EMERGENCY IS IN EFFECT. ALL STAFF AND STUDENTS SHOULD REMAIN IN THEIR ROOMS UNTIL ADVISED OTHERWISE. SEARCH TEAM MEMBERS PLEASE REPORT TO THE STAGING AREA. ALL TWO-WAY RADIOS AND CELL PHONES SHOULD BE TURNED OFF.”

The School Commander and law enforcement agency will make a decision to:

- Evacuate Immediately
- Search the building and Evacuate if warranted.
- Notify the district Superintendent.
- Ensure staff who received the call completes the Bomb Threat Checklist and gives to law enforcement official.
- Assemble and brief the Search Team members at the interior command post. Assign search areas within the building, the emergency exit routes and the outside assembly areas.
- If a suspicious item is located, notify law enforcement official, order an EVACUATION selecting routes and assembly areas away from the suspicious item. **DO NOT ACTIVATE THE FIRE ALARM.**
- Direct students and staff to not take personal belongings, coats or backpacks. Teachers and staff will leave their windows and doors open when exiting.
- Students and staff must be evacuated to a safe distance outside of school building(s) MINIMUM 1000 Feet. is the general rule. Consult with Fire and Police officials
- Arrange for person who found a suspicious item to talk with law enforcement official.
- No one may re-enter the building(s) until fire or police personnel declare them safe.
- After consulting with the Superintendent, and the Incident Commander, the School Commander may move students to Cabrillo Elementary School, Del Aire Park, or the Vistamar Parking Lot if it is determined that those sites are safer.
- The school commander will notify staff and student of the termination of the emergency and to resume normal operations.

Teachers and staff:

- Teachers and staff will check their classrooms, offices and work area for suspicious items and report any findings to the School Commander or Search Team members.
- If a suspicious item is found-DO NOT TOUCH IT. Secure the area where the item is located, but do not guard it.
- Teachers will account for their students and be prepared to evacuate if ordered.

- Teachers and staff will evacuate using standard procedures and exit routes to assembly area.
- Teachers will open classroom windows and leave classroom doors open when exiting.
- Keep your class together at the assembly area until given further instructions. Be prepared for Off-Site Evacuation if ordered.
- If given the “All Clear” signal, return to the building and resume normal operations.

Shelter-in-Place

Purpose: *Provides a refuge for students, staff and the public inside the school building during an emergency such as severe weather or hazardous material release outdoors. Shelters are located in areas of the building that maximize the safety of occupants. Shelter-in-place is used when evacuation would place people at risk. Shelters may change depending on the emergency.*

School Commander:

- The School Commander or designee will make the following announcement using the building ALL CALL system:

“YOUR ATTENTION, PLEASE. WE ARE EXPERIENCING AN EMERGENCY SITUATION AND NEED TO IMPLEMENT SHELTER-IN-PLACE PROCEDURES. STUDENTS AND STAFF ARE DIRECTED TO MOVE TO THE DESIGNATED SHELTER LOCATIONS AND SAFE AREAS. ALL STAFF AND STUDENTS OUTSIDE ARE TO IMMEDIATELY MOVE TO THE PROTECTION OF AN INSIDE ROOM.”

- Order a **REVERSE EVACUATION** for students and staff outside to move inside the building. Use the ALL CALL system to relay this information.
- Direct staff to close all windows and doors.
 - If warranted, order the shut-off of heating, ventilation and air conditioning system to stop the inflow of outside air into the building.
- Notify district office the school is **SHELTERING-IN-PLACE**.
 - Be prepared to announce change in status (“DROP, COVER AND HOLD” or “All Clear”)

Custodians:

- Shut off utilities (if necessary).
 - Turn off ventilation systems (Heating, ventilation and air conditioning) as appropriate.
- Post Shelter in Place cards at the primary entrances to the building(s).

Teachers:

- Move students into designated safe areas such as inside rooms with no windows, bathrooms, utility closets, and hallway without large windows or doors.
- The classrooms will serve as the Shelter-in-Place location unless otherwise instructed. The school Gymnasium and Multipurpose Room will be utilized if the air quality and exposure to chemicals is severe.
- Close classroom doors and windows when leaving.
- Have everyone kneel down and be ready to cover their heads to protect from debris.
- If outside, teachers will direct students into the nearest school building interior safe area or other appropriate shelter.
- If movement into the building would expose persons to hazardous chemical plume, teachers should move to designated outdoor assembly areas upwind or crosswind from the spill.
- All persons must remain in shelter until notified by the Incident Commander or emergency responders.

Drop, Cover and Hold

Purpose: *Drop, Cover and Hold is used when an incident occurs with little or no warning. This action is taken to protect students and staff from flying or falling debris resulting from explosions, structural failures, severe weather or an earthquake.*

- Inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.
- All students and staff who have moved to shelter or safe areas in the building in response to an earthquake should kneel down under their desks and cover their head with their arms and hands. Student's head and neck should be covered with their arms and they should be facing away from the windows.
- Outside, teachers will instruct students to drop to the ground, place their heads between their knees and cover their head and eyes with their arms and hands.
- Instruct everyone to move away from windows.
- Teachers should account for their students and report any student missing to the administration.
- The School Commander may order an evacuation if the situation warrants and it is safe to do so.

SECTION 5: SCHOOL RULES AND REGULATIONS

Absences

All students between the ages of 6 and 18 must attend school daily. Parents or guardians are responsible for sending their children to school (E.C. 48200). Parents/guardians will receive an automated phone message from School Messenger for each absence.

A parent note or phone call to the office at (310) 725-4700, is required on the first day of the absence. Students late to school must report to the office before reporting to class.

A student who is absent three full days without a valid excuse, or on three occasions is tardy or absent for more than 30 minutes, or any combination thereof, is a truant (E.C. Section 48260). Truancy can lead to severe consequences, including fines and criminal prosecution.

Students who are truant from school will be referred to the District Attendance Chairperson and a referral to the District Attendance Review Team (DART) and School Attendance Review Board (SARB) may occur.

Verified excused absences are:

- Illness
- Quarantine directed by county or city health officials
- Medical, dental or eye care services
- Attending funeral services for the immediate family
- Attending religious services

Excessive Absences

If a student is absent from school more than 10 school days in a school year, school notification will occur. A School Attendance Review Team (SART) meeting may occur when students are absent from school more than 10 days and when a clear pattern exists.

Tardies

It is the legal responsibility of the parent and student to see that the student arrives at school on time.

If students are late for school, consequences may be assigned as indicated in the Dana Middle School discipline matrix. If a student is late for school on five occasions the student will serve an extended detention (see Consequence Matrix).

Parents will be notified for each tardy by an automated message from School Messenger. After 10 tardies, parents will begin receiving letters in the mail and/or phone calls regarding continued attendance issues.

If a student reaches 15 tardies to school, a referral to the School Attendance Review Team (SART) for further action will occur. A violation of the School Attendance Review Team Contract will result in a referral to the District Attendance Review Team (DART). Further action may be taken by the School Attendance Review Board (SARB) if attendance does not improve.

Please note: The district may conduct home visits to verify student residency/attendance requirements.

Independent Study Program

This program was developed to help students on extended absence (minimum 5 days) continue their educational program. **Parents must notify the school office five or more working days prior to the absence.** In order to receive full credit, specific coursework will be assigned by a student's teachers and must be completed. Completed assignments must be turned in to the office upon the student's return. Copies are made of the completed student work. These copies remain on file in the office. Independent Study may also be authorized for students with special circumstances who have filled out the appropriate paperwork and who have been granted approval by Dana administration. Independent Study may be denied if the student is not leaving for reasons recognized in the Education Code.

MEDICAL/HEALTH INFORMATION

Accidents

If a student needs assistance getting to the health office, they should send a student to get a teacher or staff member.

School Health Office

The health clerk is on the school site five days a week. The health clerk is not able to treat wounds, breaks, cuts, or other injuries suffered outside the regular school day. It is against state law to administer or treat students except for first-aid emergencies. The district school nurse also provides annual hearing, vision testing, and scoliosis testing.

If a student has been ill they must stay at home until they have not had a fever, diarrhea, or vomiting for **24 hours. Student must be fever free for 24 hours without medication.** A student with an unknown rash or reddened eye (a sign of “pink eye”) will be sent home. Student must be symptom free and/or have a physician’s note stating that they are non-contagious in order to return to school.

Medication Administration

California Education Code, Section 49423 allows designated school personnel to assist pupils required to take prescription medication or over-the-counter medication during the school day. Medications must be taken directly to the Health Office. A **Medical Authorization Form** giving permission to administer medication during the school day must be signed by the physician and be on file in the health office. Students may not carry medication on their person unless it is authorized by their physician (i.e. inhaler). **Medical Authorization Forms** are available in the school office and must be completed each school year. Any individual student medical needs should be brought to the attention of the health office staff.

Illness at School

Ill or injured students should report to a teacher or yard supervisor. The teacher or yard supervisor will issue the student a pass to report to the health office. After a determination is made regarding the illness, the student will remain at school or will be sent home after the parent has been contacted. Students may not leave the Dana campus without permission.

School authorities may excuse any pupil in grades 7 and 8 from school for the purpose of obtaining confidential medical services without the consent of the pupil’s parent or guardian. (Reference: AB1541, Chapter 196, E.C. Section 46010.1)

Home Instruction for Extended Illness

Students in need of home instruction due to chronic and/or extended illness should contact the school principal and provide a physician referral to arrange for a home teaching program when appropriate.

McKinney Vento Act

Families who lack a fixed, regular and adequate nighttime residence may be eligible for programs and services to assure that children receive equal access to free and appropriate public education and appropriate services in order to be successful in school.

Foster Youth

Guardians of children living in foster care and group homes should meet with the school administrator to discuss unique educational needs.

STUDENT HEALTH/WELLNESS

Healthy Families

Families in need of information relating to health care programs available in the community should contact the health office.

Classroom Parties

In accordance with WSD Wellness Policies, students are not allowed to bring home baked items to school for school functions and/or school sponsored events. Healthful pre-packaged store bought items are encouraged for these events. Food is not allowed in carpeted areas of Dana Middle School.

School Lunch Program

Cafeteria services are available for students in need of purchasing. Freshly cooked, hot school lunches, including milk, are **\$3.40**. Students do not have lunch cards, but rather, their accounts are accessed with personal PIN numbers. Please note that students should not share their PIN with other students.

A Free/Reduced Lunch Program is also available to qualifying families. (Forms are available in the school office.)

Sack lunches may also be brought from home. A child who is to leave school daily for lunch must have a note on file in the school office from the parent giving them permission to do so and what means of transportation will be provided.

The Wiseburn School District believes in healthy choices and encourages families to consider nutritional guidelines when packing their children's lunches. Please avoid sending soda, and unhealthy food including candy which is not allowed on campus. **Outside food/restaurant food, balloons, or flower deliveries for students will not be accepted by the Dana main office.** Such deliveries create a disruption to the school program.

Lunch recess is supervised by noon supervisors who are accorded the same respect received by all Dana staff members.

- ◆ Students are to take their seat, eat their lunch, keep their hands to themselves, leave other students' food alone, and refrain from horseplay.
- ◆ Students are to put their own trash (papers, milk cartons, lunch sacks, etc.) in trash cans.
- ◆ Candy, gum, sunflower seeds, and glass containers are restricted items and may not be brought to school.

To purchase lunches, make checks payable to the Wiseburn Unified School District. Parents/guardians may also register at

myschoolbucks.com and use a credit card to place money in their child's lunch account. Please visit the Dana website for more information. Students may not receive a hot lunch if they do not have credit in their account.

Nutrition Break

Students enjoy a 10-minute mid-morning recess each day. It is suggested that families pack nutritional snacks for their students each day. Vending machines are not available.

PARENT INVOLVEMENT

Parent Visitations

Parents are welcome to visit but must telephone the school office at least 24 hours in advance to arrange a visitation time with their child's teacher. As a safety measure, we do require all visitors to register at the school office prior to visiting classrooms. District policy allows for a visitation stay of up to 30 minutes to reduce disruption to the learning environment. Please understand that the classroom teacher will not be able to confer with parents during such visits.

Parents are not allowed to go directly to the child's classroom at any time without prior approval. Parents must sign in at the office and obtain a visitor's badge. Each school is required to keep unauthorized persons from entering school grounds. In the case of an emergency situation, parents may not be allowed on campus until the full nature and scope of the emergency is determined.

In addition, schools are required to promptly remove from the school premises any individual who disrupts or threatens to disrupt normal school operations, threatens the health and safety of students or staff, or causes property damage. (E.C. Section 32210).

Volunteers

Parent volunteers are a very important component of our home/school partnership at Dana Middle School. If you would like to become involved in the school's volunteer program on a regular basis, please obtain a district volunteer application from the school office. It outlines the requirements to allow regular participation in the school program.

Parent/Teacher/Student Association (PTSA)

Through their fundraising efforts, the PTSA provides curriculum enrichment (field trips, assemblies), parent education, classroom/teacher support materials and supplies, and student awards and incentives. We encourage all parents to join the PTSA during the fall membership drive or other times throughout the year and to support its fundraising activities. Volunteers are always needed to serve on the executive board and committees, and to chaperone school dances and field trips. Visit the PTA page on danamiddle.org.

School Site Council

The School Site Council is an important governing body that reviews programs and makes decisions that impact the quality of education at Dana Middle School. One of the programs monitored by this group is the state- funded School Improvement Plan.

The council is comprised of three student members (one from each grade level), three parent/community members, and six staff members (teachers, staff, and administrators). Members serve a term of two years. Community members who do not have children enrolled at Dana, but reside in the Dana attendance area may also serve on the council. The council meets on the first Tuesday of the month on campus.

Other available committees include the **English Learner Advisory Committee** and the **District English Learner Advisory Committee**.

Wiseburn Unified School District

The Wiseburn School Board meets twice monthly. Meetings begin at 7 p.m. and are held in the Wiseburn District Office. Parents, faculty, staff, and students are welcome to attend these meetings. A schedule of meeting dates can be obtained from the Wiseburn School District Office by calling (310) 643-3025.

Wiseburn Unified School District Board Members

Mr. Israel Mora
Mrs. JoAnne Kaneda
Mr. Roger Bañuelos
Dr. Neil Goldman
Mr. Nelson Martinez

ACADEMIC SUPPORT SERVICES

Staff Voicemail

The Dana phone system features staff voicemail. The staff voicemail is easily accessed by dialing the school number (310) 725-4700. Listen for the general announcement, then dial the extension for that teacher. The complete staff phone listing for the 2018-2019 school year will be available on the school website.

Canvas

Parents and students may access student grades and assignments by using Canvas. Parents will be able to link to their

child's Canvas account and get up to date notifications on grades and upcoming assignments.

Student Planners

Dana student planners are a valuable organizational and communication tool that have been adopted by our faculty and other schools across the country.

Each student will receive a PTA donated student planner during the first week of school. Students will be expected to have their planner and other school supplies with them at school every day. Working together, parents and teachers can review assignments that are to be completed.

Homework

Homework is an integral part of the Wiseburn Unified School District educational program. Homework strengthens skills and concepts learned in the classroom and helps develop good study habits. Homework also allows for students to review key concepts enabling them to participate in dynamic classroom discussions and activities. The type, frequency, and length of assignments vary with the age of the student and their needs and abilities.

- ◆ Students are assigned homework on a regular basis. Failure to complete and turn in these assignments will lower a student's grade.
- ◆ Parents should review their child's planner and contact their child's teachers immediately if their child experiences difficulty with the assigned homework or if the student is not bringing assigned work home regularly.
- ◆ After an absence, students are expected to request and make up any missing assignments/work.
- ◆ Students usually have one day to make up missed work for each day that they are absent.
- ◆ Teachers may post assignments on Canvas. Contact the teacher for more information on this function.

Grade Reports

Achievement, work habits, and citizenship grades are issued at the end of each grading period. Quarter grades are progress reports that become part of the student's final semester grade. The final grades for each semester are used to calculate a grade point average (GPA). The grades are based on student mastery of grade-level standards. Citizenship and work habits grades reflect student behavior, attitude, and class participation. Report cards, transfer papers, and other school documents are held when fees for lost and/or damaged library books, textbooks, or property damage are not paid.

Parent /Teacher Conferences

Conferences are an excellent time to discuss your child's progress. Conference request forms will be sent home with your child during the 2nd Quarter.

Dana Middle School will also host Student Led Conferences (SLC's) in the Spring. This is an opportunity for parents/guardians and their child to sit down and review the student's Portfolio for Student Growth (PSG). The students will lead and direct the communication during this memorable experience.

Parents are encouraged to contact their child's teachers anytime during the school year should they have questions regarding the curriculum, homework assignments, or grades.

Digital Portfolios for Student Growth and Student Led Conferences

Students will keep a digital portfolio that showcases their learning throughout the year and enables them to set goals. Students will then present this portfolio to a parent/guardian at their Student Led Conference. These Student Led Conferences will be a valuable means for students to show an adult their growth throughout the school year.

