

# COMPREHENSIVE SCHOOL SAFETY PLAN

School Name: Euclid Elementary School

Address: 1120 S Euclid Ave Ontario CA 91762

Phone: 909 984-5119

<https://www.omsd.net/Domain/18>

Website:

# **Ontario-Montclair School District**

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## I. THE COMPREHENSIVE SCHOOL SAFETY PLAN OVERVIEW

The comprehensive School Safety Plan (CSSP) is required by Education Code 32282-32289 to be reviewed and updated by March 1 annually and subsequently submitted for approval to the School Site Council (or School Safety Planning Committee) as well as to the district's governing board or county office of education. The contents of the CSSP should include at a minimum, information assessing the current status of school crime committed on school campus and at school-related functions, strategies and programs that provide or maintain a high level of school safety, and procedures for complying with existing laws related to school safety. For additional information on school safety programs, policies, or procedures please contact:

### A. Contact Information School Site Safety Planner:

<b>Name</b>	Michelle Singer
<b>Title</b>	Assistant Principal
<b>School</b>	Euclid Elementary
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<b>E-mail</b>	michelle.singer@omsd.net

### B. Prepared by:

**Title:** Assistant Principal

**Name:** Michelle Singer

### C. Reviewed and Approved by Superintendent or designee: Douglas S Jones Date:

	Date Approved	Authorized Representative Signature
<b>School Site Council</b>	February 23, 2022	
<b>Principal</b>	February 23, 2022	
<b>District Superintendent or Designee</b>		

### D. Evaluation of CSSP

An evaluation of the Euclid School Comprehensive School Safety Plan goals took place on 2/23/22.

### E. Date of Public Hearing

A hearing was held on 1/25/22 at the Cafecito with the Principal to obtain public input pursuant to EC 32288.

### F. Staff Notification

School Staff was advised of the updated school safety plan on 2/15/22 during a staff meeting. (EC 3594.2 (e)).

### G. CSSP for Public View

The most current copy of the school plan is available in the school office for public review.

## II. GENERAL SCHOOL INFORMATION

### A. School Profile

Euclid Elementary is located in the city of Ontario, CA.

**Student Enrollment** is over 614 from July 1, 2020 to June 30, 2021

**Ages:** 4-12

**Total Staff** (teaching and support): 40

Optional additional information such as School Awards or Recognition:

Euclid Elementary School is a Dual Immersion School. The Dual Immersion program is currently in K-3. Euclid is also a PBIS School with Gold and Community Cares Recognition.

### B. Safe School Mission

Students and staff will have a safe and secure campus where they are free from physical and psychological harm. The principal and staff are committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

### C. Description of School Facilities

Euclid Elementary is located on 1120 S Euclid Ave., Ontario, Ca 91762

The school is located on a block that is bordered by Euclid Ave on the East, Belmont Ave on the South Palm Ave on the West and Ralston Ave on the North. Housing surrounding Euclid Elementary is comprised of single family dwellings along with apartments and condominiums. The Euclid campus does not share property boundaries with any residences. The campus is fully enclosed with perimeter fencing. There are two points of entry for students at arrival located at the gates on Belmont Ave and on Ralston Ave. Kindergarten students use the gate on Belmont Ave for arrival and dismissal which is staffed by campus supervisors. When the initial school bell rings for instruction to begin, all gates are checked, closed, and locked. During instruction, there is a clear path leading visitors to the main office where they must sign in before entering any area of the campus. Visitors are required to sign in at the office before visiting any of the classroom and check in using the RAPTOR scanning system.

### D. School Site Council Membership

Education Code Section 32280 requires that the Comprehensive School Safety plan be reviewed and updated at least annually by the school site council. The 21-22 School Site Safety Council for Euclid School is comprised of the following individuals (EC 32281).

School Site Council Members	
Name	Title
Aide Esquivel	Principal
Rosa Bernal	Teacher
Nam De Silva	Parent
Evangelina Ramirez	Classified Employee
Randy Roman	Law Enforcement (Consult)

Campus Security Agent (Consult, optional)	
Margaret Johannsen	Teacher
Maria Soto	Parent
Perla Martinez	Parent
Lola Jollie	Teacher
Agueda Castillo	Parent

#### E. Required Notifications of Hearing

The following persons and entities were notified in writing of the public hearing concerning input on the Comprehensive School Safety Plan in accordance with California Education Code 32288. Check the boxes below to indicate who was notified.

X	Local Mayor
X	A representative of the local school employee organization
X	A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
X	A representative of each teacher organization at the school site
	A representative of the student body government
	All persons who have indicated that they want to be notified

#### F. Notice to Public (EC 32288 (b) (1))

The Comprehensive School Safety Plan prepared for the 21-22 school year was shared with

X	Parents at weekly orientations
X	School staff at weekly meetings
X	Communicated to the general public through the district website
X	Communicated to law enforcement agencies

#### G. Assurances

The school site council may include the following three essential components and/or strategies into this plan (AR 0450):

- Assuring each student a safe physical environment
- Assuring each student a safe, respectful, accepting and emotionally nurturing environment
- Providing each student resiliency skills

Evidence of these assurances is embedded throughout this school safety plan.

### III. ANNUAL SCHOOL SAFETY ASSESSMENT & GOALS

*The School Safety Planning Committee shall make an assessment of the current status of school crime committed on campus and at school-related functions and of appropriate strategies and programs that will provide or maintain a high level of school safety. (Ed. Code 32282)*

While the School Safety Planning Committee reviews school, district and community crime data trends such as the California Safe School Assessment, other data can bring value to the discussions. Such data may include:

- Mental Health Data
- State, District or Site Surveys (such as the Youth Risk Behavior Survey)
- Disciplinary Data
- Community Police Data

Data may be more valuable if disaggregated by gender, age, zip code, ethnicity, etc. Current trends should be reviewed as well.

**Based on data analysis**, the School Safety Planning Committee identifies one or two safety-related goals for the next school year as well as the strategies and/or programs that will be used to meet those goals. The objective is to provide meaningful goals in order to improve the campus climate.

The goals are reported, with the Safety Plan, to the Board of Trustees and are shared with the school staff and community. In order to keep the goals as a safety focus for the school year, it is recommended that meetings be held to review data and progress. The progress can be reported to the School Site Council, staff, parent groups and the Board of Trustees. The year-end assessment should be completed in May and reported upon.

#### A. Suspension and Expulsion Data

Year	2018-19	2019-20	2020-21
Suspensions	24	16	0
Expulsion	0	0	0

#### School Crime Status and Reporting

##### Site Crime Reporting Summary

Crime	2018-19	2019-20	2020-21
Assault With A Deadly Weapon	0	0	0
Battery	0	0	0
Burglary (Any \$ Amount)	0	0	0
Destructive/Explosive	0	0	0
Graffiti (\$120 or More)	0	0	0
Possession of Alcohol	0	0	0
Possession of Alcohol/Drugs for Sale	0	0	0



Crime	2018-19	2019-20	2020-21
Possession of Drugs	0	0	0
Possession of Paraphernalia	0	0	0
Possession of Weapons	0	0	0
Sale And/Or Furnishing of Alcohol/Drugs	0	0	0
Sex Offense (S)	0	0	0
Theft (\$50 Or More)	0	0	0
Use of Alcohol/Drugs	0	0	0
Vandalism (\$120 Or More)	0	0	0
<b>Total</b>	0	0	0

## B. Safety Plan Annual Assessment Goals

### 2021 -22

After analyzing data, resources, and desired areas of change, Euclid Elementary has determined that the following priorities for action are necessary to create a safe, secure campus and a positive learning environment emphasizing responsible and respectful behavior.

**Goal 1:** Continue Positive Behavior Intervention and Supports (PBIS) for the 21-22 school year for social/emotional and behavioral interventions and to support students in making positive choices.

#### Strategy 1.1:

Continue Positive Behavior Intervention and Supports (PBIS) for the 21-22 school year for social/emotional and behavioral interventions to support students in making positive choices.

#### Strategy 1.2:

PBIS explicit instruction about school wide behavioral expectations to include adult support. Recognitions such as PAW tickets to be used to reinforce positive behaviors. The Paw Store is open for students to utilize PAW tickets.

#### Baseline Data 1.1:

0 students were suspended for the 20-21 school year. That is a decrease from the previous school year, 19-20 which consisted of 16 suspensions.

#### Assessment 1.1:

Analyze Q, SWISS and ODR information and share with the staff and PBIS committee for review and support.

#### Assessment 1.2:

Analyze Office Discipline referrals (ODR) and conduct restorative practices. Communicate with parents to provide information on students behavior and provide support.

#### Assessment 1.3:

Reduction of ODR and MDR referrals given to students.

#### Assessment 1.4:

Reduction of ODR referrals leading to suspensions.

**Assessment Data 1.1:**

Reduce the amount of suspensions.

**Goal 2:** Maintain and increase a positive school climate to ensure student success and foster a positive connection to school which include parent involvement.

**Strategy 2.1:**

Continue PBIS education and parent involvement for all students at Euclid School by communicating with parents regarding student support, safety issues and existing protocols.

**Baseline Data 2.1:**

Parents inquire on how to support students at school and at home to make better choices.

**Assessment 2.1:**

Staff and administrative supervision before during and after school to monitor students and ensure safety.

**Assessment 2.2:**

Communication with parents and family to ensure support and understanding of expectations. Monthly meeting with parents, newsletters and the use of social media to reach a wider audience.

**Assessment 2.3:**

Parent training and support through parent meetings.

**Assessment Data 2.1:**

Increase parent communication to ensure a positive school climate.

**C. Safe School Survey**

What are Needs of School, Staff, and Students? Please check mark where appropriate.			
<i>Assure a Safe Physical Environment</i>			
	Improve safety of school grounds		Improve ingress/egress routes
X	Improve safety of buildings/classrooms		Improve safety of field/equipment
	Improve internal security	X	Prepare students and staff for crisis emergencies
X	Improve exterior and/or perimeter security		Prevent and reduce vandalism and graffiti
X	Improve dropping off/picking up students		Prevent weapons on campus
<b>Provide each Student with Resiliency Skills (Expectations, Caring and Participation) by enhancing:</b>			
	Community service opportunities	X	Problem solving skills
	Parent involvement		Autonomy (sense of self/identity)
	Alternatives to violence		Sense of purpose and future
X	Good Communication skills		Participation in academic activities
X	Character/value education		High academic self-expectations
	Social competence		Other: Asset Building
<b>Assure a Safe, Respectful Accepting, and Emotionally Nurturing Environment by promoting:</b>			

	Positive structure in classroom	X	Prevention and intervention strategies
X	Fair, consistent discipline and consequences	X	Anti-bullying/hazing
	Acceptance of diversity		Ongoing staff development
	Drug-Free school		Attendance enhancement
X	Parent Involvement		Gang suppression
	Nurture positive self-esteem	X	Effective teacher/student relationships
	High behavior expectations		Suicide prevention/response plans
X	Conflict resolution skills	X	Extra-curricular activities
	Anger Management		Student recognition
X	Personal and social responsibility		Supervision of students across all settings
	Collaboration among agencies, law enforcement and judicial system		Student support
	Participation in and collaboration of parents/students/community		Other

## IV. SCHOOL SAFETY PRACTICES, POLICIES AND PROCEDURES

### A. Child Abuse Reporting Procedures

**Ontario-Montclair SD  
Administrative Regulation  
Child Abuse Prevention And Reporting**

AR 5141.4

#### **Students**

#### Definitions

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

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1, which includes to knowingly download, stream, access through electronic or digital media a child engaged in an act of obscene sexual conduct.
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)  
  
(cf. 3515.3 - District Police/Security Department)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)  
  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5144 - Discipline)  
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)

(cf. 6142.7 - Physical Education and Activity)  
(cf. 6145.2 - Athletic Competition)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

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. (Penal Code 11166)

Reportable Offenses

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

Any mandated reporter who has knowledge of or who reasonably suspects that 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. (Penal Code 11166.05, 11167)

Any district employee 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. (Penal Code 152.3, 288)

Responsibility for Reporting

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

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

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

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

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

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 the appropriate agency any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

San Bernardino Child Protective Services (CPS)  
1-800-827-8724 or 909-384-9233

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

## 2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report to the appropriate agency, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

<http://caag.state.ca.us//childabuse/pds/ss8572.pdf>

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

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

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- 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. (Penal Code 11167)

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. (Penal Code 11167)

