



CDS Code: 31-66787-0126664

Comprehensive School Safety Plan
2018-2019

School Safety Planning Committee Members

<u>Member</u>	<u>Role</u>
Camille Taylor	Principal
Kim Casbeer	Administrative Assistant
Robert Workman	Maintenance Custodian
Ben Newman	Director of Maintenance and Operations
Sara Liebert	Teacher
Mia Bressler	Student
Angelina Arrostuto	Student
Tammi Gill	Governance Council Parent Representative
John Ruffcorn	Chief, Auburn Police Department
Joe Almeida	School Resource Officer – Auburn Police Department
Mark D'Ambrogi	Chief, Auburn Fire Department
Ben Newman	AUSD Director of Maintenance and Operations
Kevin Brown	AUSD Interim Superintendent

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Vision Statement

We believe in a nurturing community, which inspires confidence, engages critical thinking, and encourages collaboration with the goal of developing our children's life-long love of learning.

Mission Statement

We provide our students with a rigorous, relevant and comprehensive curriculum that challenges students to use critical thinking, problem solving and 21st century skills to become responsible citizens.

Areas of Pride and Strength

AVCCS is a public charter school serving TK through 5th grade students through a program offering in-seat, independent study or blended instructional options. Our beautiful campus connects students with their environment and community. AVCCS takes pride in its experiential learning model, cultivating students' curiosity, innovation, collaboration, responsibility and joy for learning. Our highly qualified and dedicated staff works with students and families to embrace the diversity of our community, honoring students' different learning styles, interests and needs. At AVCCS, students thrive academically as well as socially/emotionally.

Areas of Improvement

- Development of integrated experiential and project-based learning modules
- Standards-based grading and benchmarks implementation
- Development of social emotional learning curriculum
- Positive behavior strategies and processes
- Development of parent education offerings
- Honing the independent study process
- Reading and Mathematics Fluency

Student Data Summary from 2017-18

Suspensions ¹			
2017/18 Total Students:138			
Education Code	Explanation	Days	% of total incidents
48900(a)(1)	Threats to Students		
48900(a)(2)	Assault	15	83%
48900(f)	Destruction of Property		
48900(g)	Possession of Stolen Property		
48900(k)	Disruptive Behavior		
48900(i)	Language/Profanity		
48900(r)	Bullying	1	5%
48900.2	Sexual Harassment		
48900.4	Harassment	2	12%

Data Source: AERIES	2017/18
Total Number of Students Enrolled	138
Total Number of Students Suspended	7
Suspensions ¹ (Total Number of Suspensions)	18
Expulsions	0
➤ Recommendations	0
➤ Suspended	0
➤ Expulsions	0
<i>Stipulated Expulsions</i>	0
➤ Returned to School	0
➤ Not Brought Forward	0
Attendance Rate	
Student Days Lost	7

¹ Data Source: AERIES

² Three students had multiple offenses.

Safe + Orderly Environment

Component I: People and Programs

GOAL: Students will learn in an engaging, culturally responsive, and emotionally safe environment.

Action Plan:

- Create an environment with programs that support the Social Emotional Learning (SEL) of all students, staff, and AVCCS families.
- Promote AVCC Values of SAFE, RESPECTFUL, and RESPONSIBLE behavior by students, staff, and families.
- Create multiple opportunities for student/staff/volunteer recognition.

Programs Include:

- Monday and Friday Assemblies focusing on Safety, Respect + Responsibility
- Spirit Days (Dress in school shirts/colors)
- SuperBucks: earned for positive behavior choices, weekly drawing for book
- Trimester Honors Awards Assemblies
- Check-In/Check-Out for students with chronic behavior challenges

Expected results	<ul style="list-style-type: none"> ● Increase in positive behavior choices ● Reduction in discipline referrals/suspensions ● Increase in academic engagement ● Increased academic achievement
How we will monitor + evaluate?	<ul style="list-style-type: none"> ● Discipline data ● Progress Reports and Report Cards ● Benchmark and MAP assessment data
Who will take the lead	<ul style="list-style-type: none"> ● Principal ● AVCCS Certificated Staff
Resources needed	<ul style="list-style-type: none"> ● Progress Reports and Report Cards ● Student, Parent and Staff Surveys ● Measured Academic Progress Assessments ● School Handbook (Code of Conduct)
Completion date	<ul style="list-style-type: none"> ● Academic and Discipline Data (GPA, MAP scores, discipline numbers) reviewed each trimester ● Mid-trimester and trimester grade reports

Component II: Place

Goal: Maintain a quality educational program in which all students have access to the basic educational services that comprise a quality educational program. All teachers will be credentialed in the subject areas and grade levels they are teaching; students will have access to standards-aligned instructional materials; facilities will be maintained and in good repair.