Student Success Teams (SST)

Student Success Team meetings are scheduled for students who are not succeeding academically at Dana. The team consists of the student, his/her teachers, a school counselor/administrator, and the school psychologist. The team discusses student's strengths, pertinent history and information, present interventions, and a plan of action. The team also determines if further study is needed regarding student success. SST meetings are coordinated by the counselor at the recommendation of the

classroom teacher.

Academic/Behavior/Attendance

Students who do not achieve academic, behavior and/or attendance standards may be placed on an academic/behavior contract. A conference, attended by the student, parent, and staff members, is held to discuss interventions.

Special Education

The Wiseburn School District offers special education services to students who qualify for such services.

Hall Passes

All students must carry a hall pass when they are out of class during regular class time. Hall passes are issued by classroom teachers and office staff.

Lost and Found

A lost and found area is maintained outside the Multi-Purpose Room. Articles that are found on the school grounds should be brought to Student Services. Students' names should be put on all possessions so they may be claimed. Items remaining in lost and found will be donated to local charities. **Large amounts of money and/or other valuables should not be brought to school.** The school is not responsible for lost or stolen items. Please see restricted items listing in consequence matrix.

Restrooms

Except for emergency or medical reasons, students are to use the restrooms before school, during morning and lunch recess, and during passing periods. Students who excessively use instructional time for restroom breaks may be assigned detention. The restrooms at Dana are cleaned on a daily basis. **Students must do their part by keeping the restrooms clean and in working order.** See consequence matrix for details.

Student ID Cards

Student ID cards are issued to students in October. Students are required to carry their ID card at all times and are required for library check-out. Replacement ID cards may be purchased from the library for a \$10.00 fee.

School Deliveries

Deliveries including lunch, projects and homework, delivered during school time will remain in the office until a student picks it up during recess or lunch. Absolutely no classroom or student deliveries will be made. In addition, the student will not be called from recess or lunch to pick up the items.

Student Notebooks/Supplies

Student supply lists are compiled by each grade level and are posted on the school website. Teachers may request additional supplies if needed for specific projects. Students must bring their notebook, supplies and books to class each day. **Permanent markers (Sharpies) and liquid correction fluid are restricted items. Please see the consequence matrix for more information.**

Telephone Use/Electronic Policy

School phones are to be used for official school business or emergencies only.

The office will take messages for students only in the event of an emergency. In order to minimize classroom disruptions, such calls may not be placed through to the classroom. A school administrator may ask the nature of the message to screen non-emergency disruptions to the classroom and office staff. We appreciate your help in avoiding this interruption to the classroom learning process.

Students may bring cellphones to school, but **phones must remain in their backpacks during school hours (8:25 –**

dismissal bell). Cell phones may not be turned on during the school day. Such use will be viewed as defiance of school rules. Students may use cell phones before and after school. A student violating this use policy will have his/her phone confiscated and a parent or guardian will be required to pick it up. **Students bring electronic devices at their own risk and Dana staff will not investigate lost, stolen, or damaged electronic devices (i.e. phones). If a student wishes to bring an electronic reader (Kindle, Nooks) they must turn in an authorization form that can be picked up in the Main Office.**

Transfers

Parents must notify the school office at least 3-5 days prior to their child's transfer from Dana. On their last day, the student will report to the office for a sign-out sheet to be signed by all of their teachers, the health office, and the library. This sheet assures that all school materials have been returned and that all fees have been paid. Student records will be mailed to the new school upon the new school's request.

Student Behavior - School Staff and Substitute Teachers

Students are expected to offer respect and courtesy to all administrators, teachers, and staff. As stated in the Dana consequence matrix, students who, *"Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties"* will earn consequences that range from a 15-minute detention to suspension. Consequences double for misbehavior that occurs with a substitute teacher.

STUDENT BEHAVIOR PROGRAM **A Community of Respect & Empathy~CORE**

Dana Middle School practices CORE, a Positive Behavior Intervention and Supports Program (PBIS) and elements of Restorative Justice (RJ) when addressing student behaviors. Ultimately, the focus of behavior management is on setting expectations for good behavior and making a conscious effort to recognize students for exhibiting good behaviors. When inappropriate behaviors occur, administrators, teachers, counselors and staff members address the harm done and provide a safe and constructive opportunity to resolve any conflict. The overall goal of Dana's student behavior system is to be restorative as opposed to punitive. Many lessons can be learned from misbehaviors and there are many opportunities for students to make positive choices during their middle school years. The school consequence matrix is in place to support families, students, and school staff in understanding the consequences should a student act in a way that is contrary to school policies. The matrix can be found in this handbook. We ask that parents/guardians take time to review both the incentive programs and the consequence matrix with their child.

Plagiarism/Academic Dishonesty

The advent of the computer age has brought the educational world many benefits, as well as many concerns. One of these concerns involves **plagiarism**. Plagiarism (as stated in the Dana consequence matrix) is the act of "copying someone else's work (i.e., Internet, printed or ebooks, electronic sources) and claiming it as your own." The penalty for students involved in plagiarism ranges from Saturday School to suspension.

Playground Equipment

Dana Middle School provides a variety of sports equipment and playground balls for use during lunch. Students do not need to bring their own equipment. **If a student chooses to do so, the equipment may only be used in the appropriate designated area – Dana's Playground.** Students should not use any equipment on the main campus area or in the front of the school. Balls or other items will be confiscated by Dana staff if used in a manner that does not follow the school rules.

8th GRADE PROMOTION AND ACTIVITIES

A student's eligibility to participate in the Dana promotion ceremony and activities is based on all of the following:

- 1 Enrollment in the Dana Middle School full-day comprehensive program with acceptable school attendance (i.e. – low number of absences and tardies).

2. Completion of the State of California course of study
3. Passing marks in more than half of their courses for the year.
4. Passing the U.S. Constitution Test
5. All books/materials returned or fines paid to the Wiseburn School District prior to promotion.
6. Satisfactory behavior, work habits, and attendance throughout the school year as determined by teachers, administrators, and report cards.

The Dana Middle School administrative team as well as team of teachers will review a student's disciplinary file, grades, work habits, and attendance to determine eligibility.

Students who do not meet the above eligibility requirements may be excluded from preparation for and participation in the celebration trip, 8th grade picnic activity, and/or promotion ceremony. Dates and the approximate costs for the promotion ceremony and activities will be announced at the beginning of second semester. Fundraising opportunities will be available in the spring to help families defray the cost of these activities.

Restricted Items

The following items are not allowed for student use on the campus of R.H. Dana Middle School:

Glass containers, candy, hair spray, permanent markers, toys, unauthorized sports equipment, video games, white-out, dice, knit caps, hand cream, aerosol cans, cameras, collectible/trading cards, inappropriate reading/ listening materials, lasers, shocking devices, pagers, radios/walkman/headsets, MP3/4 player/iPOD, roller blades/skates/heelies,, tape recorders, walkie-talkies, water pistols, fireworks/stink bombs, replicas of any dangerous objects, dangerous items

***Note – Other items may be deemed restricted by Dana administrators, as needed.**

Richard Henry Dana Middle School Student Behavior Plan

Dana Middle School's student behavior plan is focused on the key principles of restorative justice practices. The core belief is that using student ownership of their actions and behaviors, relationship building, and augmenting students' social-emotional skills provides a robust opportunity to respond effectively to conflict and harm. Restorative Justice allows Dana Middle School to move past simply just responding and reacting to conflict by providing students with the skills and tools necessary to deal with conflict and to move forward in a healthy, constructive, and productive way. Dana Middle School will provide a safe, educational, and productive experience to all students. The comprehensive discipline program not only establishes the importance of restorative practices, but also Positive Behavior Intervention and Supports (PBIS). PBIS is a student behavior framework that allows a variety of stakeholders to set consistent and positive expectations for students and to **acknowledge** students when they are making solid behavioral choices. With the systemic addition of PBIS and Restorative Justice to the Dana Middle School student behavior protocols, students are given an opportunity to learn and grow as good citizens in the school community.

As students may need some support to grow and learn through misbehaviors, a progressive consequence matrix is in place as illustrated below. The consequences will match the **spirit of the law**, not the **letter of the law**. Students are expected to contribute to an environment that is free of teasing, name-calling, and fear of intimidation, physical harm, and bullying /harassment. Individual consequences must be weighed against the perceived and actual safety of all students and adults at Dana Middle School. The school administrators will utilize the information at their disposal, both commonly known and confidential, to assign a fair, firm, and consistent response to student misbehaviors. Ultimately, the school rules will be enforced by using the Education Code as a guide (48900 a – r, 48900.2, 48900.3, 48900.4, 48900.7)

In the interest of providing a positive learning environment for all of our students and in accordance with legislation (CA ED Code 48900.5), other forms of behavior intervention will be explored prior to a suspension or expulsion. However, as indicated in the legislation, school administrators in the interest of protecting the students and promoting a danger-free school zone, will use student behavior data and discretion when determining consequences. Therefore, at times, it may be determined that a suspension is the

necessary course of action.

Dana Middle School Discipline Matrix – Dolphin PRIDE

Note: This Discipline Matrix is a guideline and is not limited to the listed consequences and behaviors that may be addressed during the school year. It is a comprehensive example of actions and the potential consequences.

Behaviors	1st Incident	2nd Incident	3rd Incident	4th Incident
Minor Classroom Disruption	Teacher/Student Conference; Apology Letter or Reflection	Teacher/Student Conference; Parent Contact	Teacher/Parent/Student Conference; 5 Hours School Service	Office Referral; Administrator contact with Parent; Class Time Activity in Main Office
Other Minor Offenses	Teacher/Student Conference; Apology Letter or Reflection	Teacher/Student Conference; Parent Contact	Teacher/Parent/Student Conference; 5 Hours School Service	Office Referral; Administrator contact with Parent; Class Time Activity in Main Office
Tardies	Warning	Parent Contact	Teacher/Team Handled Response (i.e. detention); Parent Contact; Parent Meeting	Office Referral; 1 lunch detention*
Academic Dishonesty	Teacher/Team Handled Response; No Credit; Parent Contact; or; Referral to Office	No Credit; Office Referral; Parent Contact; 3-5 Lunch Detentions	No Credit; Office Referral; Administrator/Parent Meeting; 3-5 Lunch Detentions	No Credit; Office Referral; Administrator/Parent Meeting; 3-5 Lunch Detentions; ISS
Electronics Violation	Confiscation and student pick up after school	Confiscation and parent phone call; student pick up after school	Confiscation; parent phone call; parent pick up; Office Referral	Check in and Check out Policy; Office Referral
Dress Code Violation* (see Dress Code information at end of matrix)	Parent Contact; Change of Clothes	Parent Contact; Office Referral; Change of Clothes; 5 Hours Service	Parent Contact; Office Referral; Change of Clothes; 10 Hours of Service; 1-3 Lunch Detentions	1-3 weeks Out of Class Restriction (OCR); Office Referral; 10 Hours of Service
Drug/Alcohol Use/Possession; Paraphernalia	Office Referral; OSS 1-3 days; OCR 1-3 Weeks; Drug Awareness Program/ Counseling; Police Contact	OSS 5 Days; Office Referral; 10 Hours Service; Police Contact; Pre-Expulsion Hearing	Office Referral; Expulsion Hearing	
Excessive Attendance Concern/Truancy	3 Unexcused Absences Letter Home; 9 Tardies Letter Home; Parent Contact	9+ Unexcused Absence Letter Home; 12-15 Tardies; School Attendance Review Meeting; Action Plan Developed	District Attendance Review; Review Action Plan	Referral to School Attendance Review Board (SARB); District Attorney Referral; Department of Child Welfare Referral
Physical Altercation; Fighting	Restorative Conference; Office Referral ; 1-3 Days OSS; 1-3 Weeks OCR	Restorative Conference; Office Referral ;5 Days OSS; 3-5 Weeks OCR; 10 Hours Service	Office Referral ; 10 Days OSS; Police Contact; Pre-Expulsion Hearing	Office Referral; Expulsion Hearing
Tobacco Use	Office Referral; Parent Conference; 1 Week OCR;	Office Referral; 1 Day OSS; Parent Conference;		

	Restorative Project	Tobacco Cessation Program		
Trespassing	Parent Contact	Police Referral		
Verbal/Physical Intimidation or Abuse	Office Referral; Restorative Conference; Apology Letter/Reflection; 5 Hours Service; 1 Week OCR	Office Referral; Restorative Conference; Apology Letter/Reflection; 10 Hours Service; 1 Week OCR	Office Referral; Restorative Conference; 1-3 Days OSS; 1-3 Weeks OCR	
Vulgarity; Profanity; Inappropriate Gestures	Warning; Parent/Student Contact	Office Referral; Parent Conference; 5 Hours Service	Office Referral ; 1-3 Weeks OCR; Possible 1 day OSS	
Bullying/ Harassment	Office Referral; Parent Conference; Restorative Conference; Other Restorative Consequence; 1-3 Days OSS	Office Referral; 3-5 Days OSS; 1-3 Weeks OCR; 10 Hours Service Possible Police Contact	Office Referral; 5-10 Days OSS; Pre-Expulsion Hearing; Alternate Schedule	
Vandalism/ Property Damage	Office Referral; Parent Conference; Apology/Reflection; Restitution; Police Contact; 1-3 Days OSS	Office Referral; Parent Conference; 3-5 Days OSS; 3 Weeks OCR; Apology/Reflection; Restitution	Office Referral; Parent Conference; 3-5 Days OSS; 3 Weeks OCR; Apology/Reflection; Restitution	
Theft	Office Referral; Parent Conference; 1-3 Days OSS; Restitution; Police Contact	Office Referral; Parent Conference; 3-5 Days OSS; Restitution; Police Contact	Office Referral; Parent Conference; 3-5 Days OSS; Pre-Expulsion; Restitution	Office Referral; Parent Conference; 10 Days OSS; Restitution; Police Contact
Weapons Violation	Office Referral; Police Contact; Pre-Expulsion Hearing; 3-5 Days OSS	Office Referral; Police Contact; Expulsion Hearing		
Repeatedly Breaking School Rules/ 3+ Minor Offenses	Office Referral; Parent Contact; 5 Hours Service	Office Referral; Parent Conference; 10 Hours Service; 1-3 Weeks OCR	Office Referral; Parent Conference; 15 Hours Service; 3-5 Weeks OCR; 1 Day OSS	Office Referral; Parent Conference; Extended OCR; 5 Days OSS
Restricted Items See descriptions below	Office Referral; Confiscation; Parent Contact; Police Contact; 1-5 Days OSS; 1-5 Weeks OCR; 1-5 Days Detention; 5-15 Hours Service	Office Referral; Confiscation; Parent Contact; Police Contact; 1-5 Days OSS; 1-5 Weeks OCR; 1-5 Days Detention; 5-15 Hours Service	Office Referral; Confiscation; Parent Contact; Police Contact; 1-5 Days OSS; 1-5 Weeks OCR; 1-5 Days Detention; 5-15 Hours Service	Office Referral; Confiscation; Parent Contact; Police Contact; 1-5 Days OSS; 1-5 Weeks OCR; 1-5 Days Detention; 5-15 Hours Service
Note: The consequences in the matrix above display a range of potential actions. The school administrators reserve the right to adjust and/or implement alternative consequences depending on the infraction.				
Type of Actions	Description	Examples/ Notes		
Apology Letter/Reflection	A written letter to person/ organization harmed by a particular event/incident.			
Behavioral Intervention Plan	Coordinated effort between interdisciplinary team of teachers, student, parent/guardian, and other key	Written documentation in the form of action plan		

	stakeholders to set an action plan			
Class Schedule Change	N/A	May provide a “fresh start” for a continually disruptive student or one who has been involved in a difficult conflict		
Detention	Students are not permitted to attend lunch and/or recess for 1-3 days			
District Attendance Review Team Meeting (DART)	After a SART meeting, if a student still displays continued patterns of tardiness, absenteeism, or truancy a district-level meeting will be scheduled to review the action plan.			
Drug Awareness Program (other Community-Based services)	Student assigned to these services when he/she needs support for at-risk type behaviors.	Ask counselor for more information		
Office Referral/Meeting	Student assigned an office referral from staff member and must report to the office for follow-up and other consequences, as needed.			
Out of Class Restriction (OCR)	Students are given at least 1 week (generally 1-5 weeks) and are not permitted to attend recess and/or lunch.	Students during this time may be assigned Service oriented activities		
Out of School Suspension (OSS)	Student may not attend school for a certain number of days.			
Reminders/Redirection	Quick in class intervention to redirect students back to the task at hand.	Reflection Writing, Role-Play, Loss of Privileges, Seat Change, Self-Charting Behaviors, Daily Behavior Report Card, Signed Student Planner, Parent/Guardian Outreach		
Restitution	Student must replace and/or fix damage to school property or damage caused to another community member's belongings.			
Restorative	A guided	Mediations,		

Conference	conversation between offended/ offending parties meant to repair harm done.	Conflict Resolution		
Restorative Conversation	One on one meeting between an adult and student to discuss the misbehavior and set future expectations.	Teacher/Student Conference Admin/Student Conference		
School Attendance Review Board	A regional attendance review Board that addresses chronic absenteeism and truancy.			
School Attendance Review Team Meeting (SART)	When student reaches 12 tardies or unexcused absences a SART meeting will be scheduled to devise an action plan between the school and the student's parents/guardians.			
Service Hours	Student assigned a number of hours to complete in order to repair harm done.			