## 3. Internal Reporting

A mandated reporter must not be inhibited or impelled from immediate and direct reporting to appropriate agencies. The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal or acting principal or designee, 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 or acting principal or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal or acting principal or designee 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. (Penal Code 11166)

## Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees 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. (Education Code 44691; Penal Code 11165.7)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include 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. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

## Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent 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. (Penal Code 11174.3)

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

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

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

## Release of Child to Peace Officer

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

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

## Parent/Guardian Complaints

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 1312.3 - Uniform Complaint Procedures)

## 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. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

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

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. (Penal Code 11166.5)

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

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report 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. (Penal Code 11166)



**Ontario-Montclair SD**  
**Board Policy**  
**Child Abuse Prevention And Reporting**

BP 5141.4

**Students**

The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

**Child Abuse Prevention**

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

**Child Abuse Reporting**

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

District employees 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.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans  
33195 Heritage schools, mandated reporters  
33308.1 Guidelines on procedure for filing child abuse complaints  
44252 Teacher credentialing  
44691 Staff development in the detection of child abuse and neglect  
44807 Duty concerning conduct of students  
48906 Notification when student released to peace officer  
48987 Dissemination of reporting guidelines to parents  
49001 Prohibition of corporal punishment  
51220.5 Parenting skills education  
51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

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

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form: [http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway: <https://www.childwelfare.gov/can>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: April 23, 2015 Ontario, California

## **B. Notification of Dangerous Pupils**

### **Ontario-Montclair SD**

#### **Board Policy**

#### **Notification of Dangerous Pupils**

#### **Education Code**

#### **Providing information to teacher for students engaged in acts described in 48900**

EC 49079

- (a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.
- (b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity,
- (c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.
- (d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school year and each school year thereafter, the information provided shall be from the previous three school years.
- (e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

(Amended by Stats 2000, Ch. 345, Sec. 2)

#### **Reference:**

Education Code 48900

Education Code 48900.2

Education Code 48900.3

Education Code 48900.4

Education Code 48900.7

## **C. Employee Security**

### **Ontario-Montclair SD Board Policy Employee Security**

BP 4158

#### **Personnel**

The Board of Trustees desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of his/her duties. (Education Code 48904, 48905)

(cf. 3320 - Claims and Actions Against the District)

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

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee also shall inform teachers, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies)

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

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

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

#### Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

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

#### Legal Reference:

##### EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students

48201 Transfer of student records

48900-48926 Suspension or expulsion

49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

49330-49335 Injurious objects

##### CIVIL CODE

51.7 Freedom from violence or intimidation

##### CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety

##### GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

##### PENAL CODE

71 Threatening public officers and employees and school officials

240-246.3 Assault and battery, especially:  
241.3 Assault against school bus drivers  
241.6 Assault on school employee including board member  
243.3 Battery against school bus drivers  
243.6 Battery against school employee including board member  
245.5 Assault with deadly weapon against school employee including board member  
290 Registration of sex offenders  
601 Trespass by person making credible threat  
626-626.11 School crimes  
646.9 Stalking  
22810 Purchase, possession, and use of tear gas  
WELFARE AND INSTITUTIONS CODE  
827 Juvenile court proceedings; reports; confidentiality  
828.1 District police or security department, disclosure of juvenile records  
COURT DECISIONS  
City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Management Resources:

WEB SITES

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

California Department of Education, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/ls/ss>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: July 19, 2018 Ontario, California

## **D. Bully Prevention**

### **Ontario-Montclair SD Board Policy Bullying**

#### **BP 5131.2 Students**

##### **Bullying**

The Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

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

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

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

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

46600 Student transfers

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

#### PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety



## CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

## UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

## CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

## CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

## COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

## Management Resources:

## CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

## CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

### Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008  
Bullying at School, 2003

#### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California

K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

#### WEB SITES

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

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

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <https://www.partnerforchildren.org>

U.S. Department of Education: <http://www.ed.gov>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: February 6 ,2020 Ontario, California

## School Sites Bullying Policy

School-wide Positive Behavior Interventions and Support is a framework or approach of strategies and organizational systems for establishing a social culture, learning environment, and individual behavior supports needed to achieve academic and social success for all students.

Our purpose at Euclid Elementary School is for all members of our learning community, which includes our students, families and school staff, to be proactive in maintaining a positive academic learning environment. Our entire learning community will practice being safe, responsible, positive and respectful everyday by following our School-wide Behavioral Expectations:

School Wide Expectations

P- Positive Participation

A-Act Respectfully

W- Work Responsible

S- Safe Student

The goal of Euclid Elementary School is to improve classroom, school wide and community social climate. The students are explicitly taught the school-wide expectations through a Teaching Matrix.

All students will participate in the PBIS Launch that will occur in August. The students will be taught, explicitly, about our behavioral expectations and what PAWS looks like in each major common area of our campus. In addition to our school-wide behavioral expectations, PAWS, each grade level will have a Classroom Matrix that is aligned with PAWS and outlines the behavioral expectations (including routines and procedures) in the classroom.

Continue to follow the school wide campaign of see something, hear something, say something.

## **E. Hate-Motivated Behavior**

### **Ontario-Montclair SD Board Policy Hate-Motivated Behavior**

BP 5145.9  
Students

The Board of Trustees is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5131- Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5131.5 - Vandalism and Graffiti)  
(cf. 5136 - Gangs)  
(cf. 5137 - Positive School Climate)  
(cf. 5141.52 - Suicide Prevention)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

(cf. 1020 - Youth Services)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 1700 - Relations Between Private Industry and the Schools)  
(cf. 5148.2 - Before/After School Programs)

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 6142.3 - Civic Education)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6142.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

#### Complaint Process

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5144 - Discipline)

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

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

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

##### PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

##### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

##### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

##### CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
110.25 Prohibition of discrimination based on age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12  
Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Prohibited Disability Harassment, July 2000

WEB SITES

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

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

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

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <https://www.justice.gov>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: June 21, 2018 Ontario, California

## F. Safe Ingress/Egress

Identify evacuation routes and assembly location based on the potential school needs during an emergency. Check the boxes below to indicate your school's progress.

- |   |   |
|---|---|
| X | <b>On-Campus Evacuation/Assembly Location</b><br>Review your school site layout and determine where the safest outdoor location is on campus to assemble your students and staff. |
| X | <b>Off-Campus Evacuation/Assembly Location</b><br>Determine if there is a facility close to your school that can potentially house your staff and student body.                   |
| X | <b>Memorandum of Agreement</b><br>Establish a memorandum of agreement with the evacuation site(s).  |
| X | <b>Evacuation Routes</b><br>Include maps of evacuation routes for classrooms and all other buildings on campus.   |
| X | <b>Document</b><br>Document the Evacuation/Assembly locations in your School Emergency Response Plan.   |

### Supervision of Students

Each morning as students arrive on campus, (campus proctors / teachers/ administrators) are strategically assigned to designated areas to monitor activities; (administrators) circulate around the campus greeting and supervising students. The gates on Ralston Ave and Belmont Ave are used as entry points and are supervised by school staff. A gate on Belmont Ave is utilized for Kinder entry/exit and student entry and is supervised by school staff and proctor. During the lunch period, campus proctors/support staff or / administrators) provide student supervision. At the end of the day, administrators and assigned teachers share supervision on campus for the bus loading area and designated zones on campus to ensure students leave campus in a safe and orderly manner. A crossing guard is positioned at the intersection of Euclid Ave and Belmont Ave to assist students with crossing the street safely.

## **G. Visitor Management**

### **Ontario-Montclair SD Board Policy Visitors/Outsiders**

BP 1250  
Community Relations

The Board of Trustees believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

(cf. 1240 - Volunteer Assistance)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 6020 - Parent Involvement)

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1112 - Media Relations)

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)  
(cf. 3515.2 - Disruptions)

#### **Presence of Sex Offender on Campus**

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As



necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted.  
(Penal Code 626.81)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of Board of Trustees

35292 Visits to schools (board members)

49091.10 Parental right to inspect instructional materials and observe school activities

51101 Parent Rights Act of 2002

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders

626-626.10 Schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: January 19, 2017 Ontario, California

#### **H. Safe/Orderly School Environment**

School staff is committed to the safety and an orderly school environment. It is our priority. School recognizes that deeper learning cannot take place if behavior is inappropriate for a school setting. School has taken many steps to develop a positive school climate that promotes respect for diversity, social responsibility, and effective interpersonal and communication skills.

The following steps have been taken to promote a safe and orderly learning environment on campus:

**Parent & Student Handbook:** All students are given a Parent & Student Handbook. The handbook addresses student behavior expectations and consequences. Additionally, all staff members receive instruction on the school's handbook.

**Campus Supervision:** Staff members are assigned to supervise students at arrival, dismissal and class breaks. In addition, teachers and administrators monitor various areas and the hallways of the school before, during, and after school. Campus Security Agents and a School Resource Officer provide campus security and supervision when requested. Additionally, Campus Security Agents and the School Resource Officer are available to assist the school administration with investigations.

**Visitor Management:** The School uses a single point of entry for visitors and all visitors are required to register immediately upon entering the campus. Visitors are required to check into the front office. We utilize the RAPTOR system to check in any visitors.

**Campus Monitoring:** Video surveillance is used on campus for security and investigation purposes.

**Classrooms:** The classrooms are monitored for safety by the individual teacher and administration. Prior to each school year teachers conduct a Classroom Safety Assessment and report potential hazards.

**Emergency Response Protocols:** Our school uses the Standard Response Protocols which includes: Lock-down, Lockout, Evacuation, and Shelter In-Place. The utilization of Standard Response Protocols enables staff and students to learn and to follow specific directions without having to be familiar with extensive protocols for multiple emergency situations.

**Site Administrators:** Site administrators contribute to a positive school climate, promote positive student behavior, and help reduce inappropriate conduct. The principal/designee uses available options to include counseling, interventions, and school discipline to create a safe school environment.

## **I. Bus Conduct**

### **Ontario-Montclair SD Board Policy Administrative Regulation Bus Conduct**

AR 5131.1

#### **Students**

Because school bus passengers' behavior can directly affect their safety and the safety of others, the following regulations apply at all times when students are riding a school bus, including school activity trips.

1. Riders shall follow the instructions and directions of the bus driver at all times.

(cf. 3542 - School Bus Drivers)

2. Riders should arrive at the bus stop on time and stand in a safe place to wait quietly for the bus.
3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. Riders shall remain seated while the bus is in motion and shall not obstruct the aisle with their legs, feet, or other objects. When reaching their destination, riders shall remain seated until the bus stops and only then enter the aisle and go directly to the exit.
5. Riders should be courteous to the driver and to fellow passengers.
6. Because serious safety hazards can result from noise or behavior that distracts the driver, loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing and changing seats are prohibited actions which may lead to suspension of riding privileges.
7. No part of the body, hands, arms or head should be put out of the window. Nothing should be thrown from the bus.
8. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
9. No animals shall be allowed on the bus without express permission from the principal or designee.
10. Riders should be alert for traffic when leaving the bus.

Riders who fail to comply with the above rules shall be reported to the school principal, who shall determine the severity of the misconduct and take action accordingly. In all instances of misconduct, the rider and his/her parent/guardian shall be given notice and warning. In the case of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined by the principal, up to the remainder of the school year.

Bus drivers shall not deny transportation except as directed by the principal.

#### **Video Camera Surveillance**

The Superintendent or designee shall supervise the use and maintenance of video cameras.

Students and staff shall not tamper or interfere with video camera equipment on school buses.

Camera supports shall be installed in all buses, and cameras shall be rotated among the buses and activated at the discretion of the Superintendent or designee.

The Superintendent or designee shall notify students, parents/ guardians and staff that video surveillance may occur on any school bus and that video recordings may be used in student disciplinary proceedings. This notification shall include a copy of the district's policy and regulation on bus conduct. In addition, a prominent notice shall be placed in each bus, stating that the bus is equipped with a video monitoring system.

The Superintendent or designee shall routinely review videotapes taken on school buses and shall document any evidence of student misconduct. Two weeks after this review, the Superintendent or designee may erase any tapes that do not show incidents of misconduct.

Tapes retained as part of an individual student's disciplinary record shall be maintained in accordance with law and Board policy governing the access, review and release of student records. Tapes retained as part of an expulsion record are nonprivileged, disclosable public records pursuant to Education Code 48918.