Action Plan:

- Collaborate with community partners (i.e., TBBC, Boy Scouts of America, Discovery Club, AUSD District, etc.) on ongoing enhancement of campus esthetics
- Conduct a campus waste audit
- Develop a campus compost and recycling initiative
- Increase campus energy conservation practices (i.e., turning off lights, closing doors/windows, recycling, reduction of waste)
- Replace/Update lighting fixtures and hvac systems
- Ensure safe drop-off / pick-up of students by communicating and enforcing safe practices.
- Update Facilities Use Agreement between AUSD and AVCCS
- Annual campus tour with Director of Maintenance and Operations, and completion of the campus FIT report
- Identify replacement and/or repair needs: partner with AUSD to prioritize the needed improvements and complete the repairs
- Review and update evacuation plan with tertiary location

Expected results	<ul style="list-style-type: none"> ● Positive feedback from neighbors ● Positive survey results
How we will evaluate	<ul style="list-style-type: none"> ● Stakeholders / neighbor communication ● Data collected through annual survey ● Monthly District Leadership Meetings
Who will take the lead?	<ul style="list-style-type: none"> ● Camille Taylor, Principal ● Ben Newman, Director of Maintenance + Ops
Resources needed	<ul style="list-style-type: none"> ● Funding for improvements / enhancements ● Communication technology for outreach ● Support of local law enforcement
Completion Date	<ul style="list-style-type: none"> ● Ongoing ● District / Site annual maintenance plan

<p>Method for Communicating Plan and Notifying Public: Ed Code 32288</p>	<p>Date of Public Hearing: February 13, 2019 Site of Public Hearing: District Office The following persons and entities, if available, will be notified of the public meeting:</p> <ul style="list-style-type: none"> ● Governance Council members ● All school stakeholders, including students, parents, staff and local community ● Representatives of the district employee organizations ● Representatives of PTC ● Representatives of Student Council ● Any other persons requesting notification
	<p>The School Governance Council is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:</p> <ul style="list-style-type: none"> • Representatives of the local churches • Local civic leaders • Local business organizations <p>In order to ensure compliance with this article, each School District or County Office of Education shall annually notify the State Department of Education by October 15 of any schools that have not complied with California Education Code 32281.</p>

Disaster Procedures and Crisis Response Check-In and Check-Out

All staff members will notify the school administrative assistant, by telephone at extension 1220, intercom, or in person if they leave campus during school instructional hours so that all staff members are accounted for should an emergency occur. A log sheet is maintained in the main office.

All students must check in at the main office if they arrive after the 8:00 am instructional bell rings.

All students must check out at the main office if leaving campus during the school day, and must check in at the main office upon their return. A log sheet is maintained in the main office for this purpose.

Parents and visitors must check in at the main office before entering school grounds, and must check out when they leave. A log sheet is maintained in the main office for this purpose.

Disaster Procedures

EVACUATION

Building administrator initiates evacuation procedures.

Places of Evacuation routes may be specified according to the type of emergency. They may need to be changed for safety reasons.

Bombs: Building administrator notifies staff of evacuation route dictated by known or suspected location of a device.

Fire: Follow primary routes unless blocked by smoke or fire. Know the alternate route indicated on the evacuation map in your room.

Chemical spill: Total avoidance of hazardous materials is necessary as fumes can overcome people in seconds. Plan route accordingly.

Teachers:

- Follow primary fire drill route whenever possible. Follow alternate route if primary route is blocked or dangerous. See map, located in each room.
- Teachers take class roster and emergency kit.
- Teachers lead students to designated line in stadium.
- Teachers take attendance after evacuation on sheets provided.
- Teachers report missing students when team leader comes to your line.
- Stay with students until advised otherwise by administrator.
- Students at lunch are to report to their 3rd period teacher.

If trapped by fire, consider exiting through windows. If unable, go to Shelter-In-Place Procedures, notify office and 911 immediately.

Admin/ Security/ Custodians:

- First sweep and secure pre-assigned areas; make sure they are clear of people. (see Appendix "A" for assignments) then:
- Custodians: report to the stadium control center after pre-assigned duties. (50 yard line)
- Security: report to stadium to open gates/ ensure students arrive.
- Administrators report to emergency command center (main office or stadium storage room); one must meet with fire or police and notify of any persons needing evacuation/assistance.