NOTE: The information contained above is a snapshot of the California Education Code, particularly as it relates to the 48900 legislation. At times, school and district administrators will explore alternative disciplinary actions if it is deemed appropriate due to the specific circumstances.

SECTION 6: SUSPENSION AND EXPULSION PROCEDURES

The following Student Suspension and Expulsion Policy has been established to promote learning and protect the safety and well-being of all students at RICHARD HENRY DANA MIDDLE SCHOOL. Staff shall enforce disciplinary rules and procedures fairly and consistently among all students.

Alternatives to Suspension

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. The following are list of alternatives to be considered before suspending a student:

1. Conference between staff, parent, and the student
2. Parent shadowing
3. Mentorship (peer/teacher)
4. Written assignment, research, or presentation reflecting on the student's behavior
5. Referral to a school counselor, psychologist, social worker, case manager, or other school support service personnel for case management and counseling
6. Intervention-related Student Study Team (SST) to assess student behavior, and develop and implement an individualized behavior plan in partnership with the student and his/her parent
7. Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an IEP or Section 504 Plan
8. Enrollment in a program for teaching prosocial behavior or anger management
9. Participation in a restorative justice program
10. A positive behavior support approach with tiered interventions that occur during the school day
Out-of-school programs that address specific behavioral issues or expose students to positive activities and behaviors
11. Volunteer work or community service
12. Loss of privileges

Grounds for Suspension

Suspension means removal of a student from ongoing instruction for adjustment purposes. A student may be suspended when his/her behavior is related to a school activity or school attendance occurring at RICHARD HENRY DANA MIDDLE SCHOOL or at any other school, regardless of when it occurs, including, but not limited to, the following:

- while on school grounds;
- while going to or coming from school;
- during the lunch period, whether on or off the school campus; or
- during, going to, or coming from a school-sponsored activity.

Discretionary Suspendable Offenses

Students may be suspended for any of the following acts when it is determined the student:

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (3) Possessed, sold, or otherwise furnished an object that could be deemed dangerous, unless, in the case of possession of an object of this type, the student had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or his/her designee.
- (4) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (5) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (6) Committed or attempted to commit robbery or extortion.
- (7) Caused or attempted to cause damage to school property or private property.
- (8) Stole or attempted to steal school property or private property.
- (9) Possessed, smoked, or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a student of his/her own prescription products.
 - (A) "Smoking" has the same meaning as in subdivision (c) of Section 22950.5 of the Business and Professions Code
 - (B) "Tobacco product" means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code.
- (10) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (11) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (12) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (13) Knowingly received stolen school property or private property.
- (14) Possessed an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (15) Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that student from being a witness and/or retaliating against that student for being a witness.

- (16) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (17) Engaged in, or attempted to engage in, hazing. “Hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. “Hazing” does not include athletic events or school-sanctioned events.
- (18) Aided or abetted, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
- (19) Committed sexual harassment as defined in Section 212.5 of the Education Code. The conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment.
- (20) Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233 of the Education Code.
- (21) Intentionally engaged in harassment, threats, or intimidation, directed against school 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 either school personnel or students by creating an intimidating or hostile educational environment.
- (22) Made terroristic threats against school officials and/or school property. “Terroristic threat” includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his/her own safety or for his/her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his/her immediate family.
- (23) Engaged in an act of bullying. The following terms have the following meanings:
 - (A) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students as described in #19-21 above, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - (i) Placing a reasonable student in fear of harm his/her person or property.
 - (ii) Causing a reasonable student to experience a substantially detrimental effect on his/her physical or mental health.
 - (iii) Causing a reasonable student to experience substantial interference with his/her academic performance.
 - (iv) Causing a reasonable student to experience substantial interference with his/her ability to participate in or benefit from the services, activities, or privileges provided by the school.

- (B) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, video, or image.
 - (ii) A post on a social network Internet Web site, including, but not limited to:
 - (a) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (A).
 - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph (A). “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (A). “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - (iii) An act of cyber sexual bullying.
 - (a) “Cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in paragraph (A). The photograph or other visual recording must include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (C) An electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (D) “Reasonable student” means a student, including, but not limited to, an exceptional needs student, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her exceptional needs.

Non-Discretionary Suspendable Offenses

A student shall be suspended when there is evidence that the lives, safety or health of other students and/or school personnel are otherwise in clear, present, and continuing jeopardy or danger as a result of any of the following acts committed by the student:

- (1) Caused serious physical injury to another person, except in self-defense.
- (2) Committed assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

- (3) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object of no reasonable use to the pupil.
- (4) Brandished a knife at another person.
- (5) Committed robbery or extortion.
- (6) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code that is more than one avoirdupois ounce of marijuana, and/or the possession of the controlled substance is not the first offense of this nature.
- (7) Unlawful sale of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- (8) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of an alcoholic beverage, or an intoxicant of any kind.
- (9) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

Suspension Procedures

Suspension shall be initiated according to the following procedures:

Authority to Suspend

Only the Principal or the Principal's designee(s) may suspend a student from RICHARD HENRY DANA MIDDLE SCHOOL. The "designee" is one or more administrators specifically designated by the Principal, in writing, to assist with disciplinary procedures.

The Principal may, in writing, also designate a certificated employee as a secondary designee to assist with disciplinary procedures when no administrator is at the school at which the suspension needs to be issued. The Principal may designate only one certificated person at a time.

Conference

Suspension shall be preceded by a conference conducted by the Principal or designee with the student and his/her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee 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. At the conference, the student shall be:

- Informed, orally or in writing, of the charges against him/her, including the other means of correction that were attempted before the suspension.
- Provided with an explanation of the evidence that supports the charges.
- Given the opportunity to present his/her side of the story.

Notice to Parents

At the time of suspension, the Principal or designee shall make a reasonable effort to contact the parent by telephone or in person. Whenever a student is suspended, the parent shall be notified in writing of the suspension. This notice shall state the specific offense(s) committed by the student and indicate the date and time when the student may return to school. If school officials wish to ask the parent to confer regarding matters pertinent to the suspension, the notice will request that the parent respond to such requests without delay.

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

Suspension Time Limits

A student shall not be suspended from school for more than five (5) consecutive school days, and not more than twenty (20) school days in any school year. These restrictions on the number of days of suspension do not apply when the suspension is extended pending an expulsion.

A student with an IEP or Section 504 Plan may be suspended from school in the same manner as all other students. However, after ten (10) days of suspension in the same school year, where the student is removed from his/her current placement, a manifestation determination meeting must be held with a team comprised of staff, the parent, and relevant persons to review the student's IEP or Section 504 Plan, any teacher observations, and any relevant information provided by the parent to determine if the conduct was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of the RICHARD HENRY DANA MIDDLE SCHOOL's failure to implement the IEP or Section 504 Plan.

Suspension Appeals

A parent may appeal a suspension within five (5) school days from the date the suspension was issued. The request is to be submitted to the Principal to correct or remove any information (regarding the incident and circumstances that resulted in the suspension) recorded in the student's record which the student or parent alleges to be any of the following:

1. Inaccurate.
2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer's area of competence.
4. Not based on the personal observation of a named person with the time and place of the observation noted.
5. Misleading.
6. In violation of the privacy or other rights of the student.

Within thirty (30) days of receipt of an appeal, a neutral officer or a hearing panel from the Wiseburn USD shall meet with the student and parent and any pertinent school personnel.

If the neutral officer or hearing panel sustains any or all of the allegations, the Principal shall be ordered to correct or remove and destroy the information regarding the incident and circumstances that resulted in the suspension from the student's records. If the neutral officer or hearing panel upholds the suspension, the matter is closed. The parent or student has the right to include in the student's record a written statement or response concerning the disciplinary action.

Grounds for Expulsion

Expulsion means the removal of a student from the immediate supervision and control, or the general supervision, of school personnel at RICHARD HENRY DANA MIDDLE SCHOOL. A student may be expelled when his/her behavior is related to a school activity or school attendance occurring at

RICHARD HENRY DANA MIDDLE SCHOOL or at any other school, regardless of when it occurs, including, but not limited to, the following:

- while on school grounds;
- while going to or coming from school;
- during the lunch period, whether on or off the school campus; or
- during, going to, or coming from a school-sponsored activity.

Discretionary Expellable Offenses

The Principal may recommend the expulsion of a student for any of the following acts, unless the Principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction could appropriately address the conduct:

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (3) Possessed, sold, or otherwise furnished an object that could be deemed dangerous, unless, in the case of possession of an object of this type, the student had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or his/her designee.
- (4) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (5) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (6) Committed or attempted to commit robbery or extortion.
- (7) Caused or attempted to cause damage to school property or private property.
- (8) Stole or attempted to steal school property or private property.
- (9) Possessed, smoked, or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a student of his/her own prescription products.
 - (A) “Smoking” has the same meaning as in subdivision (c) of Section 22950.5 of the Business and Professions Code
 - (B) “Tobacco product” means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code.
- (10) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (11) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

- (12) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (13) Knowingly received stolen school property or private property.
- (14) Possessed an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (15) Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that student from being a witness and/or retaliating against that student for being a witness.
- (16) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (17) Engaged in, or attempted to engage in, hazing. "Hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. "Hazing" does not include athletic events or school-sanctioned events.
- (18) Aided or abetted, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
- (19) Committed sexual harassment as defined in Section 212.5 of the Education Code. The conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment.
- (20) Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233 of the Education Code.
- (21) Intentionally engaged in harassment, threats, or intimidation, directed against school 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 either school personnel or students by creating an intimidating or hostile educational environment.
- (22) Made terroristic threats against school officials and/or school property. "Terroristic threat" includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his/her own safety or for his/her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his/her immediate family.
- (23) Engaged in an act of bullying. The following terms have the following meanings:
 - (A) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students as described in #19-21 above, directed

toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- (i) Placing a reasonable student in fear of harm his/her person or property.
- (ii) Causing a reasonable student to experience a substantially detrimental effect on his/her physical or mental health.
- (iii) Causing a reasonable student to experience substantial interference with his/her academic performance.
- (iv) Causing a reasonable student to experience substantial interference with his/her ability to participate in or benefit from the services, activities, or privileges provided by the school.

(B) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- (i) A message, text, sound, video, or image.
- (ii) A post on a social network Internet Web site, including, but not limited to:
 - (a) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (A).
 - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph (A). “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (A). “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- (iii) An act of cyber sexual bullying.
 - (a) “Cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in paragraph (A). The photograph or other visual recording must include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

(C) An electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- (D) “Reasonable student” means a student, including, but not limited to, an exceptional needs student, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her exceptional needs.

Both the recommendation and order to expel a student for committing any of the acts listed above must be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.

Mandatory Expellable Offenses

The Principal shall recommend expulsion of a student that is determined to have committed any of the following acts:

- (1) Possessed, sold, or otherwise furnished a firearm. The act of possessing an imitation firearm, as defined above, is not an offense for which expulsion is mandatory.
- (2) Brandished a knife at another person.
- (3) Unlawful sale of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- (4) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (5) Possessed an explosive.

Expulsion Procedures

Extension of Suspension

Upon a recommendation for expulsion, the student and parent will be invited to a meeting with the Principal and Wiseburn USD District Office Administrative team to determine if the suspension should be extended, beyond five (5) days, pending an expulsion hearing. That determination shall be based on a finding that either the student’s presence would cause a danger to persons or property or a threat of disrupting the instructional process.

If a student is a foster youth, as defined in EC 48853.5, the Principal or designee shall also invite the student’s attorney and appropriate representative of the county child welfare agency to participate in the extension of suspension meeting

Authority to Expel

Only the Principal can recommend the expulsion of a student from RICHARD HENRY DANA MIDDLE SCHOOL, and only the District Administrative Hearing Panel (“Panel”) consisting of the Wiseburn USD District Office administrators may order the expulsion following a hearing before it. The District Expulsion Panel shall include three or more certificated persons who are familiar with the state and federal laws governing the suspension and expulsion process. Panel members may include school administrators, Assistant Superintendents or Directors from the Wiseburn USD, one of whom shall be identified as the presiding officer. The Wiseburn USD Superintendent or Designee shall be responsible for assembling the Panel that will hear and determine the outcome of each expulsion matter. The Panel’s decision in the matter is referred to the Wiseburn USD Board to take final action on the recommendation.

Notice of Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent at least ten (10) calendar days before the date of the hearing. The notice shall include all of the following:

1. The date, time, and place of the hearing.
2. A statement of specific facts and charges upon which the proposed expulsion is based.
3. A copy of RICHARD HENRY DANA MIDDLE SCHOOL's disciplinary rules that relate to the alleged violation.
4. A statement of the student's or parent's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment.
5. The right to appear in person or to be represented by legal counsel or 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 adviser" 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 parent 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 right to confront and question all witnesses who testify at the hearing.
8. The right to question all evidence presented, and to present oral and documentary evidence on the student's behalf, including witnesses.

If a foster youth, as defined in EC 48853.5, is recommended for expulsion, the notice of hearing must also be provided to the student's attorney and an appropriate representative of the county child welfare agency at least ten (10) days prior to the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

If a homeless youth, as defined in 42 USC 11434a(2), is recommended for expulsion, the notice of hearing must also be provided to the Wiseburn USD School's designated homeless liaison at least ten (10) days prior to the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

Expulsion Hearing

Students recommended for expulsion are entitled to a hearing before the Panel, as described above, to determine whether the student should be expelled. The hearing shall be held within thirty (30) school days after the Principal determines that the student has committed an expellable offense. The student is entitled to one postponement of an expulsion hearing, for a period of not more than thirty (30) calendar days. Any additional postponements may be granted at the discretion of the Wiseburn USD for good cause.

The hearing shall be conducted in a session closed to the public, unless the students submits a written request, at least five (5) days prior to the date of the hearing, to have the hearing conducted at a public meeting. Regardless of whether the expulsion hearing is conducted in closed or public session, the Panel may meet in closed session to deliberate and determine whether the student should be expelled.

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.

A decision of the Panel to expel must be documented in its findings of fact based upon substantial evidence relevant to the charges presented at the hearing. No decision to expel shall be based solely on hearsay evidence, except when the Panel, upon finding that good cause exists, determines that the disclosure of either the identity of a witness and/or the testimony of that witness at the hearing would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the student.

If the Panel decides not to order the expulsion, the student shall be immediately reinstated and permitted to return to his/her educational program at RICHARD HENRY DANA MIDDLE SCHOOL.

Expulsion Hearings Involving Allegations of Sexual Assault or Sexual Battery

In a hearing involving allegations of sexual assault or sexual battery, a complaining witness shall be provided with a copy of the applicable disciplinary rules and advised of his/her right to:

1. Receive five (5) days' notice before being called to testify at the hearing.
2. Have up to two adult support persons of his/her choosing (*i.e.*, parent, legal counsel), present in the hearing at the time he/she testifies.
3. Have the hearing closed during the time he/she testifies.

The following are procedures for all hearings involving allegations of sexual assault or sexual battery:

1. The hearing may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of the complaining witness.
2. A nonthreatening environment shall be provided for a complaining witness in order to better enable him/her to speak freely and accurately of the experiences that are the subject of the expulsion hearing, and to prevent discouragement of complaints.
3. A room separate from the hearing room must be provided for the complaining witness to use prior to and during breaks in the testimony.
4. The presiding officer:
 - a. Shall allow the complaining witness reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - b. May arrange the seating within the hearing room of those present in order to facilitate a less intimidating environment for the complaining witness.
 - c. May 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.
 - d. May permit one of the complaining witness support persons to accompany him or her to the witness stand.
5. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential and may not be discussed with anyone not in attendance at the hearing. The presiding

officer of the Panel may remove a support person whom he/she finds is disrupting the hearing. If one or both of the support persons is also a witness, the following provisions apply:

- a. RICHARD HENRY DANA MIDDLE SCHOOL must present evidence that the person's presence is both desired by, and will be helpful to, the complaining witness.
 - b. The presiding officer shall permit the person to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person.
 - c. The presiding officer may remove a person from the hearing whom he/she believes is prompting, swaying, or influencing the witness.
 - d. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from hearing room during that testimony.
6. Evidence of specific instances, of a complaining witness' prior sexual conduct is to be presumed inadmissible and shall not be heard absent a determination by the presiding officer that extraordinary circumstances exist requiring the evidence be heard. Before the person conducting the hearing makes the determination on whether extraordinary circumstances exist requiring that specific instances of a complaining witness' prior sexual conduct be heard, the complaining witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.
7. If the hearing is to be conducted at a public meeting, a complaining witness shall have the right to have his/her testimony heard in a session closed to the public when testifying at a public meeting would threaten serious psychological harm to the complaining witness and 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 means of closed-circuit television.