(cf. 5125 - Student Records)

Videotapes may be viewed by persons other than the Superintendent or designee under the following conditions:

1. When student misconduct is revealed as a result of a school bus videotape or reported to the Superintendent or designee by a student, staff member or parent/guardian, students involved in the incident and their parents/guardians may ask the Superintendent or designee for an opportunity to view the videotape.
  - a. Requests for viewing must be made within five school days of receiving notification that misconduct occurred.
  - b. A viewing shall be provided or denied within five days of the request.
  - c. Viewing will be limited to those frames containing the incident of misconduct.
2. Bus drivers and school administrators may ask to view a videotape in order to observe a specific problem and work toward its solution.
3. Viewing shall occur only at a school-related site and in the presence of the Superintendent or designee.
4. All persons who view a tape shall be identified in a written log.

Regulation      ONTARIO-MONTCLAIR SCHOOL DISTRICT  
approved: November 19, 1998   Ontario, California

## **J. Nondiscrimination/Harassment**

Euclid School provides a set of expectations and teaches the expectations to create a safe school environment for students, staff and parents. Students will have equal access to academics, programs, services and activities.

### **Ontario-Montclair SD Board Policy Nondiscrimination/Harassment**

#### **BP 5145.3**

#### **Students**

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Board of Trustees desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of

unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

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

(cf. 5144 - Discipline)

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

49060-49079 Student records

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

##### CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

##### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

##### PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130



## Management Resources:

### CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017

### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

### FIRST AMENDMENT CENTER PUBLICATIONS

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

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, (2013) OCR 09-12-1020, DOJ 169-12C-70

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

### U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003

### WEB SITES

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

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

California Office of the Attorney General: <http://oag.ca.gov>

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

### Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: October 1, 2020 Ontario, California

**Ontario-Montclair SD**  
**Board Policy**  
**Administrative Regulation**  
**Nondiscrimination/Harassment**

AR 5145.3  
Students

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Director I

950 W "D" St.

Ontario, CA 91762

(909) 418-6477

[steve.garcia@omsd.net](mailto:steve.garcia@omsd.net)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) web site

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

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

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

#### Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 – Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true (cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

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

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

#### Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

#### Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity. Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender assigned at birth. The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable

3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and

providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sexsegregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents governmentissued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress and Grooming)

Regulation ONTARIO-MONTCLAIR SCHOOL DISTRICT

approved: October 1, 2020 Ontario, California

## **K. Uniform Complaint Procedures**

### **Ontario-Montclair SD Administrative Regulation Uniform Complaint Procedures**

AR 1312.3

#### **Community Relations**

Except as the Board of Trustees may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

#### **Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 –

Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

#### **Director**

#### **Child Welfare, Attendance & Records**

950 West D Street,

Ontario, CA 91762

909-418-6477

[steve.garcia@omsd.net](mailto:steve.garcia@omsd.net)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of 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 Superintendent or designee 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.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

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 or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, 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 the district issues its final written decision, whichever occurs first.

#### Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1) In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

(5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 5145.6 - Parental Notifications)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities

4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred

5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision

9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable

10. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

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 the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's 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, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

## 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, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or 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. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that 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. (5 CCR 4630)
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 not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

## Mediation

Within three business days after receiving the complaint, the compliance officer 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 an investigation of the complaint.

The use of mediation shall not extend the district's 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 the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### 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 the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with 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. The compliance officer 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 district's investigator 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 district's investigator 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. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district 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. (5 CCR 4631)

### Timeline for Final Decision

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

(cf. 9321 - Closed Session)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

#### Final Written Decision

For all complaints, the district's final written decision shall include: (5 CCR 4631)

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 size of the school, 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 the district'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.

In consultation with district 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 district's 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 is enrolled in 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 pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

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. The complainant may pursue available civil law remedies outside of the district'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. (Education Code 262.3)
- 2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)

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 at [www.ed.gov/ocr](http://www.ed.gov/ocr) 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. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

(cf. 5137 - Positive School Climate)

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

(cf. 6164.2 - Guidance/Counseling Services)

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 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

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law

(cf. 5144 - Discipline)

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

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

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

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

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district 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. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's 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 the district's decision in that complaint. (5 CCR 4632)

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

Upon notification by CDE that the district's decision has been appealed, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

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 district, 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 investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's UCP
7. Other relevant information requested by CDE

## Health and Safety Complaints in California State Preschool Program

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint and shall contain a space to indicate whether the complainant desires a response to the complaint. If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8235.5)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting. (Education Code 8235.5)

A complainant may file a written appeal of the district's decision to CDE in accordance with 5 CCR 4632. (Education Code 8235.5)

Any such appeal shall be filed within 30 days of receiving the decision.

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools.

## Regulation ONTARIO-MONTCLAIR SCHOOL DISTRICT

approved: October 1, 2020 Ontario, California

## **L. Discipline: Suspension & Expulsion Policies**

### **Ontario-Montclair SD Board Policy**

#### **Suspension And Expulsion/Due Process**

BP 5144  
Students

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)  
(cf. 5131.1 - Bus Conduct)  
(cf. 5131.2 - Bullying)

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

Except when otherwise permitted by law, a student may be suspended or expelled only when the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

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

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

#### **Appropriate Use of Suspension Authority**

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student in grades K- 8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

#### Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

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

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have

the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

#### Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

#### Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

#### Legal Reference:

#### EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated application

## CIVIL CODE

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48.8 Defamation liability

## CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

## GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

## HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

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## LABOR CODE

230.7 Employee time off to appear in school on behalf of a child

## PENAL CODE

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240 Assault defined

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242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

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261 Rape defined

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422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

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

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

#### WELFARE AND INSTITUTIONS CODE

729.6 Counseling

#### UNITED STATES CODE, TITLE 18

921 Definitions, firearm

#### UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun-free schools

#### UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

#### COURT DECISIONS

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

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

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

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

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

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

#### ATTORNEY GENERAL OPINIONS

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

80 Ops.Cal.Atty.Gen. 348 (1997)

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

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

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

## WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students:  
<http://www2.ed.gov/about/offices/list/oese/oshs>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: July 2, 2020 Ontario, California



## **School Site Specific Rules and Procedures on School Discipline**

### **Positive Behavior Interventions and Supports (PBIS)**

School-wide Positive Behavior Interventions and Support is a framework or approach of strategies and organizational systems for establishing a social culture, learning environment, and individual behavior supports needed achieve academic and social success for all students.

Our purpose at Euclid Elementary School is for all members of our learning community, which includes our students, families and school staff, to be proactive in maintaining a positive academic learning environment. Our entire learning community will practice being safe, responsible, positive and respectful everyday by following our School-wide Behavioral Expectations:

#### **School Wide Expectations**

P- Positive Participation

A- Act Respectfully

W- Work Responsible

S- Safe Student

The goal of Euclid Elementary School is to improve classroom, school wide and community social climate. The students are explicitly taught the school-wide expectations through a Teaching Matrix. All students will participate in the PBIS Launch that will occur in August. The students will be taught, explicitly, about our behavioral expectations and what PAWS looks like in each major common area of our campus. In addition to our school-wide behavioral expectations, PAWS, each grade level will have a Classroom Matrix that is aligned with PAWS and outlines the behavioral expectations (including routines and procedures) in the classroom.

#### **Incentives**

Students may receive the following incentives for being a PAWS-itively GREAT Jag!

Students who follow behavioral expectations will receive daily, biweekly, and monthly recognition in the form of certificates, morning announcements, Jag PAWS, surprise principal lunches, PAWS tickets, shopping trips in our PBIS Store, extra recess, etc.

#### **Tier I: Citations: Minor Discipline Referrals (MDRs)**

##### **Major Office Discipline Referrals (ODRs)**

Euclid Elementary School uses citations (MDRs and ODRs) as part of the school's comprehensive discipline plan and our way to effectively ensure due process in a progressive manner. The citation process is described below.

**Purpose:** The citation is used to monitor and communicate a student's choice of inappropriate behavior to the parent/guardian.

#### **Steps:**

1. Student receives a citation (Minor Discipline Referral-MDR, which identifies the appropriate consequence for the behavior, i.e.: warning, loss of recess, detention, etc.)
2. Citation is recorded in Q and SWISS. Student takes citation home to be signed by parent.
3. The signed citation must be returned to the classroom teacher the next school day. If the citation is not returned, the students will be asked to call home and will serve extra detention if the citation is not returned the next school day.
4. Parents may be contacted to pick up their student from school and/or to be with the student in the classroom with Administration support.

#### **Tier II Interventions**

- When a child receives 3 citations in any one trimester, s/he will receive an Office Discipline Referral (ODR), and the student will have a meeting with administrators and utilize Restorative Practices. When a child receives over three (3) MDRs in a given trimester, they are a candidate for Tier II interventions.

### Check-In/Check-Out System (CICO)

#### Rational

- Improves student accountability
- Increases structure
- Improves student behavior and academics when other interventions have failed
- Provides feedback and adult support on a daily basis
- Improves and establishes daily home/school communication and collaboration
- Improves student organization, motivation, incentive, and reward
- Helps students to self-monitor and correct
- Internalizes success and accomplishment of goals
- Students get involved and excited about the program, enjoying the structure, support, and incentives of the intervention
- Leads to maintenance free responsible behaviors, habits, and effort

### Campus Mentors

#### Our Referral Process

We offer services with our Campus Mentor on a regular basis. This includes both individual and group setting meetings that help connect, encourage and motivate your children. If your child is a candidate to receive these services, then an administrator will schedule a conference to discuss the benefits with you and a permission slip will be signed before services commence.

In addition, your child's teacher may recommend that your child receive these services through our Referral Process. Teachers may contact our Campus Mentor with a request. The parent will then be contacted for a meeting to explain the reason and procedure for beginning services.

### Trimester 3 PBIS System

This accountability system is put in place immediately after Trimester 2, for fourth-sixth grade students.

The parent/guardian will receive a Trimester 3 PBIS System letter. Parent will sign the letter and return it to school with their student. Each student starts the third trimester with a clean slate with all End-of-the-Year privileges in place. If behavioral expectations are not followed, students will lose privileges as follows:

1. Students who are sent to the principal's office (ODR) may be issued Trimester 3 warning as well as the appropriate consequence (citation, detention, suspension).

2. The following is a list of additional consequences for receiving a Trimester 3 warning by grade level:

#### 4th and 5th grade:

- 1st Offense = warning with consequence (e.g. detention, campus beautification, etc.)
- 2nd Offense = lose the privilege of going to a school-wide event
- 3rd Offense = lose the privilege of attending end of year activities in the classroom

#### 6th grade:

- 1st Offense = warning with consequence (e.g. detention, campus beautification, etc.)
- 2nd Offense = lose the privilege of participating in a school-wide event
- 3rd Offense = lose the privilege of attending the end of year field trip and any end of year parties

- 4th Offense = lose the privilege of participating in 6th grade Promotion.

#### Parent Steps

1. Discuss the problem behavior with student.
2. Sign the MDR/ODR citation and return to homeroom teacher on the next school day. Parent may include comments, ask questions, or schedule a conference.
3. Asked to attend a meeting with an administrator as necessary.

The student's teacher, the school's Outreach Consultant, Campus Mentors and school administrators (PBIS Team) will monitor citations.

### **Ontario-Montclair SD Board Policy Suspension And Expulsion/Due Process**

AR 5144.1  
Students

#### Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910 Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

#### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion: Grades K-8

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-8.

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

(cf. 5131.62 - Tobacco)

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

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

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

12. Possessed an imitation firearm (Education Code 48900(m))

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. (Education Code 48900(m))

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

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

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

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is

officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-8," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. 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.

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: (Education Code 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property (Education Code 48900.7) A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$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. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-8

A student in grades 4-8 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

#### Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-8" above or for disruption or willful defiance at any grade level, including grades K-8. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

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

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

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

#### Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

#### Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence. (Education Code 48911)

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

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

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

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

In addition, the notice may state the date and time when the student may return to school.

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

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school.

#### Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K- 8" and "Additional Grounds for Suspension and Expulsion: Grades 4-8 (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

(cf. 9321 - Closed Session)

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



## On-Campus Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

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

## Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication or other medication prescribed by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

## Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

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

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

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board

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

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

#### Stipulated Expulsion

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and parent/guardian shall be effective upon approval by the Board.

#### Rights of Complaining Witness

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

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

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

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

#### Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

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

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

Nonattorney 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 student's parent/guardian to provide assistance at the hearing.