RELOCATION

- Building administrator determines whether students and staff should be evacuated to a relocation center.

- Building administrator or school emergency response team designee notifies relocation center.
- If necessary, a school emergency response team designee coordinates transportation to relocation center.
- If necessary, check with district transportation for bus availability, consider calling Community Transit for alternate bus transportation.
- Busses shall stage at Christian Life Church according to district plan.
- Teachers stay with class en route to the relocation center and take attendance prior to leaving site and upon arriving at the center.-
- Use student release forms for students who are picked up from a relocation center. (See Student Reunification)
- Notify District Office of relocation center address.

FIRE ALARMS

- In the event of a fire, smoke from a fire or detections of a gas odor:
- Pull fire alarm and notify building occupants and Administration to provide an intercom announcement.
- Evacuate students and staff to the designated evacuation site.
- These areas should be a safe distance away from emergency personnel.
- Be aware of the arrival of emergency responders. See map of evacuation routes and assembly areas located in all classrooms and main office
- See EVACUATION PROCEDURES

Administrator

- Administrator notifies fire department (call 911) and District Office.
- Administrator or designee meets with emergency officials as soon as possible.
- After consulting with appropriate official, administrator may move students to secondary evacuation site
- Do NOT re-enter buildings until they are declared safe by fire or law enforcement personnel.
- Building administrator notifies staff and students of termination of emergency.
- Fire drill should be held at varied times during the school day.
- Practice both primary and alternate routes.

Lockdown Procedures

Shelter-In-Place: When there is a medical or severe weather emergency, Administrator or designee may choose to place the school under Shelter-in-Place through intercom.

Full Lockdown: The threat/intruder is inside a school building.

Modified Lockdown: The threat is outside a school building. The school may have been notified of a potential threat outside of the building or a non life threatening event has occurred inside the building.

Shelter-In-Place Procedures

- Keep students inside classroom until “All Clear” sign is given by incident commander.
- Under the direction of Incident Commander, students and staff are allowed to use school facilities.
- Teachers take student attendance sheets to the shelter area.
- Continue Instruction.
- In most Shelter-in-Place emergencies, first responders will not be required.
- Turn off all of the heating, cooling and ventilating systems
- Close and lock all exterior doors and windows, if appropriate. Do not allow ingress/egress.
- Teacher's account of all students after arriving in shelter area and report any missing persons to the team leaders.
- All persons remain in shelter areas until a building administrator or emergency responder declares that it is safe to leave.
- Communicate status and any problems to District Office.

Modified Lockdown Procedures

- Administrator will order and announce “Modified Lockdown, This is not a drill”; procedures. Repeat announcement several times. Be direct. Code words lead to confusion.
- Bring people inside to designated areas (Fields - bring to gym, baseball/tennis courts to shop classrooms, students may be let into classrooms but NOT released.)
- Lock all exterior doors per emergency team assignments.
- Clear hallways, restrooms and other rooms that cannot be secured.
- Lock classroom doors; pull shades. Keep students away from windows.
- Control all movement, but continue classes. Disable bells. Move on announcement only.
- Building administrator will announce “all clear”.

Full Lockdown Procedures (these actions happen rapidly):

- Building administrator will order and announce: *Full Lockdown, this is not a drill (including description of event i.e. intruder, active shooter, etc.)*. Repeat announcement several times. Be direct.
- The announcement will include location of intruder, if possible.
- Immediately direct all students, staff and visitors into nearest classroom or

- secured space. If the option to run seems more appropriate - *RUN!!!*
- Classes that are outside of the building SHOULD NOT enter the building. Move outside classes off -campus immediately. Be direct in communication. Code words lead to confusion.
 - Students in the MPR can move to the kitchen; lock cafeteria doors.
 - Lock classroom doors. Move people away from windows and doors. Turn off lights and electronic devices. Build an interior barricade - if practical.
 - Everyone must remain silent. In case the intruder/shooter will enter the classroom, prepare students with heavy projectiles to throw at the shooter and then act aggressively to physically restrain the shooter.
 - DO NOT lock exterior doors, emergency responders need restricted access.
 - DO NOT respond to anyone that does not identify himself/herself verbally as Law Enforcement and used the pre-arranged code.
 - There is no announced "all clear" Full Lockdown events. Keep out of sight.
 - Rooms and buildings will be cleared one at a time by Law Enforcement officers that have announced themselves and used the proper code. As a building/room is cleared students and staff will be guided through a secured evacuation route.