Record of Expulsion and Expulsion 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.

RICHARD HENRY DANA MIDDLE SCHOOL and the Wiseburn USD Administrative Office shall maintain a record of each expulsion, including the expulsion order and the causes for the expulsion, in the student's mandatory interim record. The record shall be forwarded to any school in which the student subsequently enrolls upon receipt of a request from the new school for the student's records.

Written Notice to Expel

Within three (3) school days after the hearing, the Principal shall send written notice of the Panel's decision to expel, including the findings of fact, to the student and parent. This notice shall also include the following:

1. The specific offense committed by the student.
2. A statement of the student's or parent's obligation to inform any school which the student seeks to enroll of the student's expulsion.

3. The date when the student can be reviewed for readmission, and a description of the process by which readmission is conducted.
4. A copy of the rehabilitation plan
5. The education alternative placement to be provided to the student during the time of expulsion.
6. The right to appeal the expulsion to RICHARD HENRY DANA MIDDLE SCHOOL Board of Trustees, including the timeline and manner in which an appeal must be submitted.

Rehabilitation Plan

At the time of the expulsion order, the Panel shall establish a rehabilitation plan for the student, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The plan should include the specific conditions that the student must satisfy during the period of expulsion and can include improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs. The stipulated conditions should be reasonable for the student to meet based on his/her specific circumstances, address the act(s) for which the student was expelled, and not require a cost or fee to the student or parent. The student may not be required to enroll in a drug rehabilitation program without parental consent.

Placement

RICHARD HENRY DANA MIDDLE SCHOOL shall be responsible for the appropriate interim placement of students pending the outcome of the expulsion proceedings and shall facilitate the placement of an expelled student. If a parent chooses a different placement, RICHARD HENRY DANA MIDDLE SCHOOL shall ensure that the student will be able to meet the conditions of the rehabilitation plan through that placement.

Period of Expulsion and Readmission

At the time of the expulsion order, the Panel shall set a date not more than one (1) calendar year from the date the expulsion occurred, when the student shall be reviewed for readmission to RICHARD HENRY DANA MIDDLE SCHOOL. In determining the period of expulsion, the Panel shall consider the nature of the act that resulted in the student's expulsion, including, but not limited to, the severity and intent of the act, the student's specific circumstances, and the safety of the student and others at RICHARD HENRY DANA MIDDLE SCHOOL.

Ten (10) calendar days prior to the date set for readmission, the Principal or designee shall contact the expelled student at his/her last known address to schedule a readmission meeting with the SUPERINTENDENT OR DESIGNEE. The student shall be asked to provide documentation of proof that he/she has satisfactorily met the conditions of the rehabilitation plan.

On the date set for readmission, Wiseburn USD shall review the expulsion case, with or without the student, to determine whether the student has met the conditions for readmission and determine placement. If the student has met the conditions of the rehabilitation plan and completes the readmission process, the student is reinstated. If certain conditions of the rehabilitation plan are not met, the SUPERINTENDENT OR DESIGNEE has the discretion to waive those conditions due to mitigating circumstances or deny readmission until the student has satisfactorily met all the conditions of the plan. The SUPERINTENDENT OR DESIGNEE may also deny readmission to a student if he/she finds that the student poses a danger to campus safety or to others.

A student who has been denied readmission shall either continue attendance at his/her placement during the period of expulsion or another educational program. The Superintendent or Designee shall provide

written notice to the expelled student and his/her parent describing the reason(s) for denying the student's re-admittance into RICHARD HENRY DANA MIDDLE SCHOOL, the educational placement during the extended period of expulsion, and the conditions for re-admittance. The student shall be readmitted once he/she can provide the SUPERINTENDENT OR DESIGNEE with proof that he/she has satisfactorily met all the conditions for re-admittance.

Expulsion Appeals

The parent may appeal the expulsion by submitting a written request to the Wiseburn USD Superintendent or Designee of RICHARD HENRY DANA MIDDLE SCHOOL within ten (10) calendar days from the date of the written notice to expel. The request must specify the reason(s) for the appeal and include any supporting documentation.

Upon receipt of a timely request, the Superintendent shall convene a hearing before the Board of Trustees ("Board") within thirty (30) calendar days. Notice of the hearing shall be provided to the student and parent at least ten (10) calendar days prior to the date of the hearing. The notice shall include all of the following:

1. The date, time, and place of the hearing.
2. A statement of specific facts and charges upon which the expulsion is based.
3. The right to appear in person or to be represented by legal counsel or a non-attorney advisor.
4. A statement that the appeal shall be heard in closed session, unless the parent requests in writing at least five (5) calendar days prior to the hearing that it be conducted at a public meeting. If such request is made, the hearing shall be held in public session as long as the privacy rights of any other students would not be violated by doing so.
5. The right to provide a five-minute oral presentation before the Board, summarizing the reason(s) for the appeal.
6. A statement that failure to pursue the appeal with diligence within the time frames established by Wiseburn USD may be deemed an abandonment of the appeal and the SUPERINTENDENT OR DESIGNEE may dismiss the appeal.

The Board's review is limited to the record of proceeding of the Panel. Unless evidence was improperly excluded or, in the exercise, no evidence other than that contained in the record of proceeding may be heard. The Board's review of the Panel's decision shall be limited to the following questions:

1. Whether the Panel acted without or in excess of its jurisdiction (*e.g.*, the hearing was not commenced within the time periods established by RICHARD HENRY DANA MIDDLE SCHOOL, the expulsion order is not based on an expellable act, the act is not related to school activity or school attendance).
2. Whether there was a fair hearing before the Panel.
3. Whether there was a prejudicial abuse of discretion in the hearing (*e.g.*, school officials did not meet the procedural requirements established by RICHARD HENRY DANA MIDDLE SCHOOL, the decision to expel is not support by the prescribed findings, the findings are not supported by substantial evidence).
4. Whether there is relevant and material evidence which, in the exercise of reasonable diligence, could not be produced at the time of the expulsion hearing.

The Board may either reverse or uphold the decision of the Panel. If the Board enters a decision to reverse the Panel's decision, the Board may direct RICHARD HENRY DANA MIDDLE SCHOOL to expunge any references to the expulsion action in its records and that of the student, and the expulsion shall be deemed not to have occurred. The Board's decision shall be final. Within three (3) school days of the hearing, the student and the RICHARD HENRY DANA MIDDLE SCHOOL Principal shall be notified, in writing, of the Board's final order.

Special Considerations: Suspension and Expulsion of Students with Disabilities

Notification of SELPA

The Wiseburn USD shall immediately notify and coordinate with the SELPA the suspension or expulsion of any student with a disability or whom RICHARD HENRY DANA MIDDLE SCHOOL or SELPA would be deemed to have knowledge of having a disability.

Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum; to progress toward meeting the goals set forth in the student's IEP or Section 504 Plan; and to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the misconduct so that it does not recur. These services may be provided in an interim alternative educational setting.

Procedural Safeguards/Manifestation Determination

Within five (5) school days of a recommendation for expulsion, and prior to the extension of suspension meeting, or any decision to change the placement of a student due to behavioral issues, staff, the parent, and relevant members of the IEP or Section 504 Team ("Team") shall review all relevant information in the student's file, including the student's IEP or Section 504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
2. If the conduct in question was the direct result of RICHARD HENRY DANA MIDDLE SCHOOL's failure to implement the IEP or Section 504 Plan.

If the student is a foster youth, as defined in EC § 48853.5, and RICHARD HENRY DANA MIDDLE SCHOOL has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the Principal, the student's attorney and an appropriate representative of the county child welfare agency shall be invited to participate in a Team meeting that makes a manifestation determination. The invitation may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

If the student is a homeless youth, as defined in 42 USC § 11434a (2), and RICHARD HENRY DANA MIDDLE SCHOOL has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the Principal, the designated homeless liaison for RICHARD HENRY DANA MIDDLE SCHOOL shall be invited to participate in the Team meeting that makes a manifestation determination. The invitation may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

If the Team determines that either of the above is applicable for the student, the conduct shall be determined to be a manifestation of the student's disability. In which case, the Team shall:

1. Conduct a functional behavioral assessment and implement a behavioral intervention plan for the student, provided that RICHARD HENRY DANA MIDDLE SCHOOL had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
2. Develop a behavior intervention plan, or if a plan has already been developed, review and modify it, as necessary, to address the behavior; and
3. Return the student to the placement from which he/she was removed, unless the parent and RICHARD HENRY DANA MIDDLE SCHOOL agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Team determines that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of RICHARD HENRY DANA MIDDLE SCHOOL's failure to implement the IEP or Section 504 Plan, then RICHARD HENRY DANA MIDDLE SCHOOL may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

Due Process Appeals

The parent of a student with a disability who disagrees with any decision regarding placement or the manifestation determination, or RICHARD HENRY DANA MIDDLE SCHOOL believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or RICHARD HENRY DANA MIDDLE SCHOOL, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) school day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and RICHARD HENRY DANA MIDDLE SCHOOL agree otherwise.

Special Circumstances

RICHARD HENRY DANA MIDDLE SCHOOL personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates RICHARD HENRY DANA MIDDLE SCHOOL's code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

1. Carries or possesses a weapon, as defined in 18 USC § 930, to or at school, on school premises, or to or at a school function;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
3. Has inflicted serious bodily injury, as defined by 20 USC § 1415(k)(7)(D), upon another person while at school, on school premises, or at a school function.

The student's interim alternative educational setting shall be determined by the Team.

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated RICHARD HENRY DANA MIDDLE SCHOOL's code of student conduct may assert the procedural safeguards granted under this administrative regulation only if RICHARD HENRY DANA MIDDLE SCHOOL had knowledge that the student was disabled before the behavior occurred.

RICHARD HENRY DANA MIDDLE SCHOOL shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

1. The parent expressed concern, in writing, or orally if the parent does not know how to write or has a disability that prevents a written statement, to the supervisory or administrative personnel of RICHARD HENRY DANA MIDDLE SCHOOL, or to one of the student's teachers, that the student is in need of special education or related services;
2. The parent has requested an evaluation of the student pursuant to 20 USC § 1414(a)(1)(B); or
3. The student's teacher, or other RICHARD HENRY DANA MIDDLE SCHOOL personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education or to other supervisory personnel of RICHARD HENRY DANA MIDDLE SCHOOL.

If RICHARD HENRY DANA MIDDLE SCHOOL knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible individual with disabilities, including the right to stay-put.

RICHARD HENRY DANA MIDDLE SCHOOL shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible. If RICHARD HENRY DANA MIDDLE SCHOOL had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. RICHARD HENRY DANA MIDDLE SCHOOL shall conduct an expedited evaluation if requested by the parent; the student shall remain in the education placement determined by RICHARD HENRY DANA MIDDLE SCHOOL pending the results of the evaluation.

Involuntary Removals

A student shall not be involuntarily removed by RICHARD HENRY DANA MIDDLE SCHOOL for any reason unless the parent has been provided written notice the intent to remove the student no less than five (5) school days before the effective date of action. "Involuntary removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions.

The written notice shall be in the native language of the student or parent and shall inform him/her of the right to a hearing with the SUPERINTENDENT OR DESIGNEE, or other neutral officer designated by the SUPERINTENDENT OR DESIGNEE. A hearing requested by the parent shall be subsequently followed by a timely, written notice that includes:

1. The date, time, and location of the hearing, that is reasonable to the student and parent.
2. A statement of specific facts and charges upon which the proposed involuntary removal is based.
3. The right to appear in person or to be represented by legal counsel or a non-attorney advisor.
4. The right to inspect and obtain copies of all documents to be used at the hearing.
5. The right to confront and question all witnesses who testify at the hearing.
6. The right to question all evidence presented, and to present oral and documentary evidence on the student's behalf, including witnesses.

7. The student's right to remain enrolled and not be removed until a final decision is issued.

A decision of the SUPERINTENDENT OR Designee must be documented in his/her findings of fact based upon substantial evidence relevant to the charges presented at the hearing. No decision to involuntarily remove a student shall be based solely on hearsay evidence, except when the SUPERINTENDENT OR Designee, upon finding that good cause exists, determines that the disclosure of either the identity of a witness and/or the testimony of that witness at the hearing would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the SUPERINTENDENT OR Designee. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the student.

If the SUPERINTENDENT OR Designee decides not to order the involuntary removal of a student, the student shall be immediately reinstated and permitted to return to his/her educational program at RICHARD HENRY DANA MIDDLE SCHOOL.

If the SUPERINTENDENT OR Designee determines that there is sufficient evidence to involuntarily remove a student, his/her decision, along with the findings of fact, shall be provided to the student and parent in writing within three (3) school days from the date of the hearing. The decision of the SUPERINTENDENT OR Designee is final.

Notification Requirements

If a student, subject to compulsory full-time education pursuant to EC 48200, is expelled or leaves RICHARD HENRY DANA MIDDLE SCHOOL without graduating or completing the school year for any reason, RICHARD HENRY DANA MIDDLE SCHOOL must notify the superintendent of the school district of the student's last known address within thirty (30) days and shall, upon request, provide that school district with a copy of the student's records, including report cards or a transcript of grades, and health information.

Upon the severance of attendance by any student subject to the compulsory education laws of California, whether by expulsion, exclusion, exemption, transfer, suspension beyond ten (10) school days, or other reasons, RICHARD HENRY DANA MIDDLE SCHOOL shall report such severance to the superintendent of the Wiseburn Unified School District. The report shall include names, ages, last known address, and the reason for each such severance.

SECTION 7: NOTIFYING TEACHERS OF DANGEROUS STUDENTS

Education Code 49079 requires the notification of teachers of students assigned to them who, in the last three years, have engaged in, or are reasonably suspected to have engaged in, any of the acts which could constitute grounds for suspension or expulsion, with the exception of the possession or use of tobacco products. This information shall be based upon any records maintained by the school (*i.e.*, discipline referrals, suspension notices), or received from a law enforcement agency.

Teachers shall receive the information in confidence and shall not disseminate it further. The information is also available in the student's education records. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, and is not to be shared with any student(s) or parent(s). Teachers are asked to handle the information as privileged and confidential.

Pursuant to Welfare & Institution Code 827(b) and Education Code 48267, the Court notifies the Superintendent of the Wiseburn School District regarding students who have engaged in certain criminal conduct. This information is forwarded to the site Principal. The site Principal is responsible for prompt notification of the student's teachers. Per Education Code 49079, this information must be kept confidential. This information is also forwarded to all administrators and the student's counselor.

SECTION 8: BULLYING & CYBERBULLYING

RICHARD HENRY DANA MIDDLE SCHOOL believes that all students have a right to a safe and healthy school environment. Bullying has a negative effect on the social environment of schools, creates a climate of fear among students, and leads to other antisocial behavior. Recognizing the harmful effects of bullying on student learning and school attendance, school employees have an obligation to promote mutual respect, tolerance, and acceptance.

RICHARD HENRY DANA MIDDLE SCHOOL will not tolerate behavior that infringes on the safety of any student. No individual or group shall intimidate, harass, sexually harass, threaten, cause bodily injury to, or commit hate violence against another student or school personnel through physical, written, verbal, or other means. Such behavior includes: direct physical contact, such as hitting or shoving, or taking or breaking another individual's property; verbal assaults, such as name-calling, taunting, making inappropriate sexual comments, or threatening to cause harm; and social isolation, embarrassment, or manipulation.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, videos, or images. Cyberbullying can include sharing personal or private information about another student, causing embarrassment or humiliation.

As appropriate, RICHARD HENRY DANA MIDDLE SCHOOL may collaborate with law enforcement and community-based organizations and agencies in the development and implementation of strategies to promote safety in schools and the community and to provide services for alleged victims, witnesses, and perpetrators of bullying.

Bullying Education

Students and staff will be trained on recognizing and responding to bullying behaviors on an ongoing yearly basis. RICHARD HENRY DANA MIDDLE SCHOOL uses the Olweus Bullying Prevention Program to guide student and staff education. Lessons and professional development are guided by a school counselor in collaboration with our teacher CORE (Community of Respect and Empathy) committee. Our school anti-bullying rules, which are posted in each classroom, are as follows:

1. We will not bully others.
2. We will try to help students who are bullied.
3. We will try to include students who are left out.
4. If we know that somebody is being bullied, we will tell an adult at school and an adult at home.