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

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

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

#### Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

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

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

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

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

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

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

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-8," "Additional Grounds for Suspension and Expulsion: Grades 4-8," (Education Code 48918(h))

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

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person who is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
- (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
    - (b) Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

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

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

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

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

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

d. The person presiding over the hearing may remove a support person who is disrupting the hearing.

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

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

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

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

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

(3) The person conducting the hearing may:

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

(b) Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board

may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

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

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

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

#### Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-8," "Additional Grounds for Suspension and Expulsion: Grades 4-8," (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

#### Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-8," "Additional Grounds for Suspension and Expulsion: Grades 4-8,"

above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

### Appeal

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

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

### Notification to Law Enforcement Authorities

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

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

### Placement During Expulsion

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

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only

acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

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

#### Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

#### Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

Regulation ONTARIO-MONTCLAIR SCHOOL DISTRICT

approved: July 2, 2020 Ontario, California



## **M. Search and Seizure**

### **Ontario-Montclair SD Board Policy Search And Seizure**

BP 5145.12  
Students

The Board of Trustees is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items.

(cf. 5145.11 - Questioning and Apprehension)

The Board of Trustees urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

#### **Individual Searches**

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or district property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

(cf. 5145.11 - Questioning and Apprehension)

#### **Student Lockers**

Because lockers are under the joint control of the student and the district, school officials shall have the right and ability

to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis, with students standing by their lockers or desks. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned.

#### Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors at district schools as necessary to help provide a safe learning environment. He/she shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

#### Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy.

The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent.

#### Legal Reference:

##### EDUCATION CODE

32280-32289 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

48900-48927 Suspension and expulsion

49050-49051 Searches by school employees

49330-49334 Injurious objects

##### PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor

##### CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

##### COURT DECISIONS

Redding v. Safford Unified School District, (9th Cir. 2008) 531 F.3d 1071

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

Jennings v. Joshua Independent School District, (5th Cir. 1989) 877 F.2d 313

O'Connor v. Ortega, (1987) 480 U.S. 709

New Jersey v. T.L.O., (1985) 469 U.S. 325

Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470

Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

##### ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2001)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

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

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

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

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: September 3, 2009 Ontario, Montclair

## **N. Schoolwide Dress Code and Grooming Code**

### **Ontario-Montclair SD Board Policy Dress And Grooming**

BP 5132  
Students

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

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

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

## Gang-Related Apparel

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment.

The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

## Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

## Legal Reference:

### EDUCATION CODE

212.1 Nondiscrimination based on race or ethnicity

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

### COURT DECISIONS

Jacobs v. Clark County School District (2008) 26 F. 3d 419

Harper v. Poway Unified School District (2006) 445 App. 3d 166

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

827 F.Supp. 1459

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

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

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

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: February 6 ,2020 Ontario, California

## School Dress Code

All shirts must meet the following criteria:

Red, White, or Navy Blue...Must have a collar...Long or short sleeve...Solid colored without logos.

School t-shirts can be worn at any time. Red shirts can only be worn on Spirit Fridays. White undershirts can only be worn under the collared uniform shirts.

Shirts worn under the uniform shirt must also be one of the uniform colors.

Pants, shorts, skirts & dresses must meet the following criteria:

Boys and girls must wear pants, shorts, skirts, and dresses in solid Navy Blue or Khaki colors only. Dark blue jeans are ok. All clothing must be solid-colored without visible logos. Athletic pants/shorts, sweats, leggings, ripped jeans/pants, or stretchy pants are not uniform pants. Tights and leggings can be worn only with skirts, or dresses— must be white, navy blue, or red. Stripes, polka dots, or other decorative tights or socks are not permitted and may not be worn at school. No holes or ripped pants are allowed.

Jackets and Sweaters must meet the following criteria:

Jackets must be one of the following solid colors: red, navy blue, white, grey, khaki, or black.

They must be solid colors.

Pull over and Zip Up hoodies are allowed in one of the following colors: red, navy blue, white, grey, or black.

Jackets not following uniform policy will not be allowed to be worn on campus, parents will be notified and students will receive a uniform citation.

Athletic shorts or pants are not part of the uniform even on P.E. days. If students report to school with this attire, parents will be called to bring a change of clothes.

Parents have the primary responsibility to see that students are properly attired for school. We are asking your cooperation regarding conformity to the following dress guidelines:

1. Properly sized shoes must be worn at all times. Open-toed shoes, flip flops or sandals are not acceptable. Shoes must be securely fastened.
2. Hats may be worn as protection against the sun when out of doors at or above 95 degrees. Approved caps must be worn with the brim facing forward at all times.
3. Clothes shall be sufficient to conceal undergarments at all times. Extremely tight garments, see-through or fishnet fabrics, halter tops, off the shoulder, or low-cut tops, ripped jeans, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
4. Clothing must fit properly. Extremely baggy, loose fitting garments are not allowed and pants cannot sag below the waist or drag on the ground.
5. Clothing, jewelry, and personal items (hats, backpacks, etc.) shall be free of writing, pictures, or any other insignia which are gang-related, crude, vulgar, profane, or sexually suggestive, which bear drug, alcohol or tobacco company advertising, and likenesses or which advocate racial ethnic or religious prejudice.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet. Hair coloring, if worn, must be the color of natural hair (no bright, unnatural color). Any hairstyle that causes substantial distraction is not permitted. This will be at the discretion of the administration.
7. Tattoos are to be covered at all times.
8. No makeup is allowed to be worn during the instructional day.
9. No acrylic or fake nails are permitted; these are strictly prohibited. Acrylic nails pose serious safety concern for both other students and the individual.
10. Only prescription sunglasses will be allowed.
11. Gang attire of any kind is strictly prohibited.
12. Earrings, chains or other jewelry that may present a safety hazard, are not suitable for school wear. These include but are not limited to dangling hoop earrings larger than ½ inch circumference, facial piercings, and elongated pointed earrings that protrude from the ear.





## **O. Nondiscrimination in District Programs & Activities**

### **Ontario-Montclair SD**

#### **Board Policy**

#### **BP 0410**

#### **Philosophy, Goals, Objectives and Comprehensive Plans**

### **Nondiscrimination In District Programs And Activities**

The Board of Trustees is committed to providing equal opportunity for all individuals in district programs and activities. District 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.

(cf. 1240 - Volunteer Assistance)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

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

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

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district 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 the district 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.

(cf. 3540 - Transportation)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district'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 the district. The notification shall also be posted on the district's web site and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

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

(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7) The district's 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

District 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 district 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.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district 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 district and school web sites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent 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.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's 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 district programs, services, activities, or facilities.

Child Welfare, Attendance, and Records, Director

950 West D Street, Ontario, CA 91762

(909) 459-2500

[info@omsd.net](mailto:info@omsd.net)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48980 Parental notifications

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

8310.3 California Religious Freedom Act

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

## CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

## UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

## UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

## UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

## CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

## CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

## CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

## CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in

Responding to Immigration Issues, April 2018

## CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter, May 26, 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Nondiscrimination in Employment Practices in Education, August 1991

## U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

## WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

## WEB SITES

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

California Office of the Attorney General: <http://oag.ca.gov>

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

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

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

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

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

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

## Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: June 21, 2018 Ontario, California



## **P. Emergencies and Disaster Preparedness Plan**

### **Ontario-Montclair SD**

#### **Board Policy**

#### **Emergencies And Disaster Preparedness Plan**

BP 3516

#### **Business and Noninstructional Operations**

The Board of Trustees recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

(cf. 0400 - Comprehensive Plans)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, district police or security officers, facilities managers, transportation managers, food services personnel, school psychologists, counselors, school nurses, teachers, classified employees, and public information officers. As appropriate, he/she shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3513.3 - District Police/Security Department)

The plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management System.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff's responsiveness in the event of an emergency.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services the district may deem necessary to meet the community's needs. (Education Code 32282)

(cf. 1330 - Use of School Facilities)

District employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

#### Legal Reference:

##### EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

##### CIVIL CODE

1714.5 Release from liability for disaster service workers and shelters

##### GOVERNMENT CODE

3100-3109 Public employees as disaster service workers; oath or affirmation

8607 Standardized emergency management system

##### CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath or affirmation

##### CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

##### CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

##### UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Crisis Response Box, 2000

##### CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS

Active Shooter Awareness Guidance, February 2018

State of California Emergency Plan, 2017

School Emergency Response: Using SEMS at Districts and Sites, June 1998

##### FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS

National Incident Management System, 3rd ed., October 2017

##### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guide for Developing High-Quality School Emergency Operations Plans, 2013

##### WEB SITES

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

American Red Cross: <http://www.redcross.org>

California Attorney General's Office: <https://oag.ca.gov>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

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

Federal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning: <http://www2.ed.gov/admins/lead/safety/crisisplanning.html>

U.S. Department of Homeland Security: <http://www.dhs.gov>



Policy    ONTARIO-MONTCLAIR SCHOOL DISTRICT  
adopted: July 19, 2018   Ontario, California

## **V. STANDARDIZED EMERGENCY OPERATIONS PLAN**

### **A. Levels of Emergencies**

Emergencies are described in terms of the following three levels:

**Level 1-** A minor to moderate emergency, which district/support sites personnel can handle by following planned day-to-day emergency procedures. Local emergency responders, e.g., police, fire/rescue, and emergency medical agencies, are available as needed. Can require staff to be put on alert, rerouted to other than their normal working area, or to work additional shifts. (Government Code 3100)

**Level 2-** A moderate to severe emergency somewhat beyond the response capability of the district/support sites personnel. Can require mutual aid assistance from other sites. Response from police, fire/rescue, and emergency medical agencies may be delayed and/or at reduced staffing levels. Can require staff to be put on alert, rerouted to other than their normal working area, or to work additional shifts.

**Level 3-** A major disaster clearly and immediately beyond the response capability of sites and district personnel. Large amounts of mutual aid assistance will be required, recovery time will be extensive, and the cost will be great. Response from police, fire/rescue, and emergency medical agencies will be seriously delayed and/or at reduced staffing levels.

### **B. Disaster Service Workers, California Government Code 3100**

Public employees are disaster service workers, subject to such disaster service activities as may be assigned to them by their superiors or by law. The term “public employees” includes all persons employed by the state or any other county, city, state agency or public district, excluding aliens legally employed.

#### **Disaster Service Act, California Government Code 8550-8551**

This code ensures preparations within the state will be adequate to deal with emergencies and covers use of all available manpower to be used when necessary as Disaster Service Workers.

### **C. National Incident Management System (NIMS)**

Since school districts are an integral part of local government, their use of SEMS/NIMS should be achieved in close coordination with other components of the local government.

School districts are not traditional response organizations and typically are recipients of first responder services provided by fire and rescue, emergency medical and law enforcement agencies.

This traditional relationship should be acknowledged in achieving SEMS/NIMS compliance within an integrated local government plan for SEMS/NIMS compliance.

School district participation in the local government’s SEMS/NIMS preparedness program is essential to ensure that first responder services are delivered to schools in a timely and effective manner.

#### D. FEMA Standardized Training Requirements School Staff

The National Incident Management System places requirements for standardized training in courses on NIMS and ICS. School staff should be trained according to their responsibilities during an emergency or disaster. Staff members who may be considered emergency personnel should complete FEMA ICS100, ICS200, and IS700 courses at a minimum.

FEMA REQUIRED TRAINING	
GENERAL ROLE	CRITICAL ROLE
Personnel with any role in emergency preparedness, incident management, or response should complete the following TWO course: <ul style="list-style-type: none"><li>• IS- /ICS -100 An Intro to the Incident Command System</li><li>• IS-/ICS- 700 An Intro to the National Incident Management System (NIMS)</li></ul>	Emergency management personnel with a <i>critical</i> role in response should complete the following four courses, at a minimum: <ul style="list-style-type: none"><li>• <i>IS-/ICS-100 An Introduction to ICS</i></li><li>• <i>IS-/ICS-700 NIMS, An Introduction</i></li><li>• <i>IS-/ICS-800.B National Response Framework, An Introduction</i></li><li>• <i>IS-/ICS-200 ICS for Single Resources and Initial Action Incidents</i></li></ul>
<b>NOTE:</b> Depending on the school and campus, general incident personnel may include: <ul style="list-style-type: none"><li>• Nurses and Health Officials</li><li>• School Security Officers</li><li>• Counselors, Psychologists, Psychiatrists</li><li>• Technology Specialists</li><li>• Facilities Staff</li><li>• Food Preparation Staff</li><li>• Administrators</li><li>• Educators/Faculty</li><li>• Coaches and Athletic Staff</li><li>• Resource staff, paraprofessionals, and support personnel</li></ul>	<b>NOTE:</b> Depending on the school and campus, this may include the following personnel: <ul style="list-style-type: none"><li>• School Emergency Response Team members</li><li>• Institution President</li><li>• Superintendents</li><li>• Senior Security Staff</li><li>• Public Relations</li><li>• Principals and Asst. Principals</li><li>• Facilities Staff</li></ul>

#### E. Incident Command System Organization

The Incident Command System, or ICS, is a standardized, on-scene, all-hazard incident management concept. ICS allows its users to adopt an integrated organizational structure to match the complexities and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS has considerable internal flexibility. It can grow or shrink to meet different needs. This flexibility makes it a very cost effective and efficient management approach for both small and large situations.