Emergency Contacts

[Alta Vista Campus Office](#)

530.885.7067

Camille Taylor, Principal

530.400.6345

[Auburn Fire Department](#)

530.823.4211 ext. 2

Kim Casbeer, School Admin.

Assistant

530.308.5352

[Auburn Police Department](#)

530.823.4237

Robert Workman, Day Custodian

530.305.8831

[Auburn Union School District \(AUSD\)](#)

530.885.7242

[Placer County Sheriff Department](#)

530.889.7800

Power Failure

In the event of a partial or complete power failure on campus, students will remain with their teachers. Teachers may modify instruction if necessary. Administrator will update staff on status of power as information is made available.

Hazardous Material Accident, Train Derailment, Explosion, or Fallen Aircraft

If a *Hazardous Material Accident, Train Derailment, Explosion, or Fallen Aircraft* occurs near our school, staff will be notified via an intercom announcement, telephone call, or room visit by an administrator and/or emergency responder. Depending on the nature of the incident, staff and students may be directed to shelter-in-place or to evacuate to a designated area.

Incident Command System (ICS) Command Team Organization

Incident Commander	<ul style="list-style-type: none"> • Coordinates the district or school response. • Checks status, progress, and needs of all other ICS management chiefs. • Coordinates with responding agencies, and establishes a unified command.
Liaison	<ul style="list-style-type: none"> • Creates a communication link between the district or school incident commander and the fire and police commanders. • Provide general information to other agency incident commanders, but does not make command decisions. • Contact link for other community agencies.
Public Information Officer (PIO)	<ul style="list-style-type: none"> • Official spokesperson for the school. • All personnel shall refer information requests to the PIO. • Will work jointly with the responding agency's PIO, and all of the agency PIOs, at the scene, will decide on one of them to be the Overall Official Incident Spokesperson. • All media releases must be approved by the Overall Incident Commander before their release.
Safety Officer	<ul style="list-style-type: none"> • Responsible for the physical and emotional needs of the responders. • Monitors responders to prevent unsafe actions. • Roams and ensures people have breaks if needed. • Small sites may have to utilize everyone in safety role. • Other agencies could provide safety function.
Operations	<ul style="list-style-type: none"> • These teams do the actual "hands on" response. • Operations teams are concerned with accountability, assembly, • shelter, first aid, search and locate, security, etc.

Logistics	<ul style="list-style-type: none"> • Obtains any needed resource including people. • Responsible for transportation, food, water, supplies, etc. • Makes sure communication system is functioning. • May have to be “messengers” if communication cannot be established.
Planning & Intelligence	<ul style="list-style-type: none"> • Gathers information • Assists with medium/long range planning related to the ongoing incident and recovery (logistical) issues. • Arranges for recovery/aftermath resources so that there is no gap • between the end of the incident and necessary support services.
Administration & Finance	<ul style="list-style-type: none"> • Responsible for collecting data, scribe records, expenses, etc. either • during or after the incident. • Provides and official record of the event. • Coordinates the follow up paperwork, reports, etc. • Works closely with other management chiefs to provide personnel • information, resource information, money/credit if needed.