Bullying Intervention

Students are expected to immediately report to school administration incidents of bullying or when there is suspicion that a student is being victimized on school grounds, while traveling to and from school, during the lunch period, and during a school-sponsored activity. There is a "Bully Box" in the front office where students can submit reports anonymously. Students can also fill out an incident report in the main office. School counselors have been trained in conflict resolution and conduct meetings on campus regularly for students to discuss issues with their teachers and with the administrative offices.

School employees who witness an act of bullying are trained to immediately intervene to stop the incident when it is safe to do so.

When appropriate based on the severity or pervasiveness of the bullying, the principal, or principal's designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The principal or designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

Reporting and Filing of Complaints

Any individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a district office compliance officer, or any other available school employee. A school employee who receives a report or is witness of an incident of bullying involving a student shall notify the principal within one business day, whether or not the alleged victim files a complaint. Teachers can use our online Educator's Handbook tool to submit reports of bullying.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Principal or Designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Complaints or reports filed should include, at minimum, the following information:

1. Description of the incident, including date, time, and location of such incident
2. Identity of the alleged victim(s) and alleged offender(s)
3. List of witnesses who may have relevant information
4. Any evidence of the bullying allegations

Investigation and Resolution of Complaints

All complaints of bullying must be investigated by the principal or designee within ten business days from the date the complaint was filed. The principal or designee shall take all necessary actions to resolve the complaint and provide the complainant with a final decision that includes, at minimum, the following elements:

1. A description of the complaint
2. The list of evidence gathered and reviewed
3. The rationale for the decision based on evidence and any applicable laws or Wiseburn USD policies
4. Corrective actions, if any are warranted

Discrimination, harassment, intimidation, and bullying based on actual or perceived status of a student belonging to a protected class is prohibited. If the principal or designee, in the course of the investigation, determines that discriminatory harassment, intimidation, or bullying has occurred, the principal or designee shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Wiseburn USD Uniform Complaint Procedures (UCP). The principal or designee shall also inform the Superintendent or Designee of the complaint, who shall then investigate and resolve the complaint in accordance with the UCP.

As part of the investigation, the principal or designee shall provide an opportunity for the complainant, or the complainant's representative, or both, to present evidence or information to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation. Refusal by the complainant to provide documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Interviews of the alleged victim(s), any alleged offenders, and other relevant witnesses shall be conducted privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

All complainants shall be protected from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or discriminatory harassment, intimidation, or bullying, the Superintendent or Designee shall keep the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

As appropriate, interim measures shall be implemented during and pending the result of an investigation and shall remain in place until the principal or designee determines they are no longer necessary.

Corrective Actions and Disciplinary Measures

When a complaint is found to have merit, appropriate remedies that may be offered to the victim but not communicated to the offender may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided that the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and that there has been no retaliation

Corrective actions for a student determined to have committed an act of bullying of any type may include, but are not limited to, the following:

1. Transfer from a class or school
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges
7. Disciplinary action, such as suspension, expulsion, or involuntary removal as permitted by law

Any school employee who permits or engages in bullying or retaliation related to bullying shall be subjected to disciplinary action, up to and including dismissal.

SECTION 9: SUICIDE PREVENTION

RICHARD HENRY DANA MIDDLE SCHOOL is committed to protecting the health and well-being of all students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. The school:

- Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes
- Recognizes that suicide is a leading cause of death among young people
- Has an ethical responsibility to take a proactive approach in preventing deaths by suicide
- Acknowledges its role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development.

Suicide Prevention

The principal shall designate a suicide prevention coordinator to act as a point of contact to address issues relating to suicide prevention and policy implementation. All staff members shall report students they believe to be at elevated risk for suicide to the suicide prevention coordinator.

Staff Professional Development

All staff receive annual professional development on risk factors, warning signs, protective factors, response procedures, referrals, postvention, and resources regarding youth suicide prevention. The professional development will include additional information regarding groups of students at elevated risk for suicide, including those:

- Living with mental and/or substance use disorders
- Who engage in self harm or have attempted suicide
- In out-of-home settings
- Experiencing homelessness
- Who are American Indian/Alaska Native
- Who are LGBTQ (lesbian, gay, bisexual, transgender, and questioning)
- Bereaved by suicide
- With medical conditions or certain types of disabilities

Additional professional development in risk assessment and crisis intervention will be provided to school employed mental health professionals and school nurses.

Youth Suicide Prevention Programming

Developmentally-appropriate, student-centered education materials will be integrated into the curriculum of POD classes and the Family Life unit in 8th grade science classes. The content of these age-appropriate materials will include:

- The importance of safe and healthy choices and coping strategies.
- Help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help.

Assessment and Referral

When a student is identified by a staff person as potentially suicidal (*i.e.*, verbalizes about suicide, presents over risk factors, the act of self-harm occurs, or a student self-refers) the student will be seen by a school employed mental health professional within the same school day to assess risk and facilitate referral. If there is no mental health professional available, a teacher, administrator, or other school personnel can assess the student using the Columbia Suicide Severity Scale, given at the Suicide Prevention Training. That individual will fill this role until a mental health professional can be brought in.

For youth at risk:

1. School staff will continuously supervise the student to ensure his/her safety.
2. The principal and school suicide prevention coordinator will be made aware of the situation as soon as reasonably possible.
3. The school-employed mental health professional or principal will contact the student's parent/guardian, as described in the Parental Notification and Involvement section, and will assist the family with urgent referral. When appropriate, this may include calling emergency services or bringing the student to the local Emergency Department, but in most cases will involve setting up a safety plan with the student and family. If taken to any hospital setting, the mental health professional and/or principal will continue communication with the family to ensure an appropriate re-entry plan for the student.
4. Staff will ask the student's parent/guardian for written permission to discuss the student's health with outside care, if appropriate.

In-School Suicide Attempts

In the case of an in-school suicide attempt, the health and safety of the student is paramount. In these situations:

1. First aid will be rendered until professional medical treatment and/or transportation can be received, following RICHARD HENRY DANA MIDDLE SCHOOL emergency medical procedures.
2. Staff will supervise the student to ensure his/her safety.
3. Staff will move all other students out of the immediate area as soon as possible.
4. If appropriate, staff will immediately request a mental health assessment for the youth.
5. The school-employed mental health professional or principal will contact the student's parent/guardian, as described in the Parental Notification and Involvement section.
6. Staff will immediately notify the principal or school suicide prevention coordinator regarding in-school suicide attempts.
7. The suicide prevention coordinator will engage, as necessary, the crisis team to assess whether additional steps should be taken to ensure student safety and well-being.

Postvention

The crisis team will develop an action plan to guide school response following a death by suicide. A meeting of the crisis team to implement the action plan should take place immediately following news of the suicide death. The action plan may include the following steps:

1. **Verify the death.** Staff will confirm the death and determine the cause of death through communication with a coroner's office, local hospital, the student's parent/guardian, or police department. Even when a case is perceived as being an obvious instance of suicide, it should not be labeled as such until after a cause of death ruling has been made. If the cause of death has been confirmed as suicide but the parent/ guardian will not permit the cause of death to be disclosed, the school will not share the cause of death but will use the opportunity to discuss suicide prevention with students.
2. **Assess the situation.** The crisis team will meet to prepare the postvention response, to consider how severely the death is likely to affect other students, and to determine which students are most likely to be affected. The crisis team will also consider how recently other traumatic events have occurred within the school community and the time of year of the suicide. If the death occurred during a school vacation, the need for or scale of postvention activities may be reduced.
3. **Share information.** Before the death is officially classified as a suicide by the coroner's office, the death can and should be reported to staff, students, and parents/guardians with an acknowledgement that its cause is unknown. Inform the faculty that a sudden death has occurred, preferably in a staff meeting. Write a statement for staff members to share with students. The statement should include the basic facts of the death and known funeral arrangements (without providing details of the suicide method), recognition of the sorrow the news will cause, and information about the resources available to help students cope with their grief. Public address system announcements and school-wide assemblies should be avoided. The crisis team may prepare a letter (with the input and permission from the student's parent/ guardian) to send home with students that includes facts about the death, information about what the school is doing to support students, the warning signs of suicidal behavior, and a list of resources available.
4. **Avoid suicide contagion.** It should be explained in the staff meeting described above that one purpose of trying to identify and give services to other high-risk students is to prevent another death. The crisis team will work with teachers to identify students who are most likely to be significantly affected by the death. In the staff meeting, the crisis team will review suicide warning signs and procedures for reporting students who generate concern.
5. **Initiate support services.** Students identified as being more likely to be affected by the death will be assessed by a school-employed mental health professional to determine the level of support needed. The crisis team will coordinate support services for students and staff in need of individual and small group counseling as needed. In concert with parents/guardians, crisis team members will refer to community mental healthcare providers to ensure a smooth transition from the crisis intervention phase to meeting underlying or ongoing mental health needs.
6. **Develop memorial plans.** The school should not create on-campus physical memorials (e.g., photos, flowers), funeral services, or fly the flag at half-mast because it may sensationalize the death and encourage suicide contagion. School should not be canceled for the funeral. Any school-based memorials (e.g., small gatherings) will include a focus on how to prevent future suicides and prevention resources available.

External Communication

The Superintendent or Designee will appoint or be the sole media spokesperson. Staff will refer all inquiries from the media directly to the spokesperson. The spokesperson will:

1. Keep RICHARD HENRY DANA MIDDLE SCHOOL suicide prevention coordinator (i.e. school counselor or school psychologist, and principal informed of school actions relating to the death.
2. Prepare a statement for the media including the facts of the death, postvention plans, and available resources. The statement will not include confidential information, speculation about victim motivation, means of suicide, or personal family information.

Answer all media inquiries. If a suicide is to be reported by news media, the spokesperson should encourage reporters not to make it a front-page story, not to use pictures of the suicide victim, not to use the word suicide in the caption of the story, not to describe the method of suicide, and not to use the phrase “suicide epidemic” – as this may elevate the risk of suicide contagion. They should also be encouraged not to link bullying to suicide and not to speculate about the reason for suicide. Media should be asked to offer the community information on suicide risk factors, warning signs, and resources available

SECTION 10: DRESS AND GROOMING

RICHARD HENRY DANA MIDDLE SCHOOL enforces a dress code to foster a professional and respectful school environment. The dress code is in effect from the time students arrive to school and until they leave. The dress code applies to field trips, site visits, academic internships, and other school-related activities, unless the supervising adult informs the students otherwise.

The following items are restricted and considered out of dress code compliance:

- Stickers and/or glitter on any part of the body
- Logos offensive to race, ancestry, gender, religion, or depicting alcohol, drugs, tobacco, or weapons. Any logo, symbol, drawing, writing or any article of clothing that has offensive, crude, sexual, sexually suggestive, gang-related (as determined by law enforcement/Dana administrations), or discriminatory content.
- Shorts below the kneecap, with knee socks, bicycle pants, tight pants, and jogging shorts. Shorts, skirts, and other outerwear that doesn't cover undergarments when standing or bending. Specifically, bra straps and underwear may not be visible.
- Oversized shirts, see-through blouses, crop halters, backless, strapless, tight, and/or low cut tops, tank tops, spaghetti straps, muscle shirts, sleeveless undershirts worn as outside garments, bare midriffs.
- Clothing, jewelry, or accessories (including but not limited to, nose/belly button rings, gloves, bandanas, shoe strings, wristbands, belts) that appear gang-related, create intimidation, or disrupt the learning environment.
- Off-the-shoulder tops
- See-through tights
- Excessively short dresses, skirts, or shorts
- Sandals, backless shoes, and heels higher than 2 inches. Shoelaces must be tied.
- All headwear must be worn outside. Only Dana Middle School hats or plain color hats are permissible. All hats must be worn appropriately, bill of the hat facing forward.
- Pajamas (tops and bottoms)
- Backpacks with writing

SECTION 11: SAFE INGRESS AND EGRESS

RICHARD HENRY DANA MIDDLE SCHOOL is committed to providing a safe and secure environment for all students, parents, and school employees. As such, the school will take measures to ensure the safe ingress and egress of all students, parents, school employees, and visitors to and from campus by:

1. Conducting periodic reviews of its procedures for ingress and egress, taking into account any input from the community.
2. Ensuring that all passageways to and from school buildings, corridors within school buildings and emergency exits remain clear of all obstruction and hazards to allow flow of pedestrian and vehicular traffic.

3. Collaborating with local law enforcement agencies and the city of Hawthorne to ensure that the school's immediate community is safe.
4. Coordinating with the Hawthorne Police Department to ensure safe ingress and egress from the school parking lot.
5. Addressing any problems associated with safe ingress and egress immediately.

Arrival and Departure of Students

In the mornings, students may enter through two set of gates on the north side of campus, which are opened from 8:00-8:30 a.m.. These gates are then locked for the duration of the day until 2:30, just prior to student dismissal. Campus supervision aides, administrators, and teachers work together to monitor the arrival of students in the morning (8:10-8:30) and dismissal in the afternoon (2:45-3:00). Staff receive specific areas of campus to monitor and patrol each semester, according to an assigned schedule. Supervised areas include all parking lot entrances and walkways, all school gates, and stations in the lunch area and playground.

The main office on the northwest corner of campus is the point of entry and exit for all parents/guardians, visitors, and guests throughout the school day. Guests must approach the front desk and complete sign-in procedures with school office staff, including obtaining a visitor's pass and showing appropriate identification.

During drop-off and pick-up times, vehicle and pedestrian movement is actively supervised by school personnel. A system of cones is used to direct vehicles into the parking lot. The cones separate traffic into two lanes: one that is kept continuously moving to allow traffic flow through the parking lot and another that allows the vehicle (with driver remaining inside) to park and wait along the curb. Alternatively, parents/guardians can always park in a parking space. A locked bicycle and skateboard area is provided for students in a fenced quadrant adjacent to the main office. Student riding bicycles or skateboards to school are required to wear helmets and to walk (not ride) while along the main school walkway, in order to prevent collisions. Students are required to follow all pedestrian safety laws including safe use of crosswalks and sidewalks.

RICHARD HENRY DANA MIDDLE SCHOOL is a closed campus, meaning that students are not permitted to leave campus during the school day without being signed out by a parent/guardian; students will not be dismissed from school per phone requests by the parent/guardian. A student will only be released during the school day to his/her parent/guardian listed in PowerSchool. If a parent/guardian wishes for one of the emergency contacts listed in PowerSchool to pick up a student early, the parent/guardian must make the request in person or by phone. When picking up students early from school, office staff may require photo identification for verification of parent/guardian/emergency contact identity. The student will only be called out of class when the parent/guardian/emergency contact arrives at the school to pick him/her up.

Visitors/Outsiders

All visitors to campus, including alumni, parents/guardians, and family members, must register with the front office and obtain a visitor's pass to enter the main school building. Visitors may be required to present a photo ID to support their information needed on the pass and confirm their appointment or need for visitation. Student's emergency contact information and school records will be used as a cross reference. Parents will be called to verify the request for visitation if there is no information in writing on file for the visitor to proceed to the classroom or staff's office. Staff may call local law enforcement

in the event of any unauthorized persons who are on campus without permission and/or who refuse to leave the school campus.

Sexual Offenders

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or Designee shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's (DOJ) Megan's Law Internet website for additional information.
2. A mailing, at the expense of law enforcement or RICHARD HENRY DANA MIDDLE SCHOOL, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.

Whenever the principal has granted permission to a person who is not a family member of a student and who is required to register as a sex offender pursuant to Penal Code 290 to come into a school building or upon school grounds to volunteer at the school, the principal shall notify the parent/guardian of each student at that school, at least 14 days in advance, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. Notice may be provided using any of the following methods:

1. By regular mail
2. In electronic format upon request of the parent/guardian
3. By any other method normally used to communicate with parents/guardians in writing

SECTION 12: RESPONSE TO IMMIGRATION ENFORCEMENT

RICHARD HENRY DANA MIDDLE SCHOOL is committed to providing a safe and welcoming learning environment for all students and their families irrespective of their citizenship or immigration status.

Immigration enforcement actions at or focused on sensitive locations are generally avoided but may occur. As such, school personnel shall respond appropriately to the request of immigration authorities for access to student information, contact with a student, or school facilities. RICHARD HENRY DANA MIDDLE SCHOOL defines sensitive locations to include its schools, school-sponsored activities, including those occurring in public places and adjacent areas, and all of the school's properties, including but not limited to, facilities owned, controlled by, or leased by the school.

Responding to Request for Information

Unless authorized by the Family Educational Rights and Privacy Act pursuant to 20 USC 1232g, student information, including personal information of the student's family members, shall not be disclosed to an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws without parental consent, a court order, or judicial subpoena.