ICS consists of procedures for controlling personnel, facilities equipment, and communications. It is a system designed to be used or applied from the time the incident occurs until the requirement for management and operations no longer exists.

#### F. Emergency Teams

During and after an emergency, the district/support sites Emergency Teams are essential to ensure that everything possible is being done to save lives, prevent injuries, and protect property.

The Emergency Response Teams outlined in this plan are:

- Incident Commander
- Operations & Intelligence
- Planning
- Logistics
- Finance

### **Incident Commander**

At the district/support sites, this function provides a centralized point of direction and coordination of the emergency response. This function also includes activities related to the overall management of the emergency response (i.e., public information, liaison, etc.) The Incident Commander is the “decision-maker” for the district/support sites and in large emergencies the school sites. At the district level, this function includes setting policy.

- **Public Information officer:** is responsible for developing and releasing information about the incident to the news media or to other appropriate agencies and organizations.
- **Safety Officer:** is to develop and recommend measures for assuring personnel safety, and to assess and/or anticipate hazardous and unsafe situations.
- **Liaison Officer:** serves as the point of contact for any assisting and cooperating agency representatives (fire, law enforcement, Red Cross, etc.).

### **Operations Section**

At the district/support sites level, this function includes all activities related to meeting immediate response need (i.e., search and rescue, first aid, etc.). When it is at site or district level, the Operations Section is responsible for the coordination of resources to meet immediate response needs.

- *Campus Check & Security Team* – two teams of two facilities people.
- *Search and Rescue Teams* – two or three teams of two people.
- *Medical/First Aid Team* – school nurse, health assistant, if possible, and two others.

### **Planning and Intelligence Section**

This function gathers information, assesses the situation and anticipates changes. Individuals assigned to this function are the “thinkers”. They prepare situation reports and provide them to staff, organize periodic briefings, develop action plans and manage status boards. The Planning Section collects, evaluates, processes, and disseminates information for use at the incident.

- *Resources Unit* – responsible for recording the status of resources committed to the incident. The unit also evaluates resources currently committed to the incident, the impact that additional responding resources will have on the incident and anticipated resource needs.
- *Situation Unit* – responsible for the collection, organization and analysis of incident status information, and for analysis of the situation as it progresses.
- *Documentation Unit* – responsible for collecting, recording and safeguarding all documents relevant to an incident or within an EOC.
- *Demobilization Unit* – responsible for assuring orderly, safe and efficient demobilization of incident or EOC assigned resources.

### **Logistics Section**

They will secure supplies, personnel, and equipment as well as take care of the necessary transportation, staging and lodging of resources.

- *Supply Unit* – responsible for the ordering, receiving and storing of equipment and supplies.
- *Facilities Unit* – the facilities may include the Incident Base, feeding areas, sleeping areas, sanitary facilities, etc.
- *Mobile Command Center Unit* – a Mobile Command Post (MCP) on wheels with capabilities of communication/direction and to safely retreat when the disaster situation moves in too close for safety.
- *Communications Unit* – responsible for providing communication services at an incident.
- *Food Unit* – coordinated feeding requirements at all incident facilities.

- *Medical Unit* – responsible for development of the Medical Emergency Plan, and for providing emergency medical treatment of incident personnel.

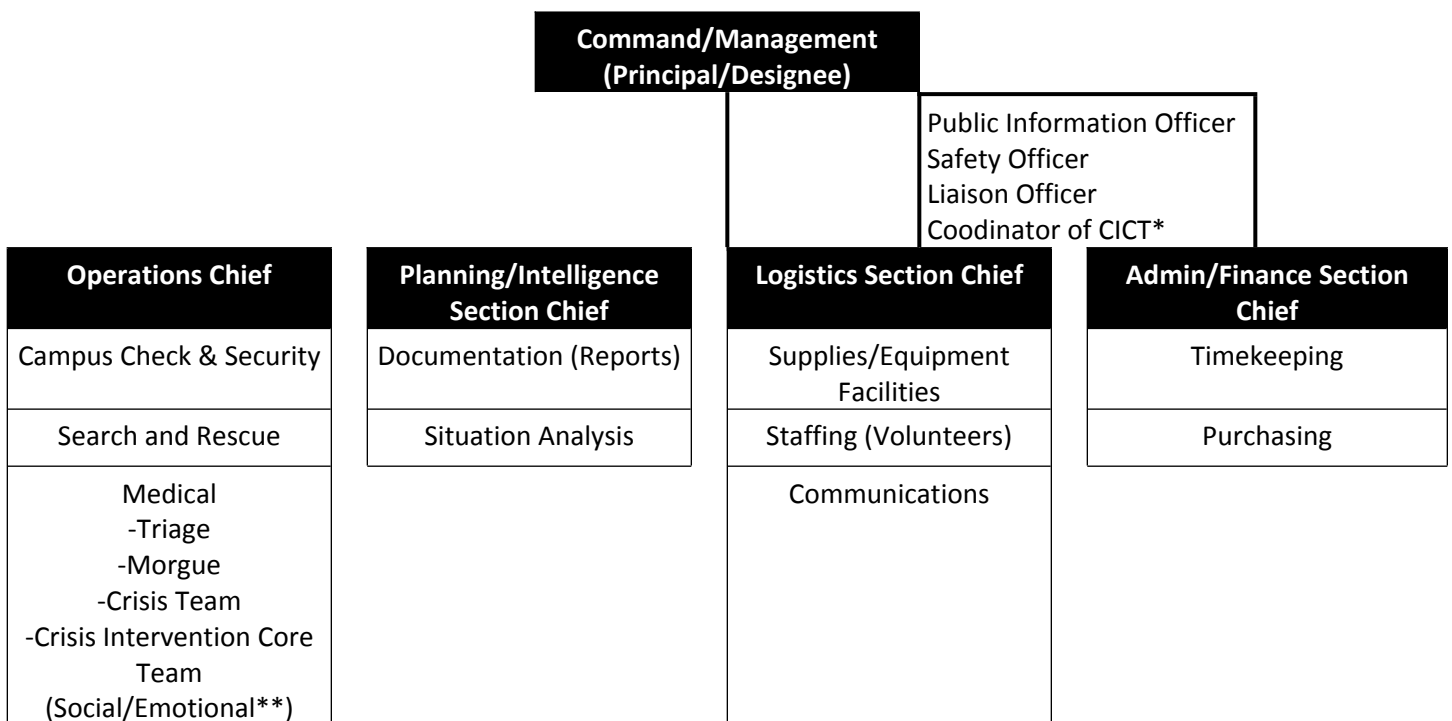
### Finance and Administration Section

At the school site level, this function is responsible for keeping comprehensive financial records and tracking the cost of the emergency for possible reimbursement from FEMA. At the district level, this function oversees purchases and payments.

### G. District Emergency Operation Center

The EOC Director or Designee will activate the District’s Emergency or Crisis Plan in a major disaster or when an emergency exists or threatens to exist that may impact the safety and well-being of employees and surrounding community. Depending on the nature and scope of the emergency, the Superintendent/Administrator or Designee may appoint Section Chiefs to oversee the four other functions: *Planning, Operations, Logistics, and Finance/Administration*.

### H. School District or Support Site Emergency Response Team Chart



\*The mental health officer reports to Command/Management

\*\*Crisis Intervention Core Team (Social/Emotional) is under Operations Chief and will continue through the recovery period,

### I. School Coordination with Local Emergency Response Agencies

An incident is an occurrence, caused by either humans or natural phenomena that requires response actions to prevent or minimize loss of life or damage to property and/or the environment. Given the magnitude of the types of events, it is not always possible for any one agency alone to handle the management and resource needs. Partnerships are often required among local, State, Tribal, and Federal agencies. These partners must work together in a smooth, coordinated effort under the same management system.

## VI. STANDARD RESPONSE PROTOCOLS

### Precautionary Lockdown:

**When emergency activity is in area but is not directly affecting the site, the objective is to keep all staff inside with no outside activity.**

- Staff and identified visitors to remain indoors and have no outside activity.
- Lock all interior & exterior doors and gates.
- Based on the situation and only if safe to do so, outside persons may be permitted access.
- Ensure all radios, cell phones, and computers (emails) are on and open for correspondence.

### Precautionary Lockdown Staff Actions:

- Move all students, staff and identified visitors into the nearest classroom, office or secure location.
- Put signs on gates/entrances informing families of the lockdown in progress.
- Lock all interior & exterior doors and gates.
- Site notifies Superintendent's Office (by phone or radio).
- Superintendent's Office confirms receipt of lockdown message.
  - Advises site affected to maintain email contact, determines site liaison by phone.
  - Advises site to send out a Blackboard/Connect-Ed message (Eng. /Span). Superintendent's Office will do so if site is unable to do so.
- Assign one person to be the main contact in the front office. Monica Ayala
- Ensures all radios, cell phones, and computers (emails) are on and open for correspondence.
- Superintendent's Office:
  - Sends email according to *Lockdown Notification List*.
  - Send email to the School Board.
  - Notifies District Incident Commander or designee.
  - Notifies Transportation, Facilities & Operations, Food Services, Pre-School Office, and Risk Management.
- District Incident Commander or designee:
  - Will consult with Public Information Officer to confirm who will report to location of lockdown; reporting administrator takes Disaster Binder with them to location.
  - Determines whether additional administrative assistance is needed:
    - Personnel related: Assistant Superintendent, Human Resources or Human Resources Director
    - Parent related: Executive Director, S&FSS
    - Facility related: Director or Asst. Director of Operations
  - Will call personally any department directly affected (need to know).
  - Maintains contact between site, Public Information Officer and first responders to update situation.

### Lockdown:

**When emergency activity is in the area and has a high likelihood of disrupting site activities or endangering staff, the objective is to keep all staff and students inside with *NO* outside activity.**

- Staff and identified visitors to remain indoors to remain indoors and move into the nearest securable area/room.
- Lock all interior & exterior doors and gates.
- Give no indication of occupancy.
- Stay out of sight of windows.
- Sweep hallways for students, if feasible to do so.
- Ensure all radios, cell phones, and computers (emails) are silenced but open for correspondence.

### Lockdown Staff Actions:

- Move all students, staff and identified visitors into the nearest classroom, office or secure room.

- Put signs on gates/entrances informing families of the lockdown.
- Lock all interior & exterior doors and gates.
- Site notifies Superintendent's Office (by phone or radio).
- Superintendent's Office confirms receipt of lockdown message.
  - Advises site affected to maintain email contact, determines site liaison by phone.
  - Advises site to send out Blackboard/Connect-Ed message (Eng. /Span). Superintendent's Office will do so if site is unable to do so.
- Assign one person to be the main contact in the front office. Monica Ayala
- Ensures all radios, cell phones, and computers (emails) are on and open for correspondence.
- Superintendent's Office:
  - Sends email according to *lockdown notification list*.
  - Send email to the School Board.
  - Notifies District Incident Commander or designee.
  - Notifies Transportation, Operations, Food Services, Pre-School Office, and Risk Management.
- District Incident Commander or designee:
  - Will consult with Public Information Officer to confirm who will report to location of lockdown- Reporting administrator takes Disaster binder with them to location.
  - Determines whether additional administrative assistance is needed:
    - Personnel related: Assistant Superintendent, Human Resources or Human Resources Director
    - Parent related: Executive Director, S&FSS
    - Facility related: Director or Asst. Director of Operations
  - Will call personally any department directly affected (need to know).
  - Maintains contact between site, Public Information Officer and first responders to update situation.
  - Determines if necessary to implement emergency food usage.