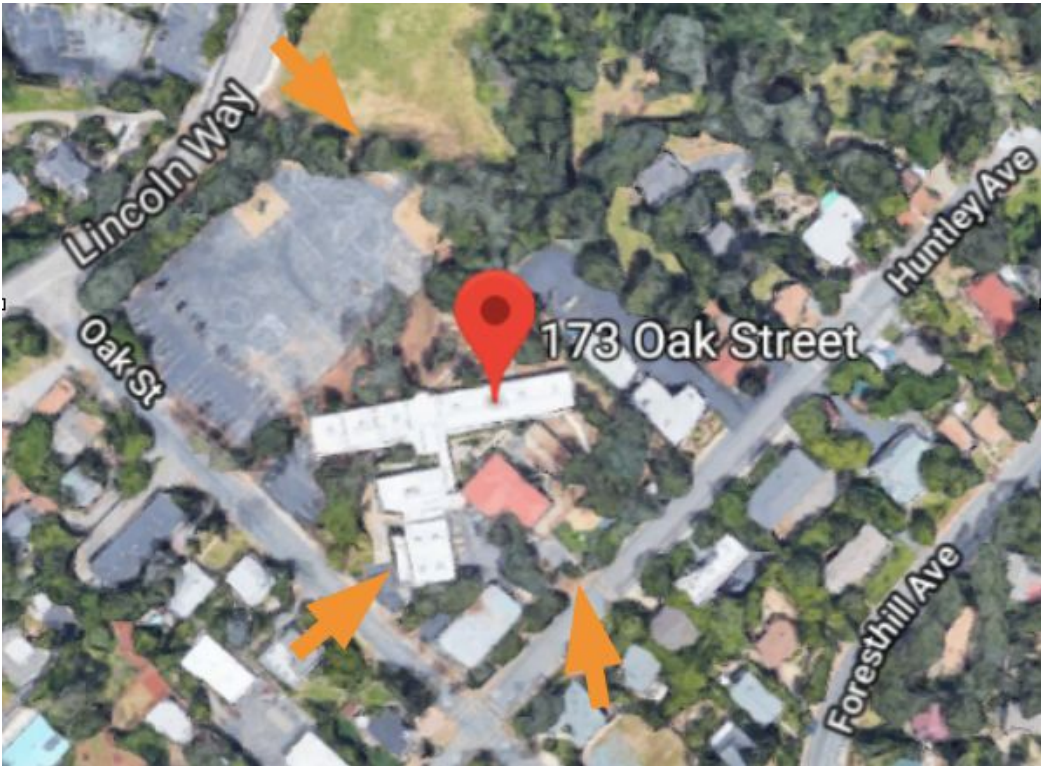
Crisis Response Box

The Crisis Response Box, located in the main office, has a MAINTENANCE LIST in it in which the contents of the Crisis Response Box are checked and materials (e.g., batteries) are replaced at least twice annually.

Aerial Photos of Campus	Map of the surrounding area
Campus diagram	Staff Roster
Master keys	Turn-off instructions (fire, gas, water, etc.)
Student photos	Incident command telephone numbers
<ul style="list-style-type: none"> • Designated command post and staging areas • Media staging area away from school • Parent-student reunification area 	Emergency resource lists
Evacuation sites	Student release forms and emergency data cards
Student attendance roster	Inventory of staff resources

List of students with special needs	First aid supplies location
Emergency first aid supplies	Pens, pencils, paper
Flashlight and batteries	Duct tape, masking tape
Bottled water	Snacks (e.g., Energy bars)
Trash bags	Toilet paper
Air freshener	Sheets
Activity books, markers, crayons	Dry erase board and markers

Campus Ingress and Egress Routes



Aerial view of Alta Vista Campus and surrounding neighborhood

Alta Vista's primary ingress and egress locations are via Huntley Road at the southeast end of campus, Oak Street at the southwest end of campus, and Lincoln Way at the northwest end of campus.

The Auburn Union School District does not provide daily bus service for AVCCS students. Busses arriving for special event transportation enter the south end of Oak Street before stopping at the bus lane adjacent to the Alta Vista Community campus.

Conditions will always dictate the type of evacuation our campus will initiate. We have three primary off-campus locations from which hazardous conditions may arise:

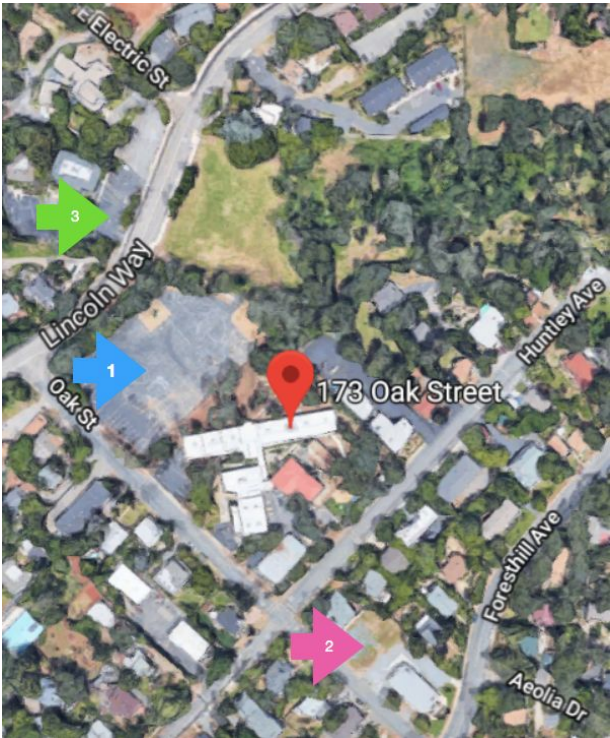
- a railway line to the southwest,
- Interstate 80 to the north and northwest, and
- Highway 49 and the American River Canyon to the east and southeast of our campus

Subsequently, we may have to respond to a variety of potential hazards outside our campus as well as threats from within our campus (e.g., fire, intruder on campus, etc.).