Upon receiving any verbal or written request for information related to the immigration or citizenship status of a student or members of the student's family, school personnel shall:

1. Notify the principal about the information request
2. Provide students and families with appropriate notice and a description of the immigration enforcement officer's request
3. Document any request for information by immigration authorities
4. Provide students and parents/guardians with any documents issued by the immigration enforcement officer, unless prohibited by a lawfully issued and effective subpoena served on the school or in cases involving investigations of child abuse, child neglect, or child dependency

Responding to Requests for Access to Students or School Facilities

School personnel shall obtain parent/guardian consent before a student is interviewed or searched by an officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order. A student's parent/guardian shall be immediately notified if the officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

All visitors and outsiders, including immigration enforcement officers, shall register with the designated school personnel upon entering school grounds during school hours. Each visitor or outsider shall provide the designated school personnel with his/her name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law.

School personnel shall report the presence of any immigration enforcement officers to the principal or designee, and shall take the following actions in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to his/her request, they must first receive notification and direction from the Superintendent or Designee, except under exigent circumstances that necessitate immediate action.

2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number) and phone number of his/her supervisor.
3. Ask the officer for his/her reason for being on school grounds and document the response.
4. Ask the officer to produce any documentation that authorizes school access.
5. Make a copy of all documents provided by the officer and retain one copy for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to school grounds, comply with the officer's orders and immediately contact the Superintendent or Designee. Exigent circumstances exist when there is an:
 - a. Enforcement action involving a national security or terrorism matter;
 - b. Enforcement action involving the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual posing an imminent danger to public safety;
 - c. Imminent risk of death, violence, or physical harm to a person or property; or
 - d. Imminent risk of destruction of evidence material to an ongoing criminal case
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation, as follows:
 - a. If the officer has an Immigrations and Customs Enforcement (ICE) administrative warrant, school personnel shall inform the officer that they cannot consent to any request without first consulting with the school's legal counsel or Superintendent or Designee.
 - b. If the officer has a federal judicial warrant, such as a search and seizure warrant or an arrest warrant signed by a federal judge or magistrate, school personnel shall promptly comply with the warrant. If feasible, school personnel staff shall consult with the school's legal counsel or Superintendent or Designee before providing the officer with access to the person or materials specified in the warrant.
 - c. If the officer has a subpoena for production of documents or other evidence, school personnel shall inform the school's legal counsel or Superintendent or Designee of the subpoena and await further instructions as to how to proceed.
8. Do not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, school personnel shall document the officer's actions while on school grounds.
9. After the encounter with the officer, promptly make written notes of all interactions with the officer, including:
 - a. A list or copy of the officer's credentials and contact information
 - b. The identity of all school personnel who communicated with the officer
 - c. Details of the officer's request
 - d. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge
 - e. School personnel's response to the officer's request
 - f. Any further action taken by the officer

g. A photo or copy of any documents presented by the officer

10. Provide a copy of these notes and associated documents collected from the officer to the school's legal counsel or Superintendent or Designee.

The school's legal counsel or Superintendent or Designee shall submit a timely report to the Board of Trustees regarding the officer's requests and actions and the school's responses. (Education Code 234.7)

The Superintendent or Designee shall email the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by an officer or employee of a law enforcement agency to access a school site or a student for immigration enforcement purposes.

Responding to the Detention or Deportation of a Student's Family Member

The principal or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The principal or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

The principal or designee shall also encourage all students and families to learn their emergency phone numbers and know where to find important documentation, including birth certificates, passports, social security cards, doctors' contact information, medication lists, lists of allergies, and other such information that would allow them to be prepared in the event that a family member is detained or deported.

In the event that a student's parent/guardian is detained or deported by federal immigration authorities, the principal or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The principal or designee shall only contact child protective services if school personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

Notification Requirements

Parents/guardians shall receive annual notification of the following, including information relating to "know your rights" immigration enforcement established by the California Office of the Attorney General:

1. Students have the right to equal access to free public education, regardless of immigration status or religious beliefs.
2. The school will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or it is in compliance with a court order or judicial subpoena.
3. The categories of information that the school has classified as directory information that may be disclosed without parent/guardian consent does not include citizenship status, immigration status, place of birth, or any other information indicating national origin.
4. School personnel must receive consent from the student's parent/guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant, signed by a judge, or presents a valid, effective court order.

5. School personnel shall immediately notify the student's parent/guardian if an officer or employee of a law enforcement agency requests or gains access to a student for immigration enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent/guardian.
6. The school receives and investigates complaints of discrimination, harassment, intimidation, and bullying based on immigration status in accordance with its Uniform Complaint Procedures.
7. Students who are victims of hate crimes have the right to report such crimes.

SECTION 13: NONDISCRIMINATION & HARASSMENT

RICHARD HENRY DANA MIDDLE SCHOOL's programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

All individuals shall be treated equitably in the receipt of services. Personally identifiable information collected in the implementation of any program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or Designee authorizes its use for another purpose in accordance with law. Resources and data collected by RICHARD HENRY DANA MIDDLE SCHOOL shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

All allegations of unlawful discrimination in RICHARD HENRY DANA MIDDLE SCHOOL's programs and activities shall be investigated and resolved in accordance with the procedures specified in the Uniform Complaint Procedures.

The Superintendent or Designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about RICHARD HENRY DANA MIDDLE SCHOOL's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by RICHARD HENRY DANA MIDDLE SCHOOL. The notification shall also be posted on district and school's website and social media and in schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

The nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

RICHARD HENRY DANA MIDDLE SCHOOL's programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or Designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or Designee shall ensure RICHARD HENRY DANA MIDDLE SCHOOL provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to RICHARD HENRY DANA MIDDLE SCHOOL and school websites, note-takers, written materials, taped text, and Braille or large-

print materials. Individuals with disabilities shall notify the Superintendent or Designee or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in the Uniform Complaint Procedures as the employee responsible for coordinating RICHARD HENRY DANA MIDDLE SCHOOL' response to complaints and for complying with state federal civil rights laws is hereby designated as the ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to programs, services, activities, or facilities.

SECTION 14: SEXUAL HARASSMENT

The administration, teachers and staff at RICHARD HENRY DANA MIDDLE SCHOOL actively strive to eliminate acts of sexual harassment at the school. All personnel are aware of the mandates from the State of California, the California Department of Education, and the RICHARD HENRY DANA MIDDLE SCHOOL Board of Trustees and support them fully. All personnel shall receive instruction regarding the recognition, prevention, and reporting of acts of sexual harassment.

Employees – Sexual Harassment Policy

RICHARD HENRY DANA MIDDLE SCHOOL prohibits sexual harassment in the working environment of its employees or applicants. Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal.

Any employee or applicant for employment who feels that he/she or another individual in RICHARD HENRY DANA MIDDLE SCHOOL is being sexually harassed should immediately contact his/her supervisor, principal, other administrator, or the Superintendent or Designee in order to obtain procedures for reporting a complaint. Any supervisor who receives a harassment complaint shall notify the Superintendent or Designee, who shall ensure that the complaint is appropriately investigated.

Retaliatory behavior against any complainant or any participant in the complaint process is prohibited. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

Employees – Prohibited Acts

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is made either expressly or by implication in terms or condition of any individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile, or offensive working or educational environment, or of adversely affecting the student or employee's performance, evaluation, advancement, assigned duties, or any other condition of education, employment or career development.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Other examples of sexual harassment, whether committed by a supervisor or any other employee, are:

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.

5. Spreading sexual rumors.
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking of normal movements.
8. Displaying sexually suggestive objects in the educational or work environment.
9. Any act of retaliation against an individual who reports a violation of RICHARD HENRY DANA MIDDLE SCHOOL' sexual harassment policy or who participates in the investigation of a sexual harassment.

Employees – Notifications

Each principal and supervisor has the responsibility of maintaining an educational and work environment free of sexual harassment. This responsibility includes disseminating and/or discussing RICHARD HENRY DANA MIDDLE SCHOOL's sexual harassment policy with staff and assuring them that they are not required to endure sexually insulting, degrading, or exploitive treatment or any other form of sexual harassment. Each year staff are required to complete an online course and pass a quiz demonstrating their understanding of sexual harassment.

A copy of RICHARD HENRY DANA MIDDLE SCHOOL' policy on Harassment in Employment shall:

1. Be provided to each faculty member 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.
2. Appear in any school or RICHARD HENRY DANA MIDDLE SCHOOL publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct.

The school district will make available online or in print an employee handbook that contains:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment.
4. RICHARD HENRY DANA MIDDLE SCHOOL' complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission.
6. Direction on how to contact the Fair Employment and Housing Department and Commission.

Students – Sexual Harassment Policy

RICHARD HENRY DANA MIDDLE SCHOOL prohibits unlawful sexual harassment of or by any student by anyone in or from RICHARD HENRY DANA MIDDLE SCHOOL. Any student who engages in the sexual harassment of anyone in or from RICHARD HENRY DANA MIDDLE SCHOOL may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

Students or staff are expected to immediately report incidents of sexual harassment to the principal or designee or to another administrator. Any student who feels that he/she is being harassed should immediately contact the principal or designee or another administrator in order to obtain a copy of the Uniform Complaint Procedures. Complaints of harassment can be filed in accordance with these procedures.

Retaliatory behavior against any complainant or any participant in the complaint process is prohibited. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

Students – Prohibited Acts

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

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

Other types of conduct which are prohibited in RICHARD HENRY DANA MIDDLE SCHOOL and which may constitute sexual harassment include:

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class.
7. Touching an individual's body or clothes in a sexual way.
8. Purposefully limiting a student's access to educational tools.
9. Cornering or blocking of normal movements.
10. Displaying sexually suggestive objects in the educational environment.
11. Any act of retaliation against an individual who reports a violation of the RICHARD HENRY DANA MIDDLE SCHOOL' sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Students – Notifications

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

A copy of RICHARD HENRY DANA MIDDLE SCHOOL' sexual harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.

2. Be displayed in a prominent location near each school principal's office.
3. Appear in any school or RICHARD HENRY DANA MIDDLE SCHOOL publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct.

Enforcement

The principal or designee shall take appropriate actions to reinforce RICHARD HENRY DANA MIDDLE SCHOOL' sexual harassment policy. These actions may include:

1. Removing vulgar or offending graffiti.
2. Providing staff in-service and student instruction or counseling.
3. Taking appropriate disciplinary action as needed.

SECTION 15: UNIFORM COMPLAINT PROCEDURES

The Wiseburn USD Board of Trustees and Superintendent recognizes that RICHARD HENRY DANA MIDDLE SCHOOL has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. The uniform complaint procedures (UCP) specified in 5 CCR 4600-4670 shall be used to investigate and resolve complaints that require a more formal process.

Complaints Subject to UCP

1. Any complaint alleging that the school is in violation of applicable state or federal law or regulations governing career technical education, child nutrition programs, consolidated categorical aid programs, English learner programs, federal education programs in Title I-VII, school safety plans, special education programs, and any other school-implemented program
2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in school programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics
3. Any complaint alleging that the school has not complied with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student
4. Any complaint alleging school noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities
5. Any complaint alleging that the school has not complied with legal requirements related to the implementation of the local control and accountability plan
6. Any complaint, by or on behalf of any student who is a foster youth, alleging that the school has not complied with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the school's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the granting of an exemption from Board-imposed graduation requirements.
7. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
8. Any other complaint as specified in a RICHARD HENRY DANA MIDDLE SCHOOL policy

When an allegation that is not subject to the UCP is included in a UCP complaint, the Superintendent or Designee shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through RICHARD HENRY DANA MIDDLE SCHOOL's UCP.

Non-UCP Complaints

The following complaints shall not be subject to Wiseburn USD School's UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved in accordance with the procedures specified in RICHARD HENRY DANA MIDDLE SCHOOL's Nondiscrimination in Employment policy.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures specified in RICHARD HENRY DANA MIDDLE SCHOOL's Williams Uniform Complaint policy.

Compliance Officer

The individual identified below shall be responsible for receiving and coordinating the Wiseburn USD response to complaints and for complying with state and federal civil rights laws.

Name: Dr. Blake Silvers

Title: Superintendent

Address: 201 N. Douglas St., El Segundo, CA 90245

Phone: (310) 725-2100

Email: bsilvers@wiseburn.org

The compliance officer may assign another compliance officer to investigate and resolve a complaint. In such a case, the compliance officer shall promptly notify the complainant and respondent, if applicable.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Board of Trustees who shall determine how the complaint will be investigated.

The Superintendent or Designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or Designee.

Notifications

RICHARD HENRY DANA MIDDLE SCHOOL' UCP policy and procedures shall be posted in all schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or Designee shall annually provide written notification of Wiseburn USD's UCP to students, employees, parents/guardians, advisory committee members, and other interested parties. The notice shall:

1. Identify the person responsible for receiving complaints and provide his/her complete contact information.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable.
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. Wiseburn USD has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or Designee for good cause upon written request by the complainant setting forth the reasons for the extension.
 - d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing due to conditions such as a disability or illiteracy, staff shall assist him/her in the filing of the complaint.
 - e. If a complaint is not filed in writing but RICHARD HENRY DANA MIDDLE SCHOOL receives notice of any allegation that is subject to the UCP, affirmative steps shall be taken to investigate and address the allegations, in a manner appropriate to the particular circumstances.
 - f. If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, steps shall be taken to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.
 - g. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of RICHARD HENRY DANA MIDDLE SCHOOL' educational program, including curricular and extracurricular activities.

- h. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- i. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the school liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or districts.
- j. The complainant has a right to appeal Wiseburn USD's decision to CDE by filing a written appeal within 15 calendar days of receiving the decision.
- k. The appeal to CDE must include a copy of the complaint filed with CDE and a copy of Wiseburn USD's decision.
- l. Copies of Wiseburn USD's UCP are available free of charge.

Information related to Title IX as required pursuant to Education Code 221.61 shall be posted on Wiseburn USD's website.

The Superintendent or Designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in RICHARD HENRY DANA MIDDLE SCHOOL' policy, procedures, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, the policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, RICHARD HENRY DANA MIDDLE SCHOOL shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the compliance officer's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process.

RICHARD HENRY DANA MIDDLE SCHOOL shall protect all complainants from retaliation.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer shall consult with the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until RICHARD HENRY DANA MIDDLE SCHOOL issues its final written decision, whichever occurs first.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

The Superintendent or Designee shall provide training to staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, staff shall assist him/her in the filing of the complaint.

Complaints shall also be filed in accordance with the following rules, as applicable:

1. Any complaint alleging that the school inappropriately imposed student fees, deposits, and charges may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred.
2. Any complaint alleging noncompliance with any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance.
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or Designee for good cause upon written request by the complainant setting forth the reasons for the extension.
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the school's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the school shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then RICHARD HENRY DANA MIDDLE SCHOOL shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, RICHARD HENRY DANA MIDDLE SCHOOL shall then continue with subsequent steps specified in this policy.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint and shall notify the complainant and/or his/her representative of the opportunity to present any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the compliance officer with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the compliance officer with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant.

In accordance with law, the compliance officer shall have access to records and other information related to the allegation in the complaint. Failure or refusal of staff to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant.

The compliance officer shall apply a “preponderance of the evidence” standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Final Written Decision

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a final written decision within 60 calendar days of the compliance officer’s receipt of the complaint. (5 CCR 4631)

In consultation with Wiseburn USD’s legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, RICHARD HENRY DANA MIDDLE SCHOOL shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the final written decision shall include:

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students’ education
- b. The type, frequency, and duration of the misconduct
- c. The relationship between the alleged victim(s) and offender(s)
- d. The number of persons engaged in the conduct and at whom the conduct was directed

- e. The location of the incidents and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600
- For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:
- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal Wiseburn USD's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

- 1. He/she may pursue available civil law remedies outside of Wiseburn USD's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE.
- 2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.
- 3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law, and/or shall provide an appropriate remedy to the complainant or other affected persons. Appropriate corrective actions that focus on the larger school environment may include, but are not limited to, actions to reinforce Wiseburn USD's policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

- 1. Counseling
- 2. Academic support
- 3. Health services
- 4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension, expulsion, or involuntary removal as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Wiseburn USD shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law.

If a complaint alleging noncompliance with any requirement related to the LCAP is found to have merit, RICHARD HENRY DANA MIDDLE SCHOOL shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.

For complaints alleging noncompliance with the laws regarding student fees, RICHARD HENRY DANA MIDDLE SCHOOL shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.

Appeals to the California Department of Education

Any complainant who is dissatisfied with the final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with CDE within 15 calendar days of receiving Wiseburn USD's decision.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the final written decision, he/she, in the same manner as the complainant, may file an appeal with CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and how the facts of the decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of RICHARD HENRY DANA MIDDLE SCHOOL's decision in that complaint.