## VII. REQUIRED SCHOOL DISASTER RESPONSE DRILLS

### Types of Safety & Security Drills Conducted

Safety of our students is a top priority. OMSD schools conduct safety and security drills throughout the school year. The following drills are conducted:

- **Earthquake drill:** students duck, cover and hold under their desks and stay away from windows and mirrors.
- **Fire Drill:** students learn to evacuate classrooms safely in the event of a fire.
- **Active Shooter:** students practice lockdown procedures
- **Annual Shakeout Drill:** students evacuate to their designated area during the annual Shakeout Drill.
- **AED Drill:** practice and reinforce CPR and AED skills

Drill	Elementary	Middle School
<b>Fire Drill</b> Per Ed Code 32001	Once per month, including summer school	Once per quarter, including summer school
<b>Earthquake Drill</b> Per Ed Code 35297	Once per quarter, including summer school	Once per quarter, including summer school
<b>Active Shooter</b>	Two per school year	
<b>AED Drill</b>	Two per school year	

**Fire Drills 32001 Ed Code:** A fire drill must be conducted at least once every calendar month at the elementary level and at least four times every school year at the intermediate levels.

**Earthquake 35297 Ed Code:** 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.



## **Fire Procedures**

### **When Fire or Smoke is Discovered**

1. In the event of a fire, alert others and activate the nearest fire alarm and **GET OUT**. Move everyone away from area of fire; close (but do not lock) all doors as you move in order to slow down spread of fire.
2. Walk do not run. Keep noise to a minimum. Walk carefully to avoid tripping.
3. On stairways, use handrails and keep to right. .Check all doors for heat (top and bottom) with back of hand. If hot, do not open.
4. If you are caught in smoke, drop to hands and knees and crawl; breathe shallowly through nose and use blouse, shirt or jacket as filter.
5. Proceed to Evacuation Assembly Area
6. If you have relocated away from the building, do not return until you are notified that it is safe to do so.
7. If your clothing catches fire, DO NOT RUN. **STOP. . . DROP. . . ROLL.**

### **If trapped by a fire in a room**

1. Place (moist, if possible) cloth material around/under door to prevent smoke from entering.
2. RETREAT-close as many doors as possible between you and fire. Be prepared to signal from windows, but do not break glass unless absolutely necessary. (Outside smoke may be drawn in).

**TREAT ALL ALARMS LIKE A REAL EMERGENCY. DO NOT ASSUME IT IS A FALSE ALARM!**

## **Aircraft Crash**

### **Aircraft Crashes into the School**

#### **Staff Actions:**

1. Notify Police and Fire Department (call 911)
2. Notify Principal or Assistant Principal/Elementary Administrator.
3. Move students away from immediate vicinity of the crash.
4. EVACUATE students from the building using primary and/or alternate fire routes to a safe assembly area away from the crash scene. Take class roster/nametags and emergency backpack.
5. Check school site to assure that all students have evacuated.
6. Take attendance at the assembly area.
7. Report missing students to the Principal/designee and emergency response personnel.
8. Maintain control of the students a safe distance from the crash site.
9. Care for the injured, if any.
10. Escort students back to the school site when emergency response officials have determined it is safe to return to the building.
11. Determine if parental reunification or controlled release is needed.

#### **Principal/Site Administrator Actions:**

1. Notify Police and Fire Department (call 911).
2. Determine immediate response procedures, which may include **EVACUATION, OFFSITE EVACUATION or DIRECTED TRANSPORTATION**.
3. Notify District Superintendent, who will contact the San Bernardino County Office of Education.
4. Set up incident command center at site and initiate District Command Center with responding agencies.
5. Arrange for first aid treatment and removal of injured occupants from building.
6. Secure area to prevent unauthorized access until the Fire Department arrives. Ensure that students and staff remain at a safe distance from the crash.
7. Account for all building occupants and determine extent of injuries.
8. Do not re-enter building until the authorities provide clearance to do so.

### **Aircraft Crash near School**

#### **Staff Actions:**

1. Notify Police and Fire Department (call 911).
2. Notify Principal or Assistant Principal/Elementary Administrator.
3. Move students away from immediate vicinity of the crash.
4. Remain inside with students unless subsequent explosions or fire endangers the building.

#### **Principal/Site Administrator Actions:**

1. Notify Police and Fire Department (call 911).
2. Set up incident command center and initiate district command center with responding agencies if needed.
3. Initiate a PRECAUTIONARY LOCKDOWN, if warranted.
4. Ensure students and staff outside are directed to designated areas until further instructions are received.
5. Ensure that students and staff remain at a safe distance from the crash.
6. Notify District Superintendent.
7. Fire department officials will secure area to prevent unauthorized access. Do not enter affected areas until the appropriate authorities provide clearance to do. This may affect student pick up, so prepare for parental communication.
8. Determine if parental reunification or early release is needed.

## Air Pollution

Upon notification from South Coast Air Quality Management that a smog episode is predicted or declared, the OMSD shall notify each Principal, Cabinet members and Director of Facilities and Planning. The following actions should be taken:

1. Discontinue strenuous activities during regular school hours.
2. Discontinue athletic events when smog alert occurs one (1) hour before the event.
3. Limit building, grounds, and transportation activities.
4. During a Stage II Alert, discontinue all activities listed above, except for essential transportation.
5. During a Stage III Alert, OMSD will be directed to follow the civil Defense and Disaster policies and procedures. The Superintendent or designee will inform school Principals of the procedures to follow.

## Animal Disturbance

1. The first consideration is the safety of the personnel.
2. Isolate the staff from the animal.
  - If animal is outside, keep pupils inside.
  - If animal is inside, keep pupils outside or in some other sheltered area.
3. Call Inland Valley Humane Society & SPCA at (909) 623-9777 or (909) 594-9858 a 24-hour emergency line.
4. Call the Law Enforcement or Fire Department
5. If animal injures someone, call the school nurse, and when appropriate, notify the local Public Health Department.

## Bomb Threat/ Threat Of violence

### If a Threat is received by Telephone:

#### A. Person receiving call:

1. Direct co-worker to call 911 and request the call be traced.
2. Direct second co-worker to notify Principal/EA/AP or other administrator to initiate a school wide evacuation and securing of school perimeter.
3. Attempt to keep caller on the line. Use District *Bomb Threat Data Collection Sheet* (next page) to obtain:

Specifics about Bomb	Specifics about Caller
<ul style="list-style-type: none"><li>• Location?</li><li>• When will it explode?</li><li>• What does it look like?</li></ul>	<ul style="list-style-type: none"><li>• Sex, age, name</li><li>• Why did you/someone else place the bomb?</li><li>• Caller's voice features</li></ul>

#### B. Person Calling 911/9-911:

1. Dial "911" – tell operator, "This is (name of caller) from (name of school). We have received a bomb threat on another line. The number of that line is \_\_\_\_\_ Please trace the call of \_\_\_\_\_." (If caller ID is available).

2. Give any additional information needed by the operator. This must be done quickly. (The call cannot be traced once the caller has hung up.)

**C. Principal/EA/AP/Administrator:**

1. Work with local law enforcement in evaluating:
  - Will buses be needed from the Transportation Department for an off-site evacuation?
  - Will Food Services staff be needed due to off-site evacuation during lunch period?
  - Will water be needed to hydrate students/staff until re-occupancy is authorized?
  - Can the main office be cleared first to provide phone and restroom access?
  - Should roofs be inspected?
  - Have student backpacks been unattended and need to be evaluated/inspected/relocated in order to gain access to classrooms?
2. Notify Superintendent's office. Coordinate necessary communication (Connect ED message, Parent letter). Minimize publicity of bomb threat.
3. Resume normal operations once re-occupancy has been granted.

If notified of call through Police/Sheriff department, initiate school wide evacuation and follow procedure C referenced above.

**If Threat is in Writing or E-mail**

Take note of where and by whom the document was found, secure and hold for law enforcement evaluation. Initiate school wide evacuation and follow Procedure C referenced above.

**Bomb Threat Data Collection Sheet**

**TELEPHONE BOMB THREAT REPORT FORM**

**INSTRUCTIONS:** Be calm. Be courteous. Listen. Do not interrupt the caller. Notify supervisor / security officer of your element by prearranged signal while caller is on the line.

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

Exact words of person placing call: \_\_\_\_\_

**QUESTIONS TO ASK:**

1. When is the bomb going to explode? \_\_\_\_\_
2. Where is the bomb right now? \_\_\_\_\_
3. What kind of bomb is it? \_\_\_\_\_
4. What does it look like? \_\_\_\_\_
5. What will cause it to explode? \_\_\_\_\_
6. What will cause it to explode? \_\_\_\_\_

7. Why did you place the bomb?

8. What is your name and address?

*Try to determine the following: (circle as appropriate)*

<b>Caller's identity:</b>	M	F	Adult	Juvenile	Age	
<b>Voice:</b>	Loud	Soft	High Pitched	Deep	Intoxicated	Other
<b>Accent:</b>	Local	Foreign	Region (description)			
<b>Language:</b>	Excellent	Good	Fair	Poor	Foul	Other
<b>Manner:</b>	Calm	Angry	Rational	Irrational	Coherent	Incoherent
	Deliberate	Emotional	Righteous	Laughing	Intoxicated	
<b>Background noise:</b>	Office machine	Factory machines	Bedlam	Trains		
	Animals	Music	Voices	Airplanes	Street-Traffic	
	Mixed	Party-Atmosphere	Other			

**ADDITIONAL INFORMATION:**

Receiving Telephone Number

Person Receiving Call

## Bus Accident

VC 12517.1 specifies that one definition of a school bus accident is: "injury of a pupil inside the bus as a result of acceleration, deceleration, or other movement of the bus." If this happens:

1. Radio Dispatch. Dispatch will contact CHP, law enforcement, fire department, emergency medical services, and/or District personnel.
2. Stop bus as soon as it is safe; turn off engine, and set parking brake.
3. Check for dangerous liquids or fire.
4. Remain calm, reassure students, check for injuries, and render first aid if necessary. Radio Dispatch with status update.
5. **Keep students in bus. Only evacuate students if their safety is threatened by remaining inside the bus.**
6. Activate 4-way hazard lights and place red reflectors outside bus.
7. It is not recommended that you move bus. If you must, ask CHP for assistance or mark tire locations with chalk, directional arrows, and license plate# (chalk located in Accident Kit).
8. Exchange information with driver(s) of other vehicle(s):
  - a) Correct spelling of driver(s) first and last name, address, and phone#.
  - b) Driver license and registration information.
  - c) Vehicle license# and insurance information (OMSD is self-insured)
  - d) Business card for your Director and/or Assistant Director.
  - e) Number of occupants in other vehicle(s).
9. Locate any witnesses and obtain their:
  - a) Name, address, phone#, and vehicle license#.
  - b) Location at time of accident and brief statement of what they witnessed.

10. Complete a School Bus Passenger List for CHP (located in Accident Kit).
11. Complete an Accident & Injury Report and take notes after all necessary emergency measures have been taken.
12. Regardless of fault, the driver is required to submit a Post-Accident Drug and Alcohol Test when any party involved receives a citation, requires medical attention, or any vehicle requires a tow truck.

**Do not argue or discuss the accident with anybody at the scene (including passengers). Only discuss with CHP and District Personnel. NEVER ADMIT GUILT WHILE AT THE ACCIDENT SCENE. \*Nights & Weekends-Call Director\***

During an emergency disaster such as an earthquake or act of violence, STOP the bus and command the students to “DUCK” in the aisles or under the seats for protection. Under extreme emergency conditions contact the Transportation Office for instructions. Bus operations may be directed to:

1. Return students to home school.
2. Report to nearest school.
3. Complete scheduled route.
4. Arrange with the administrator of the school for the supervision and care of the students on your bus.
5. Notify the Transportation Office where students are located and the person responsible for their supervision.
6. District buses may be mobilized when needed to evacuate a school(s) during an emergency.

#### **Earthquake during a Bus Trip**

During an emergency disaster such as an earthquake or act of violence, STOP the bus and command the students to “DUCK” in the aisles or under the seats for protection. Under extreme emergency conditions contact the Transportation Office for instructions. Bus operations may be directed to:

1. Return students to home school.
2. Report to nearest school.
3. Complete scheduled route.
4. Arrange with the administrator of the school for the supervision and care of the students on your bus.
5. Notify the Transportation Office where students are located and the person responsible for their supervision.
6. District buses may be mobilized when needed to evacuate a school(s) during an emergency.

#### **Criminal Act**

Criminal acts on campus may vary from theft to more serious felony crimes. OMSD has a mandatory reporting procedure in place for reporting crimes to police immediately upon becoming aware of them. Sexual assaults should be immediately reported to the police, but the victim should be interviewed by trained professionals and not school staff members.

#### **Staff Actions:**

1. Care for the victim. Provide any medical attention needed.
2. Preserve the crime scene. With the exception of rescue personnel, deny access to the immediate area until police arrive.
3. If a suspect is in custody, do not interview until police arrive unless there is a threat to life safety.
4. Make sure the incident is documented.

#### **Principal and Administration Actions:**

1. Notify police via 911 if emergency response is needed.
2. Identify all parties involved (if possible). Identify witnesses, if any.
3. Preserve the crime scene. With the exception of rescue personnel, deny access to the immediate area until police arrive. Police officials will coordinate activities within the crime scene and release the area to the school administrator when finished.

4. If an individual is armed with a weapon, **USE EXTREME CAUTION**. Do not attempt to remove the weapon from his/her possession. Allow police to do so.
5. If the incident involves a student, notify the parents or guardians.
6. Question the victim with another staff member present. Focus on the information necessary to pursue disciplinary action against the perpetrators.
7. Let trained police obtain specific details about the crime, following student interview protocols.
8. Follow the district's mandatory police reporting protocols immediately or as soon as possible after a crime has been discovered.

## Earthquake

### When Inside School Buildings

1. Execute Action **DUCK, COVER & HOLD** upon the first indication of an earthquake.
2. Try to avoid glass and falling objects. Move away from windows where there are large panes of glass and out from under heavy suspended light fixtures.
3. When the earthquake is over, initiate Action **EVACUATE**. Special consideration should be given to exit routes as many older schools have heavy architectural ornaments over main entrances.
4. Guards should be posted at a safe distance away from building entrances to see that no one re-enters the buildings.
5. Warn all personnel to avoid touching electrical wires which may have fallen to the ground.
6. Notify the appropriate District official.
7. Notify the appropriate utility company of breaks or suspected breaks in utility lines or pipes.
8. Inspect school buildings. When damage is apparent, contact superintendent and determine the advisability of closing the school.
9. Initiate any other Action deemed necessary, or return to normal routine.

### When Outside on School Grounds

Execute those Actions required under 4 through 9 above

### At Times Other than School Hours

1. Inspect school buildings. When damage is apparent, contact the superintendent and determine the advisability of closing the school.
2. If school must be closed, notify staff members and students.
3. Notify the District Office who will inform public information media as appropriate.

## Explosion

1. Execute Action **DUCK, COVER & HOLD** upon the first indication of the explosion.
2. If the explosion occurred within the school buildings, immediately upon passage of the blast wave, initiate action **EVACUATE**.
3. Notify the appropriate Fire Department.
4. Notify the Police Department or County Sheriff's Office.
5. If trained, organize a fight of fires until arrival of the Fire Department.
6. Report missing staff to EOC. Those not found will be reported to Fire and Law Enforcement Officials.

7. Notify the appropriate utility company of breaks or suspected breaks in utility lines or pipes.
8. Notify appropriate District Official.
9. Do not allow the return of students or staff members to school buildings.
10. Initiate any other action deemed necessary because of the condition of the school, or return to normal routine.

### **Threat of Explosion**

1. Initiate Action **EVACUATE**.
2. Execute those actions required under 3 through 10 above.

## **Fire**

### **Within School Buildings**

1. Immediately initiate Action **EVACUATE**.
2. Notify the appropriate Fire Department.
3. Notify the Police Department of County Sheriff's Office.
4. Organize a fight of incipient\* fires until arrival of the Fire Department. (This should be done only to the level that people have been trained. Never risk injury or loss of life. Evacuation is advised.)
5. Ensure that access roads are kept open for emergency vehicles.
6. Report missing staff to EOC. Those not found will be reported to Fire and Law Enforcement.
7. Notify the appropriate utility company of breaks or suspected breaks in utility lines or pipes.
8. Notify appropriate District Official.
9. Do not allow the return of students or staff members to school buildings until Fire Department Officials declare them safe.

### **Fire near School**

Determine the need to implement any action. If the answer is "no", continue with school routine. Notify appropriate Fire Department to be sure alarm has been given.

If the fire threatens the school, execute those actions under "Within School Buildings" 1-9 above.

\*An incipient fire is one that is in the initial stage and can be controlled or extinguished with portable fire extinguishers.

### **Hazardous Materials**

1. If necessary, call 911.
2. Determine which Emergency Action, if any, should be implemented. (The nature of the material and the nearness of the accident will probably be the deciding factor. Police, Fire, Public Health or Environmental Health Departments may order Evacuation of the school.)
3. If there is a threat of airborne toxicity, shut-off ventilation system in affected area.
4. If necessary, implement Action **EVACUATE**.
5. Any toxic cloud that can affect staff in their offices would very likely affect them outside on the school grounds as well. If time is of prime importance, it may be necessary to evacuate the school by foot. If this occurs, move crosswind to avoid fumes, never upwind or downwind.
6. Any persons that are suspected of being contaminated with a substance that could be transferred to others should be isolated until public safety personnel carry out decontamination procedures.



7. If time is available, initiate Action **DIRECTED TRANSPORTATION TO HOME OR DESIGNATED SHELTER**. (See **Appendix F**). Move students and staff away from the path of the chemical.
8. Support sites notify the District Office.
9. Staff report names of missing staff to EOC. Those not found will be reported to Fire or Police officials, if forced by conditions to evacuate the school grounds.
10. Do not allow the return of staff to the buildings until public safety officials declare the area safe.
11. Upon return to district/support sites, ensure that all classrooms are adequately aired.

## Active Shooter/Violent Intruder Information

Immediate response to a violent intruder onsite is critical. In the case of a violent intruder, initiate **Active Shooter** procedures (**Run/Hide/Fight**) to immediately remove yourself and students from danger. As a precaution, remember that all doors and gates (except for the front office) should be locked to outside parties during the school day.

### During Active Shooter or Violent Intruder-Staff Actions

- Remain calm. Do NOT confront the intruder.
- Call 911 from any available source, if in a position to do so. Provide site location and details if possible.
- Make announcement to site of Active Shooter via phone, intercom and/or radio, if in a position to do so.
- Initiate **Run/Hide/Fight**.
  - **Run** – When an active shooter is NOT in your immediate vicinity and you can determine a path to safety, immediately leave the premises to find a safe location on or off school premises.
    - Evacuate whether others agree to or not
    - Leave your belongings behind
    - Help others to escape if possible
    - Prevent others from entering the danger area
  - **Hide** – if path to safety is not feasible, find a secure place to hide:
    - Ensure doors are locked
    - Turn off lights
    - Silence cell phones & remain very quiet
    - Move students to safest area possible (likely away from windows and doors)
    - Take defensive measures:
      - Remain in position and maintain order until directed to do otherwise.
      - Block entry if safe to do so.
      - Gather items that may be used against intruder (fire extinguisher, chairs, etc.)
  - **Fight** – if you encounter the intruder, and only if your life is in danger, use items such as fire extinguisher or other items as a defense tool and/or to subdue the intruder.
- Provide first aid to students if safe to do so.

### After Active Shooter-Site Actions

- Announcement of all clear will be made (standby for further instructions).
- Take roll immediately and list any missing students.
- Ensure students and staff receive medical attention.
- If a firearm is known to exist, do not touch it. Allow a law enforcement officer to take possession of the weapon.
- Keep crime scene secure. Organize **Off-site evacuation**, if necessary or prepare to continue with classes.
- Isolate and separate witnesses to gather information about the incident.
- Gather information for police about the incident and everyone involved with it.
  - Name and current location of intruder
  - Location of incident
  - Number and identification of casualties and injured

### **During Active Shooter-District Office Actions**

- Confirms Active Shooter message
- Contacts appropriate departments according to phone tree procedure
- Maintains contact with site command center and outside agencies as needed
- Initiates a district wide Blackboard/Connect-Ed message indicating the declaration of the lockdown.
- Awaits instructions from Command Center
- Initiates Mobile Command as needed.

### **After Active Shooter general actions:**

- District will arrange immediate crisis counseling for students and staff.
- Superintendent's Office will prepare written statements for telephone callers and the media. Refer media inquiries to the Executive Director of Student and Family Services.
- Site administrator will prepare letter for students to take home to their families.
- District will provide liaison for family members of injured students and staff.
- Site administrator will debrief staff and school police officers.
- Site administrator will provide informational updates to staff, students and their families during the following days.

### **Medical Emergency**

#### **Call for Help:**

When a person cannot or should not be moved, has breathing difficulty, or suspected heart attack:

#### **CALL 911**

- DO NOT MOVE VICTIM UNLESS AN IMMINENT HAZARD MAKES IT UNAVOIDABLE.
- Keep the victim comfortable.
- Have someone meet and escort security staff and medical personnel to the victim. Provide all requested information.
- Refer student medical questions to the school Health Office.

### **General Instructions**

#### **Unconscious person:**

1. Assess responsiveness
2. Open the airway, check breathing, and pulse
  - If not breathing, give 2 breaths
  - If no pulse, begin CPR
3. Place a breathing person on their side (recovery position)
4. Keep person warm & comfortable

#### **Choking:**

If victim is coughing, or able to speak, stand by and allow victim to cough up object. If the victim is unable to speak, do the following:

1. Stand behind the victim and wrap your arms around the victim's waist.
2. Grasp your hands in front of the victim; the hand that is resting against the victim's abdomen should be in a fist. Make sure that the fist is positioned between the tip of the breastbone and the navel.
3. With your hands tightly grasped, press your fist into the victim's abdomen, using a quick, upward thrust.

4. Continue abdominal thrusts if necessary.
5. Obtain medical help.

**Fainting:**

1. Have the person sit down with their head between the knees or lie them down with their feet elevated.
2. Provide circulation of air and loosen tight fitting clothing.

**Seizures:**

1. Protect the victim during the seizure by removing any obstacles or objects they could be injured from.
2. Do not use force to restrain the person.
3. Do not put anything in their mouth.
4. Only move the person if in danger.
5. Watch for vomiting! If the victim begins to vomit, turn them on their side to help avoid inhalation and choking.

**Bleeding Injuries**

1. Protect yourself from blood splatter! Wear protective gloves.
2. Apply direct pressure to the wound using a clean cloth or hand.
3. Elevate the injury if possible.

**Burns, Thermal & Chemical**

1. Immerse burned area in cold water
2. Flood chemical burn with cool water for 15 minutes.
3. Cover burn with dry bandages.

**Pandemic Influenza**

1. Develop procedures for communicating with staff, students and families.
2. Identify information to be translated. Identify which languages are represented in student population.
3. Identify and recruit translators; translate information into a template form so that only minor changes will need to be made at time of outbreak.
4. Develop procedures for communicating with Local County Health Department and the media.
5. Identify procedure for communicating possible school schedule changes, bussing changes and school closure guidelines.
6. Review procedures for sending ill individuals home and make adjustments if necessary.
7. Identify the number of staff and students daily absent with pandemic flu.
8. Report numbers of absent to district office and the Local County Health Department if they are requesting this information.
9. Have translators review information templates and finalize the information that will be provided to non-English speaking families.
10. Activate your incident command management system if necessary.
11. Establish the information that needs to be communicated to staff, students, and families.
12. Hold faculty/staff meeting and provide information on extent of infection at school site and possible changes that may take place at the school.
13. Document actions taken.
14. Conduct timely debriefings to identify lessons learned and make necessary changes to the response plan.

## **Suspected Contamination of Food or Water**

This procedure applies if there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies or suspicion of possible food/water contamination. Indicators of contamination may include unusual odor, color and/or taste or multiple individuals with unexplained nausea, vomiting or other illnesses.

### **Staff Actions:**

1. Notify Principal/Site administrator.
2. Call the Poison Control Center at 1(800) 222-1222 or local hospital emergency number.
3. Administer first aid as directed by poison information center.
4. Seek additional medical attention as needed.

### **Principal/Administrator Actions:**

1. Call 911.
2. Isolate suspected contaminated food/water to prevent consumption. Restrict access to the area.
3. Maintain a log of affected students and staff and their systems, the food/water suspected to be contaminated the quantity and character of products consumed and other pertinent information.
4. Provide list of potentially affected students and staff to responding authorities.
5. Provide staff with information on possible poisonous materials in the building.
6. Notify District Superintendent of situation and number of students and staff affected.
7. Confer with San Bernardino County Health Department before the resumption of normal school activities.
8. Prepare communication for families advising them of situation and actions taken.