Upon notification by CDE that the complainant or respondent has appealed Wiseburn USD's decision, the Superintendent or Designee shall forward the following documents to CDE:

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the school, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the compliance officer
5. A report of any action taken to resolve the complaint
6. A copy of Wiseburn USD's UCP.
7. Other relevant information requested by CDE

SECTION 16: APPENDIX

Appendix A. School Safety Plans (Education Code 32280-32289)

EC 32280. Legislative Intent

It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. (Stats. 2003, Ch. 828)

EC 32281. Development

- (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.
- (b) (1) Except as provided in subdivision (d) with regard to a small school district, the school site council established pursuant to former Section 52012, as it existed before July 1, 2005, or Section 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.
- (2) The school site council may delegate this responsibility to a school safety planning committee made up of the following members:
- (A) The principal or the principal's designee.
 - (B) One teacher who is a representative of the recognized certificated employee organization.
 - (C) One parent whose child attends the school.
 - (D) One classified employee who is a representative of the recognized classified employee organization.
 - (E) Other members, if desired.
- (3) The school site council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.
- (4) In the absence of a school site council, the members specified in paragraph (2) shall serve as the school safety planning committee.
- (c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.
- (d) (1) Subdivision (b) shall not apply to a small school district, as defined in paragraph (2), if the small school district develops a districtwide comprehensive school safety plan that is applicable to each school site.
- (2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.
- (e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the school site of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime" shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not have its school site council develop and write those portions of its comprehensive school safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the school site. The portions of a school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if he or she chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, “tactical responses to criminal incidents” means steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrator or perpetrators.

(3) Nothing in this subdivision precludes the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials pursuant to Section 54957 of the Government Code to approve a tactical response plan developed in consultation with those officials pursuant to this subdivision. Any vote to approve the tactical response plan shall be announced in open session following the closed session.

(4) Nothing in this subdivision shall be construed to reduce or eliminate the requirements of Section 32282. (Stats. 2011, Ch. 438)

EC 32282. Content

(a) The comprehensive school safety plan shall include, but not be limited to, both of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the

public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any school wide dress code, pursuant to Section 35183, that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define “gang-related apparel.” The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this paragraph, “gang-related apparel” shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled “Safe Schools: A Planning Guide for Action” in conjunction with developing their plan for school safety.

(c) Each school site council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other school Site councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the school site council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288. (Stats. 2015, Ch. 303)

EC 32282.1. Roles and Responsibilities; Guidelines

(a) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses, if the school district uses these people.

(b) The guidelines developed pursuant to subdivision (a) are encouraged to include both of the following:

(1) Primary strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support.

(2) Consistent with paragraph (2) of subdivision (a) of Section 32282, protocols to address the mental health care of pupils who have witnessed a violent act at any time, including, but not limited to, any of the following:

- (A) While on school grounds.
- (B) While going to or coming from school.
- (C) During a lunch period whether on or off campus.
- (D) During, or while going to or coming from, a school-sponsored activity. (Stats. 2014, Ch. 794)

EC 32282.5. Disaster Preparedness Materials

- (a) The department shall electronically distribute disaster preparedness educational materials and lesson plans that are currently available to school districts and county offices of education.
- (b) The department shall ensure that the disaster preparedness materials are available in at least the three most dominant primary languages spoken by English learners in California, according to the language census.
- (c) The department shall coordinate with the Office of Emergency Services to make sure that all materials are reviewed and updated annually. (Stats. 2013, Ch. 352)

EC 32283. Contract with Professional Trainers

The Department of Justice and the State Department of Education, in accordance with Section 32262, shall contract with one or more professional trainers to coordinate statewide workshops for school districts, county offices of education, and school site personnel, and in particular school principals, to assist them in the development of their respective school safety and crisis response plans, and provide training in the prevention of bullying as defined in subdivision (r) of Section 48900. The Department of Justice and the State Department of Education shall work in cooperation with regard to the workshops coordinated and presented pursuant to the contracts. Implementation of this section shall be contingent upon the availability of funds in the annual Budget Act. (Stats. 2011, Ch. 732)

EC 32283.5. Bullying and Cyberbullying

The department shall develop an online training module to assist all school staff, school administrators, parents, pupils, and community members in increasing their knowledge of the dynamics of bullying and cyberbullying. The online training module shall include, but is not limited to, identifying an act of bullying or cyberbullying, and implementing strategies to address bullying and cyberbullying. (Stats. 2014, Ch. 418)

EC 32284. Pesticide or Other Toxic Substance

The comprehensive school safety plan may also include, at local discretion of the governing board of the school district and using local funds, procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No funds received from the state may be used for this purpose. (Stats. 2003, Ch. 828)

EC 32286. Deadline

- (a) Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. A new school campus that begins offering classes to pupils after March 1, 2001, shall adopt a comprehensive school safety plan within one year of initiating operation, and shall review and update its plan by March 1, every year thereafter.
- (b) Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to Sections 33126 and 35256. (Stats. 2003, Ch. 828)

EC 32287. Willful Failure to Make Reports

If the Superintendent of Public Instruction determines that there has been a willful failure to make any report required by this article, the superintendent shall do both of the following:

- (a) Notify the school district or the county office of education in which the willful failure has occurred.
- (b) Make an assessment of not more than two thousand dollars (\$2,000) against that school district or county office of education. This may be accomplished by deducting an amount equal to the amount of the assessment from the Wiseburn USD or county office of education's future apportionment. (Stats. 2003, Ch. 828)

EC 32288. Compliance; Notification

- (a) In order to ensure compliance with this article, each school shall forward its comprehensive school safety plan to the school district or county office of education for approval.
- (b) (1) Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school site in order to allow members of the public the opportunity to express an opinion about the school safety plan.
- (2) The school site council or school safety planning committee shall notify, in writing, the following persons and entities, if available, of the public meeting:
 - (A) The local mayor.
 - (B) A representative of the local school employee organization.
 - (C) A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs.
 - (D) A representative of each teacher organization at the school site.
 - (E) A representative of the student body government.
 - (F) All persons who have indicated they want to be notified.
- (3) The school site council or school safety planning committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:
 - (A) A representative of the local churches.
 - (B) Local civic leaders.
 - (C) Local business organizations.
- (c) In order to ensure compliance with this article, each school district or county office of education shall annually notify the State Department of Education by October 15 of any schools that have not complied with Section 32281. (Stats. 2003, Ch. 828)

EC 32289. Complaint of Noncompliance

A complaint of noncompliance with the school safety planning requirements of Title IV of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 7114 (d)(7)) may be filed with the department under the Uniform Complaint Procedures as set forth in Chapter 5.1 (commencing with Section 4600) of Title 5 of the California Code of Regulations. (Stats. 2015, Ch. 303)

Source: <http://leginfo.legislature.ca.gov/>

Appendix B. Child Abuse and Neglect Reporting Act [Penal Code 11166]

(a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written follow-up report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any non-privileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For purposes of this article, “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 or her training and experience, to suspect child abuse or neglect. “Reasonable suspicion” does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any “reasonable suspicion” is sufficient. For purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified and a report shall be prepared and sent, faxed, or electronically transmitted even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) A report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If, after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone follow-up call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written follow-up report.

(1) The one-time automated written report form prescribed by the Department of Justice shall be clearly identifiable so that it is not mistaken for a standard written follow-up report. In addition, the automated one-time report shall contain a section that allows the mandated reporter to state the reason the initial telephone call was not able to be completed. The reason for the submission of the one-time automated written report in lieu of the procedure prescribed in subdivision (a) shall be captured in the Child Welfare Services/Case Management System (CWS/CMS). The department shall work with stakeholders to modify reporting forms and the CWS/CMS as is necessary to accommodate the changes enacted by these provisions.

(2) This subdivision shall not become operative until the CWS/CMS is updated to capture the information prescribed in this subdivision.

(3) This subdivision shall become inoperative three years after this subdivision becomes operative or on January 1, 2009, whichever occurs first.

(4) On the inoperative date of these provisions, a report shall be submitted to the counties and the Legislature by the State Department of Social Services that reflects the data collected from automated one-time reports indicating the reasons stated as to why the automated one-time report was filed in lieu of the initial telephone report.

(5) Nothing in this section shall supersede the requirement that a mandated reporter first attempt to make a report via telephone, or that agencies specified in Section 11165.9 accept reports from mandated reporters and other persons as required.

(c) A mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine. If a mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.

(d) (1) A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to subdivision (a). For the purposes of this subdivision, “penitential communication” means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

(2) Nothing in this subdivision shall be construed to modify or limit a clergy member’s duty to report known or suspected child abuse or neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

(3) (A) On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in Section 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in his or her professional capacity or within the scope of his or her employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse and that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in Section 11165.9. The provisions of Section 11172 shall apply to all reports made pursuant to this paragraph.

(B) This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

(C) The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

(e) (1) A commercial film, photographic print, or image processor who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, videotape, negative, slide, or any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laserdisc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image depicting a child under 16 years of age engaged in an act of sexual conduct, shall, immediately or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images are seen. Within 36 hours of receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written follow-up report of the incident with a copy of the image or material attached.

(2) A commercial computer technician who has knowledge of or observes, within the scope of his or her professional capacity or employment, any representation of information, data, or an image, including, but not limited to, any computer hardware, computer software, computer file, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images or materials are seen. As soon as practicably possible after receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written follow up report of the incident with a brief description of the images or materials.

(3) For purposes of this article, “commercial computer technician” includes an employee designated by an employer to receive reports pursuant to an established reporting process authorized by subparagraph (B) of paragraph (43) of subdivision (a) of Section 11165.7.

(4) As used in this subdivision, “electronic medium” includes, but is not limited to, a recording, CD-ROM, magnetic disk memory, magnetic tape memory, CD, DVD, thumb drive, or any other computer hardware or media.

(5) As used in this subdivision, “sexual conduct” means any of the following:

(A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.

- (B) Penetration of the vagina or rectum by any object.
- (C) Masturbation for the purpose of sexual stimulation of the viewer.
- (D) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer.
- (E) Exhibition of the genitals, pubic, or rectal areas of a person for the purpose of sexual stimulation of the viewer.
- (f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, he or she makes a report of the abuse or neglect pursuant to subdivision (a).
- (g) Any other person who has knowledge of or observes a child whom he or 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 an agency specified in Section 11165.9. For purposes of this section, “any other person” includes a mandated reporter who acts in his or her private capacity and not in his or her professional capacity or within the scope of his or her employment.
- (h) When two or more persons, who are required to report, jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone 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.
- (i) (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article. An internal policy shall not direct an employee to allow his or her supervisor to file or process a mandated report under any circumstances.
- (2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose his or her identity to the employer.
- (3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.
- (j) (1) A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the district attorney’s office every known or suspected instance of child abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child that relates solely to the inability of the parent to provide the child with regular care due to the parent’s substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.
- (2) A county probation or welfare department shall immediately, and in no case in more than 24 hours, report to the law enforcement agency having jurisdiction over the case after receiving information that a child or youth who is receiving child welfare services has been identified as the victim of commercial sexual exploitation, as defined in subdivision (d) of Section 11165.1.
- (3) When a child or youth who is receiving child welfare services and who is reasonably believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in Section 11165.1, is missing or has been abducted, the county probation or welfare department shall immediately, or in no case later than 24 hours from receipt of the information, report the incident to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children.

(k) A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the district attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

Appendix C. Employee Acknowledgement of Child Abuse Reporting Requirements

California law requires school employees to report known or suspected child abuse. As a condition of employment, you must sign a statement signifying that you: 1) have knowledge of the laws relating to child abuse relating requirements specified in Penal Code 11166; and 2) will comply with these laws and requirements.

Please read the document below which explains your responsibilities and the procedures to report any suspected instances of child abuse. After you have done so, sign as indicated on the form below and return it to the school office.

Receipt and Acknowledgement of Child Abuse Reporting Requirements

This is to acknowledge receipt of a copy of Penal Code Section 11166 with explanations and procedures pertaining to child abuse reporting requirements. My signature below verifies that I have read and understand all the material received and that I agree to comply with all state and Wiseburn USD School's reporting requirements.

NAME (PLEASE PRINT)

DATE

SIGNATURE

Appendix D. Child Abuse Reporting Form



STATE OF CALIFORNIA
BCIA 8572
(Rev. 04/2017)

DEPARTMENT OF JUSTICE
Page 1 of 2

SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

[Print Form](#)

[Clear Form](#)

To Be Completed by Mandated Child Abuse Reporters

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

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

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.



SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM BCIA 8572

All Penal Code (PC) references are located in Article 2.5 of the California PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://leginfo.ca.gov/faces/codes.xhtml> (specify "Penal Code" and search for sections 11164-11174.3). A mandated reporter must complete and submit form BCIA 8572 even if some of the requested information is not known. (PC section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

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

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

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

III. REPORTING RESPONSIBILITIES

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

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

IV. INSTRUCTIONS

SECTION A – REPORTING PARTY: Enter the mandated reporter's name, title, category (from PC section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes/no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (continued)

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

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

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

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

V. DISTRIBUTION

Reporting Party: After completing form BCIA 8572, retain a copy for your records and submit copies to the designated agency.

Designated Agency: **Within 36 hours** of receipt of form BCIA 8572, the initial designated agency will send a copy of the completed form to the district attorney and any additional designated agencies in compliance with PC sections 11166(j) and 11166(k).

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

Appendix E. Bomb Threat Checklist

Date: _____

Time call began: _____ caller hung
up: _____

Number and extension that received the call:

Number or letters on caller ID, if applicable:

Exact wording of the bomb
threat:

Questions for the caller:

1. When will the bomb explode?

Date: __ Time: _____

2. Where is it right now?

3. Where will it explode?

4. What does the bomb look like?

5. What kind of bomb is it?

6. What will cause it to explode?

7. Did you place the bomb?

8. Why?

9. What's your name?

10. Where are you calling from?

11. What's your address?

Additional notes:

Caller's voice: *(check all that apply)*

- | | | |
|-------------------------------------|--|-----------------------------------|
| <input type="checkbox"/> Feminine | <input type="checkbox"/> Breathy | <input type="checkbox"/> Angry |
| <input type="checkbox"/> Masculine | <input type="checkbox"/> Clearing throat | <input type="checkbox"/> Bitter |
| <input type="checkbox"/> Child-like | <input type="checkbox"/> Deep breathing | <input type="checkbox"/> Calm |
| <input type="checkbox"/> Accent | <input type="checkbox"/> High-pitched | <input type="checkbox"/> Crying |
| <input type="checkbox"/> Disguised | <input type="checkbox"/> Hoarse | <input type="checkbox"/> Excited |
| <input type="checkbox"/> Monotone | <input type="checkbox"/> Lisp | <input type="checkbox"/> Laughter |
| <input type="checkbox"/> Sing-song | <input type="checkbox"/> Nasal | <input type="checkbox"/> Nervous |
| <input type="checkbox"/> Normal | <input type="checkbox"/> Ragged | <input type="checkbox"/> Playful |
| <input type="checkbox"/> Slow | <input type="checkbox"/> Raspy | <input type="checkbox"/> Sad |
| <input type="checkbox"/> Rapid | <input type="checkbox"/> Stutter | <input type="checkbox"/> Scared |
| <input type="checkbox"/> Choppy | <input type="checkbox"/> Wheezy | <input type="checkbox"/> Slurred |

Describe the voice more specifically:

If the voice sounded familiar, who did it sound like?

Threat language:

- ☐ Well-spoken/educated
- ☐ Uneducated
- ☐ Foul/obscene
- ☐ Incoherent
- ☐ Irrational

- ☐ Pre-recorded
- ☐ Message read
- ☐ Other

- ☐ Playground
- ☐ Restaurant
- ☐ Street
- ☐ Freeway
- ☐ PA system
- ☐ Static
- ☐ Train
- ☐ Other _____

Background sound/noise: *(check all that apply)*

- ☐ Construction
- ☐ Factory
- ☐ House
- ☐ Office
- ☐ Clear
- ☐ Animal(s)
- ☐ Music
- ☐ Television

Describe the sound/noise heard:

Appendix F. Classroom Preparedness Checklist

Emergency supplies should be maintained in each classroom in preparation for either an evacuation or lockdown. All supplies should be securely stored in an accessible, central location; they should be labeled and protected. The safety team should select supplies that address the needs of the specific school, its population, climate, facilities, and resources (see suggested items below). Supplies that have expiration dates (*e.g.*, batteries, food, water, and prescription medications) must be replenished over time. A system to stock and replenish emergency supplies needs to be established.