### **Preventative Measures:**

1. Keep poisonous materials in a locked and secure location.
2. Post the Poison Control Center and local hospital emergency number in the front office, school clinic and on all phones that can call outside.
3. Post the names of building personnel who have special paramedic, first aid training or other special lifesaving or life-sustaining training.

## **Terrorist Attack/War**

**Homeland Security Advisory of a Threat Condition Red specific to your community/Civil Defense Warning of possible enemy attack or bombing.**

### **During School Hours**

1. Initiate one of the following actions as appropriate for situation.

#### **DUCK, COVER & HOLD- EVACUATE**

- Continue to monitor for more specific information.
- If circumstances allow and there is time, **EVACUATE** students to closest suitable shelter. See Appendix F for appropriate shelter location.
- If the above is not advisable, remain in building as place of shelter-in place\*

### **Attack Without Warning During School Hours**

2. Depending on the location of the initial strike, execute Action **DUCK, COVER & HOLD**.
3. If the nuclear explosion is close enough to cause the execution of Action **DUCK, COVER & HOLD**.

## **Loss or Failure Of Utilities**

**In the event of a major failure occurring during regular business hours, call 911 if appropriate, and then immediately notify Facilities Planning & Operations.**

- Facilities Operations and Planning (909) 418-6366
- During after-hours call the District answering service at (909) 398-0256

## **Power outages During Daylight Hours**

- Call the front office. Site office to call Facilities Planning & Operations
- The Campus will remain open and all business and instructional operations will continue to the maximum extent possible.
- Should safety considerations prevent work from continuing, Administration may reassign students and staff to another area.
- **NEVER ENTER A ROOM OR BASEMENT WITH STANDING WATER.**

## **Plumbing Failure/Flooding**

Cease using all electrical equipment. Notify Facilities Planning & Operations.

### **Serious Gas Leak**

- **DO NOT SWITCH ON LIGHTS OR ANY ELECTRICAL EQUIPMENT.**
- REMEMBER, electrical arcing can trigger an explosion!
- Notify Facilities Planning & Operations
- Evacuate area
- Immediately call 911, if appropriate

## **Ventilation Problem**

If smoke or strong odor comes from the ventilation system:

- Evacuate area
- Immediately call 911, if appropriate
- Notify Facilities Planning & Operation

## RECOVERY PROCESS

Recovery actually begins when an incident occurs and continues throughout the emergency process. Recovery actions that generally begin at the time of the incident (such as keeping track of personnel time) and must continue simultaneously with response. Furthermore, establishing a recovery organization prior to a disaster can speed-up and smooth-out recovery. Develop checklists now to allocate responsibilities and guide recovery actions.

### **Recovery Organization**

Recovery actions follow the same five SEMS functions as response, but during the recovery phase, there is apt to be more work for those in the Finance function and less for those in Operations.

**Management:** Policy decisions, public information, safety considerations.

**Operations:** remove debris, restore utilities, obtain applications for assistance, and arrange for building and safety inspections.

**Planning/Intelligence:** document SEMS compliance for disaster assistance, write after action reports, and create a mitigation plan.

**Logistics:** provide recovery supplies, equipment, vehicles and personnel.

**Finance:** prepare and maintain budgets, develop and maintain contracts, keep accounts, process claims, deal with insurance settlements, meet payroll.

## OUTSIDE AGENCY USE OF FACILITIES

Ontario-Montclair School District values the partnerships of outside agencies that provide emergency services on behalf of individuals and families who are victims of disaster.

While it is preferred that outside agencies develop a Memorandum of Understanding with the District wishing to use school facilities for disaster services prior to any need, the District will consider requests by non-profit agencies during a disaster, if necessary, even if an MOU has not been established. Outside agencies wishing to request facility use should contact the District's Risk Management Department or the Office of the Superintendent to open discussions.

If a school site is contacted by an outside agency requesting use of the facility, the site administrator should contact the Office of the Superintendent immediately for assistance and guidance.

## COVID-19 School Site-Specific Protection Plan

### School Site Name

Euclid Elementary School

### School Type (select one)

Traditional/Alternative Public School

### School Site Council Members and Positions (ie teachers, custodians, secretaries, paras, parents, students, administration)

Aide Esquivel - Principal  
Rosa Bernal - Certificated  
Nam de Silva- Parent  
Evangelina Ramirez- Classified  
Margaret Johannsen- Certificated  
Maria Soto - Parent  
Perla Martinez-Parent  
Lola Jollie- Certificated  
Agueda Castillo - Parent

### Public Health Liaisons and Contact Information (Primary and Secondary: Name, Email and Phone)

Heather Cockerill  
HCockerill@dph.sbcounty.gov  
(909) 387-4557

### This COVID-19 School Site-Specific Protection Plan (SSSPP) was most recently updated on:

February 9, 2022

### Principal or Administrator

Name: Michelle Singer

Title: Assistant Principal

Email: michelle.singer@omsd.net

Phone Number: (909) 984-5119

I, Michelle Singer, certify that this SSSPP is posted on, February 22, 2022 and that staff will receive training as described in this SSSPP before site-based classroom instruction begins.

Signature:

Date:



m. Singer

February 9, 2022

## Specific Control Measures and Screenings

Please provide as much detail as possible for how you intend to implement each guideline.

- X 1. All activities are consistent with and will adjust to changing applicable state and local Public Health Orders. The School Site Council has been established to develop and support this School Site-Specific Protection Plan, who meet regularly to monitor and adjust the plan based on input from all stakeholders.

School Site Council will review School Site Specific Protection Plan as updates are provided from OMSD. Adjustments will be made as needed in accordance with all state and local health and safety guidelines.

- X 2. Health and safety practices and protocols are in place, including hand washing, appropriate face coverings, and access to essential protective equipment.

An initial site package of PPE was delivered and will continue to be available through the warehouse for employees and students:

- Plexiglas panels - Protective gowns - Paper towels for optional cleaning
- Gloves - Disinfecting wipes
- Student cloth face masks - Handheld thermometers
- Paper face masks - Replacement batteries
- Face shields - Kleenex
- Hand sanitizer - water/water bottles

- X 3. Training is provided to all staff, and students reinforcing the importance of health and safety practices and protocols.

Mandatory trainings have been provided to all staff and students regarding mitigation strategies such as handwashing, social distancing and proper face mask wearing. Follow up trainings will follow when new information becomes available. Staff has been and will continue to be informed of ongoing district expectations of the importance and safety practices and protocols.

- X 4. A primary and secondary point of contact are established, identified, and trained at each school site to direct questions or concerns around practices, protocols, or potential exposure. These points of contact will also serve as a liaison to Public Health and contact information is identified in the School Site-Specific Protection Plan. (Points of Contact listed below).

Human Resources - Employees

Health Services Administrator - Students

Primary: Principal- Aide Esquivel- aide.esquivel@omsd.net, (909) 984-5119

Secondary: Assistant Principal- Michelle Singer- michelle.singer@omsd.net, (909) 984-5119

- X 5. Plans are implemented for intensified cleaning and disinfecting, including training for staff and access to cleaning supplies and essential protective equipment, and regular disinfecting of frequently touched surfaces. Daily Health Screening self-assessments are recommended.

Staff were provided a mandatory training prior to the start of the school year on how to use cleaning products. Custodial staff has a schedule to clean frequently touched areas throughout the day. Restrooms will be cleaned mid-day and will be checked and touched up periodically. Elementary classrooms will be cleaned daily.

- X 6. Staff and students who are sick are expected to stay home and an isolation area is identified for students who begin to exhibit symptoms during the school day, until they can be picked up. Describe placement of designated Isolation Area:

The isolation area indicated is T20. The room is away from classrooms and students. In the event there are more than 1 isolation area needed, the library may be used.

- X 7. Schools and districts will cooperate with Public Health to support testing strategies to mitigate transmission of COVID-19, including testing for staff at the beginning of the school year, and then no less than once every two months. This may include testing of students with appropriate parental permissions obtained in advance. (Identify testing vendors, if applicable)

Unvaccinated staff complete weekly COVID-19 testing. Free test kits are available for students. The district is now providing a testing facility for staff and students at the OMSD Hardy Center.

- X 8. Protocols, actions and template communications are in place for the following COVID-19 related scenarios:
- a. A student or staff member either exhibits COVID-19 symptoms or has a temperature of 100 or above.
  - b. A family member or someone in close contact with a student or staff member tests positive for COVID-19.
  - c. A student or staff member tests positive for COVID-19.

A. Direct employee to supervised "sick area" for increased isolation and send employee home. Call 911 if symptoms are worsening and communicate COVID-19 symptoms.

Direct student to supervised "sick area" for increased isolation. Call parent/guardian for immediate pick up.

Notify Principal and School Nurse. Call 911 if symptoms are worsening and communicate COVID-19 symptoms.

B. Student/employee will remain at home. Principal/Supervisor will be notified and may return when a minimum 10 days since date of first exposure and fever free for 72 hrs. without use of medication.

C. If positive COVID-19 confirmed test, employee may return when 10 days since symptoms first appeared or 10 days from positive COVID-19 test date AND 24 hrs of symptom improvement AND 24 hrs. fever free without use of medication.

- X 9. Where practicable, physical distancing of six feet is maintained between adults and adults and students.

Distancing markings have been placed in general assembly areas, such as outside classrooms, restrooms and multipurpose rooms. Existing gates will be utilized for managing student circulation in and out of campus.

Additional spaces such as common areas, meeting rooms, spare classrooms may be re-purposed for office space to allow for social distancing.

- X 10. Where practicable, desks are arranged facing forward to minimize face to face proximity between students.

Some classrooms have all desks facing forward, while others have students sitting in small groups. Students are required to wear face masks at all times indoors. When eating at lunch time, students are sitting on one side of the table, facing forward in order to minimize face to face proximity.

11. School staff must document/record visits to classrooms or meetings with individuals/small groups that are not identified as their primary classroom/team

Teachers have created seating charts the document where students are sitting in their homeroom class and where they are if the students switch teachers. In addition, small groups such as RSP and Speech are shared.

- X 12. Ingress and egress procedures are established to minimize interaction as much as possible. Congregate movement through hallways will be minimized as much as practicable.

Movement around campus of groups of students are under direct monitoring of the classroom teacher.

Extracurricular Activities/Sports may be performed outdoors without masks. Indoor mask use remains a critical layer in protecting against COVID-19 infection and transmission, including during sports, music, and related activities. When actively practicing, conditioning, or competing in indoor sports, masks are required by participants even during heavy exertion, as practicable. If masks are not worn due to heavy exertion, it is strongly recommended that individuals undergo screening testing at least once weekly.

13. Efforts should be made to maximize fresh air flow in classrooms through existing ventilation systems and opening of windows and doors as much as possible.

All classrooms maximize fresh air flow through existing ventilation systems and air purifiers.

- X 14. Use of non-classroom space for instruction such as gymnasiums and multi-use rooms should be considered to support physical distancing with cleaning between uses.

During breakfast and lunch service in the multi-purpose room, students sit facing one way.

- X 15. Meals will be served outside as much as possible or in classrooms instead of cafeterias or dining room with individually plated or bagged meals as much as practicable.

Students are being served indoors. Euclid does not have the capacity for outdoor seating.

16. Opportunities for students and staff to regularly wash their hands are provided.

Washing stations are outside of the multi-purpose room. In addition, all classrooms have hand sanitizer.

K-12 students are required to mask indoors, with exemptions per [CDPH face mask guidance](#). Adults in K-12 school settings are required to mask when sharing indoor spaces with students. Persons exempted from wearing a face covering due to a medical condition, must wear a non- restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

- X 17. Non-essential visitors, including parent volunteers will be limited and essential workers will be required to adhere to all health and safety guidelines.

At this time in person parent volunteer opportunities are not available. Any other essential visitors are required to adhere to all health and safety guidelines.

- X 18. A [School Site-Specific Protection Plan](#) outlining the above measures is completed, posted and shared with all stakeholders and updated as state and local Public Health guidance dictates.

A detailed plan will be provided to all stakeholders. We will develop this plan collaboratively with OMSD and ensure the plan follows all state and local public health guidance requirements.