- ☐ Clipboard with:
 - ☐ List of classroom students (and photo)
 - ☐ List of students with special needs and description of needs (*i.e.*, medical issues, prescription medicines, dietary needs), marked confidential
 - ☐ Pen
- ☐ List of emergency procedures
- ☐ Whistle and vest for teacher
- ☐ Door restraint
- ☐ Battery-powered flashlight
- ☐ Batteries
- ☐ Light sticks
- ☐ Plastic sheeting or tarp
- ☐ Duct tape
- ☐ Scissors
- ☐ Crowbar
- ☐ Heavy duty rubber gloves
- ☐ First aid supplies
 - ☐ 4x4 and 8x10 compress
- ☐ Bandages (all types and sizes)
- ☐ Cardboard splints
- ☐ Hydrogen peroxide
- ☐ Medical gloves
- ☐ First aid instruction manual
- ☐ Sanitation supplies
 - ☐ Portable toilet or bucket
 - ☐ Privacy shelter
 - ☐ Toilet paper
 - ☐ Wet wipes
 - ☐ Tampons and maxi pads
 - ☐ Large plastic bags
 - ☐ Soap and water
 - ☐ Disinfectant spray
- ☐ Hard candies
- ☐ Food for three days (should be nonperishable, easy to serve without need for refrigeration or heating after opening)
- ☐ Can opener

- ❑ Water for three days (one gallon of water per person per day)
- ❑ Paper cups, plates and utensils
- ❑ Space blankets (one per student)
- ❑ Breathing masks (one per student)
- ❑ Student activities (such as playing cards, checkers, inflatable ball)

<https://www.emergencykits.com/school-emergency-kits>

Appendix G. Response to Immigration Enforcement

Consistent with the requirements of the California Office of the Attorney General and Wiseburn USD School's Board Policy (Response to Immigration Issues), school personnel are to follow the steps provided on this form when addressing any requests by a law enforcement officer for access to student information, students, or school facilities for the purpose of immigration enforcement.

1. Advise the immigration officer that, before proceeding with the request, and absent ☐ Yes ☐ No any exigent circumstances, you must first receive direction from the SUPERINTENDENT OR Designee.
2. Ask to see, and make a copy of or note, the officer's credentials (name and badge ☐ Yes ☐ No number), and the phone number of his/her supervisor.
3. Make a copy of all documents presented by the officer; in particular, documentation ☐ Yes ☐ No that authorizes his/her school access.
4. Notify [name of person and contact information] of the request. ☐ Yes ☐ No
5. Obtain written consent from parent for release of student information, if applicable. ☐ Yes ☐ No

Name of School: _____ Date of Request: _____

Name of Student: _____ Date of Birth: _____

Name of the Officer: _____ Badge No.: _____

Agency: _____ Phone No.: _____

Describe the officer's request and the reason(s)/circumstance(s) behind the request.

- Any warrants, subpoenas, or court orders? ☐ No
- ☐ DHS Immigration Enforcement Subpoena (Form I-138)
 - ☐ DHS Warrant for Arrest of Alien (Form I-200)
 - ☐ DHS Warrant of Removal/Deportation (Form I-205)
 - ☐ Federal Subpoena (Form AO 88B)
 - ☐ Federal Search and Seizure Warrant (Form AO 93)
 - ☐ Federal Arrest Warrant (Form AO 442)

Note: Absent exigent circumstances or a judicial warrant, school personnel are not required to give an immigration-enforcement officer permission or consent to enter a non-public area of the school or conduct a search of any kind. Nor is staff required to provide information or records about a student or his/her family without a judicial warrant or order.

- Any exigent circumstances? ☐ No
- ☐ Enforcement action involving a national security or terrorism matter
 - ☐ Enforcement action involving the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual posing an imminent danger to public safety
 - ☐ Imminent risk of death, violence, or physical harm to a person or property
 - ☐ Imminent risk of destruction of evidence material to an ongoing criminal case

Name of school personnel who communicated with the officer: _____

School's response to the request: _____

Further action(s) taken by the immigration-enforcement officer: _____

Appendix H. Uniform Complaint Procedures Form

RICHARD HENRY DANA MIDDLE SCHOOL has the primary responsibility to ensure compliance with applicable state and federal laws and regulations. RICHARD HENRY DANA MIDDLE SCHOOL shall investigate and seek to resolve complaints in accordance with the Uniform Complaint Procedures (UCP). Please complete this form, providing as much information as possible and attaching any applicable supporting documentation, to assist in the investigation of the complaint.

Information

LAST NAME OF THE COMPLAINANT		FIRST NAME OF THE COMPLAINANT	
ADDRESS (NUMBER, STREET, APARTMENT NUMBER, CITY, STATE AND ZIP CODE)			
EMAIL ADDRESS		TELEPHONE NUMBER	
COMPLAINANT WILL NEED THE ASSISTANCE OF AN INTERPRETER <input type="checkbox"/> No <input type="checkbox"/> Yes (<i>specify the language to be spoken by the interpreter</i>)			
COMPLAINANT IS A: <input type="checkbox"/> Student <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Employee <input type="checkbox"/> Public Agency <input type="checkbox"/> Organization			
THIS COMPLAINT IS BEING FILED ON BEHALF OF: <input type="checkbox"/> Myself <input type="checkbox"/> A student (not the complainant named above) <input type="checkbox"/> Other (<i>specify</i>)			
DATE OF ALLEGED VIOLATION		SCHOOL/OFFICE OF ALLEGED VIOLATION	

Basis of Complaint

For allegations related to any of the following programs and activities subject to the UCP:

- | | |
|--|---|
| <input type="checkbox"/> Course Periods without Educational Content (Grades 9-12) | <input type="checkbox"/> Career Technical Education |
| <input type="checkbox"/> Discrimination, Harassment, Intimidation, and/or Bullying | <input type="checkbox"/> Child Nutrition |
| <input type="checkbox"/> Education for Foster Youth, Homeless Youth, Former Juvenile Court School Students, or Military Dependents | <input type="checkbox"/> Consolidated Categorical Aid |
| <input type="checkbox"/> Every Student Succeeds Act/No Child Left Behind | <input type="checkbox"/> Pupil Fees |
| <input type="checkbox"/> Local Control Accountability Plan | <input type="checkbox"/> School Safety Plan |
| <input type="checkbox"/> Reasonable Accommodations to a Lactating Student | <input type="checkbox"/> Sexual Harassment |
| | <input type="checkbox"/> Special Education |

For complaints alleging discrimination, harassment, intimidation, and/or bullying, indicate the actual or perceived protected characteristics upon which the alleged conduct is based:

- | | | |
|--|--|--|
| <input type="checkbox"/> Race or ethnicity | <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Color | <input type="checkbox"/> Age | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Marital status | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Gender identity |
| <input type="checkbox"/> National origin | <input type="checkbox"/> Parental status | <input type="checkbox"/> Gender expression |
| <input type="checkbox"/> Immigration status | <input type="checkbox"/> Physical or mental disability | <input type="checkbox"/> Genetic information |
| <input type="checkbox"/> Ethnic group identification | <input type="checkbox"/> Other _____ | |

Details of the Complaint**FOR OFFICE USE ONLY**

Date received____ Received by____ Title ____

Investigator____ Outcome____

Final written decision sent to complainant on _____ Appeal filed with CDE? Yes No

List the **people** involved or impacted: _____List any **witnesses** or individuals who may have knowledge of the alleged acts: _____Provide and/or describe the specific **location(s)** where the incident(s) occurred: _____List all the **date(s) and time(s)** when the incident(s) occurred or when the alleged acts first came to your attention: _____Describe any **steps** you have taken to resolve this issue before filing the complaint. If applicable, list names and titles of school and/or RICHARD HENRY DANA MIDDLE SCHOOL staff you have contacted: _____Do you have any **written documents/evidence** that you can provide that may be relevant/supportive of your complaint?☐ No ☐ Yes, copies of the documents/evidence are attached to this complaint

Signature of Complainant: _____ Date: _____

RICHARD HENRY DANA MIDDLE SCHOOL shall take steps to protect complainants from retaliation. Please file this complaint form and any additional documents in person, by mail or via email with:

Wiseburn Unified School District
Office of the Superintendent-Compliance Complaint
201 N. Douglas Street
El Segundo, CA 90245

Appendix I: Local Crime Statistics

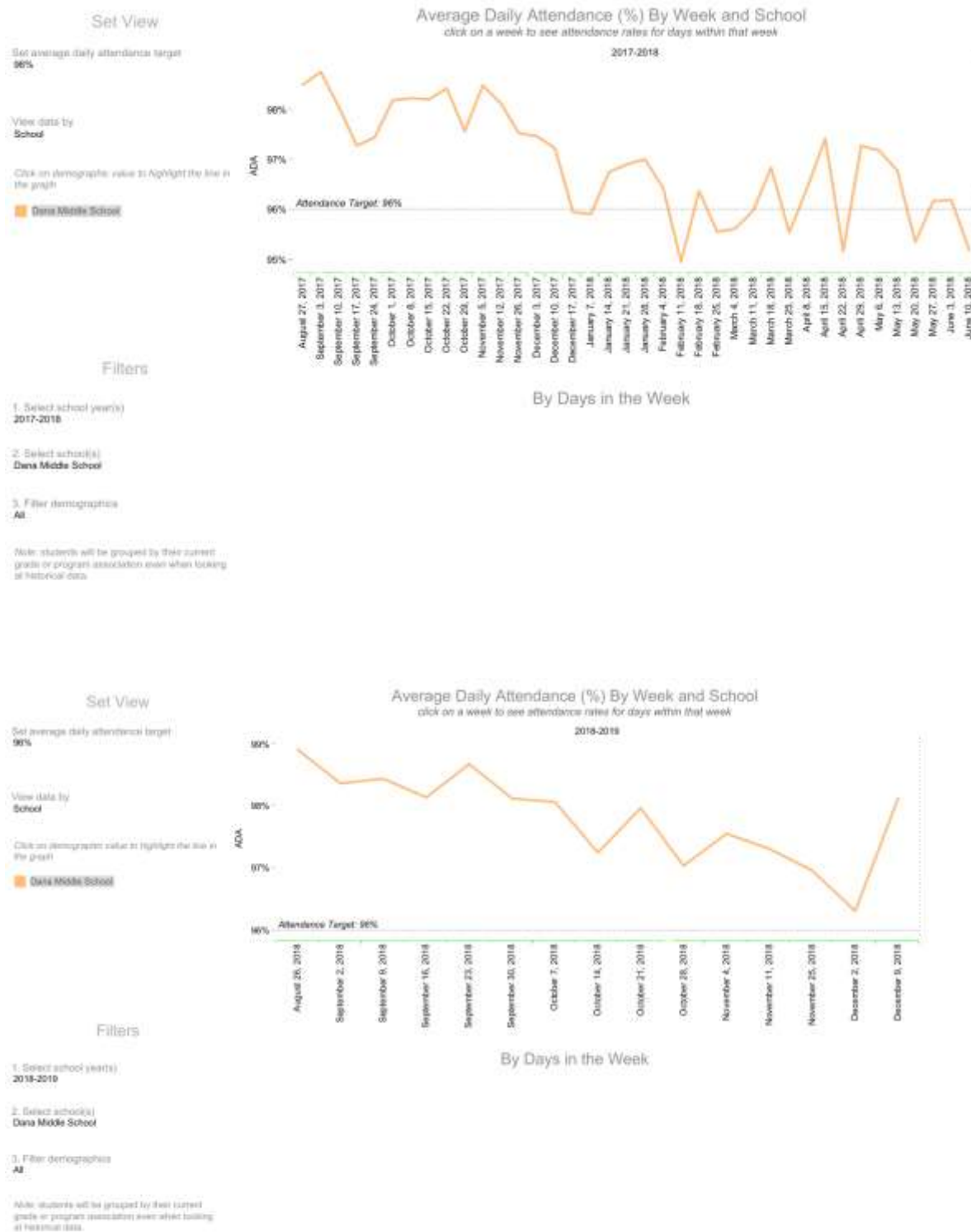
'PART 1' CRIME STATISTICS - City of Hawthorne

2018 Year to Date and 2017 (complete year)

**Data reported through 4/11/18

Crime Type	2018 YTD	2017
HOMICIDE	0	5
RAPE	6	18
ROBBERY	67	274
AGGRAVATED ASSAULT	132	296
BURGLARY	92	409
THEFT	304	1295
GRAND THEFT AUTO	88	512
ARSON	2	14
Total	691	2823
VIOLENT	205	593
NON VIOLENT	486	2230
Total	691	2823

Appendix J: School Attendance Data



Appendix K: School Discipline Data

2017-2018 School Year



















Discipline Incidents by Grade Level (2017-2018)

Grades					Download CSV
Grade	Cost/Incident	Cost (days)	%	Incidents	
8	0.03	4.00	54	121	
6	0.04	2.32	29	65	
7	0.16	7.00	19	43	

Discipline Incidents by Offense Type (2017-2018)






226 OFFICE REFERRALS	NO PENDING INCIDENTS				
Offense	Cost/Incident	Cost (days)	%	Incidents	
Defiance/Insubordination/Non-Compliance	0	0	23	53	
Technology Violation	0.01	0.33	10	23	
M-Physical Contact/Physical Aggression	0.16	3.00	9	19	
Academic Dishonesty	0	0	7	15	
Other Behavior	0	0	6	14	
Disruption - SUSTAINED	0	0	5	12	
Abusive Language/Inappropriate Language/Profanity	0	0	5	11	
M-Gum/Food Related Infractions	0	0	5	11	
Harassment	0	0	4	9	
Physical Aggression	0	0	3	7	
Bullying	0	0	3	6	
M-Disrespect	0	0	3	6	
Tardy	0	0	3	6	
Theft	0	0	2	5	
Fighting	2.00	10.00	2	5	
M-Other	0	0	2	4	
M-Property Misuse	0	0	2	4	
M-Disruption	0	0	2	4	
Property Damage/Vandalism	0	0	1	3	
Skip class	0	0	1	3	
M-Inappropriate Language	0	0	1	3	
Use/Possession of Tobacco	0	0	0	1	
Forgery	0	0	0	1	
Truancy	0	0	0	1	
Lying	0	0	0	1	

Discipline Consequences (2017-2018)















































226 OFFICE REFERRALS		NO PENDING INCIDENTS				
Action	Cost	Days/Assignment	Days	%	↓ Assignments	
Detention		 0.17	22.84	60	 136	
Restorative Consequence		 0.20	12.01	27	 61	
Conference		 6.08	0.87	13	 28	
Teacher Handled - No Administrative Action		 0	0	11	 25	
Other Restriction (see comment box)		 0.22	1.72	4	 8	
Letter of Apology		 0.08	0.83	3	 7	
Out-of-School Suspension	Yes	 2.17	13.00	9	 6	
Campus Beautification		 0.15	0.60	2	 4	
Removal from Disneyland and/or other 8th Grade Activities		 0	0	0	 1	
Restitution	Yes	 0.32	0.32	0	 1	
Parent Conference		 0.15	0.15	0	 1	
Mediation		0.07	0.07	0	1	

2018-2019 (Beginning of School through mid-December)





















Discipline Incidents by Grade Level (2018-2019)

Grades				# CSV	X
Grade	Cost/Incident	Cost (days)	%	Incidents	
6	 0.23	14.00	50		60
8	 0.29	9.00	26		31
7	 0.43	13.00	25		30

Discipline Incidents by Offense Type (2018-2019)

Offense	Cost/Incident	Cost (days)	%	Incidents	
Physical Aggression	 0.67	12.00	55		18
M-Physical Contact/Physical Aggression	 0.12	2.00	14		17
Abusive Language/Inappropriate Language/Profanity	 0	0	50		12
Defiance/Insubordination/Non-Compliance	 0	0	9		11
Technology Violation	 0	0	8		9
Bullying	 0.13	1.00	7		8
Other Behavior	 0	0	6		7
Academic Dishonesty	 0	0	5		6
M-Gum/Food Related Infractions	 0	0	3		4
Property Damage/Vandalism	 0	0	3		4
Harassment	 0	0	3		4
Threat/Intimidation	 2.67	8.00	3		3
Use/Possession of Restricted Items	 2.50	5.00	2		2
Disruption - SUSTAINED	 0	0	2		2
M-Other	 0	0	2		2
M-Disrespect	 0	0	2		2
M-Property Misuse	 0	0	2		2
M-Disruption	 0	0	2		2
Inapp. Sexual Behavior/Comments	 3.00	3.00	1		1
Use/Possession of Weapons	 3.00	3.00	1		1
M-Inappropriate Location/Out of Bounds Area	 0	0	1		1
Fighting	 0	0	1		1
M-Inappropriate Language	 0	0	1		1

Discipline Consequences (2018-2019)

R.H. Dana Middle School ACTIONS X							2018-2019	
120 OFFICE REFERRALS		1 PENDING INCIDENT						
Actions							CSV	X
Action	Cost	Days/Assignment	Days	%	+ Assignments			
Restorative Consequence		 0.30	12.98	36			43	
Conference		 0.08	1.09	36			43	
Detention		 0.37	7.16	23			27	
Letter of Apology		 0.06	1.15	17			20	
Teacher Handled - No Administrative Action		0	0	14			17	
Out-of-School Suspension	Yes	 2.77	36.00	11			13	
Parent Letter Sent Home		 0.82	11.06	10			12	
Mediation		 0.05	0.53	9			11	
Parent Conference		 0.06	0.33	5			6	
Campus Beautification		 0.07	0.37	4			5	
Other Restriction (see comment box)		0.33	0.53	1			1	