Evacuation/Relocation Destinations

Three relocation destinations (e.g., Primary, Secondary, and Tertiary) will be available should campus and/or conditions around the campus deteriorate. Conditions will dictate the destination. The evacuation and relocation areas will also serve as student staging areas should the need arise to move our students away from campus buildings (see map on following page).

Emergency Map



- 1 - Primary: Lower playground adjacent to Oak Street
- 2 - Secondary: Parking lot of Church of Christ Church on the corner of Oak Street and Foresthill Road
- 3 - Tertiary: Parking Lot at the corner of Lincoln Way and Electric Drive

Staging Areas for Parents

On Campus: Our potential staging areas for parents on campus will be at the lower parking lot, Multi-Purpose Room (MPR), or the grass field at the north end of campus. Conditions will determine the location of our designated on-campus staging area.

Off Campus: Our potential off-campus staging areas for parents are the parking lot of the Church of Christ on Oak Street, or the parking lot on the corner of Lincoln Way and Electric Drive. The Reunification Team will set up a parent center to get information from the accountability team. The team may have an administrator present and will document the people picking up children. Efforts will be made to have interpreters present.

Staging Area for Media

District potential media staging areas include the Staples Shopping Center, Grocery Outlet Shopping Center, and the Save Mart Shopping Center. Conditions will determine the location of the media staging area. Media center established near the District's Office to provide a centralized location for the dissemination of information.

Releasing Students

We will keep the students on campus or at the Evacuation Site until someone listed on their Emergency Card arrives. We will check a photo ID in order to match the student with a person on their Emergency Card.

How We Will Communicate with Parents/Families

Alta Vista is committed to keeping our staff, families, school and district governing members and the community informed and updated on issues relating to disaster or emergency on campus. When an event happens during school, after school, over the weekend, or during breaks, communication by AVCC to our stakeholders will follow these tenants:

WHAT: The AVCC community needs to know that the campus and any individuals on site are safe. If instruction must be interrupted due to safety concerns, we will communicate as soon as possible detailed information on when classes will resume.

WHEN: Our stakeholders will receive notification and updates on the status of the campus and instruction schedules in a timely manner.

HOW: Communications will be provided via Blackboard call, text and/or email to the telephone numbers and email addresses you have provided to us, with the intent to reach the greatest number of our community members possible.

WHO: Communication with stakeholders will be a joint effort between the AVCC Site Administrator and the AUSD Superintendent.

APPENDICES

APPENDIX A: Child Abuse Reportings

[Auburn Un SD](#) | 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
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
adopted: May 9, 2018

AUBURN UNION SCHOOL DISTRICT
Auburn, California

APPENDIX B - Disruptions

[Auburn Un SD](#) | BP 3515.2 Business and Noninstructional Operations

The Board of Trustees is committed to providing a safe and orderly environment for students, staff, and others on district property or while engaged in school activities.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other district facility, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds.

(cf. [1250](#) - Visitors/Outsiders)

(cf. [3515](#) - Campus Security)

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

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

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

(cf. 5131.4 - Student Disturbances)

The Superintendent or designee shall establish a plan describing staff responsibilities and actions to be taken when an individual is causing or threatening to cause a disruption. The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention when necessary.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. 3515.3 - District Police/Security Department)

(cf. [3515.7](#) - Firearms on School Grounds)

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code [48902](#) and [20 USC 7151](#) and in other situations, as appropriate.

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting, misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35160 Authority of Board of Trustees

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

48902 Notification of law enforcement authorities
51512 Prohibited use of electronic listening or recording device
PENAL CODE
243.5 Assault or battery on school property
415.5 Disturbance of peace of school
626-626.11 Schools, crimes, especially:
626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions
626.8 Disruptive presence at schools
626.81 Misdemeanor for registered sex offender to come onto school grounds
626.85 Misdemeanor for specified drug offender presence on school grounds
626.9 Gun Free School Zone Act
627-627.10 Access to school premises
653b Loitering about schools or public places
12556 Imitation firearms
30310 Prohibition against ammunition on school grounds
UNITED STATES CODE, TITLE 20
7151 Gun-Free Schools Act
COURT DECISIONS
Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652
In Re Joseph F., (2000) 85 Cal.App.4th 975
In Re Jimi A., (1989) 209 Cal.App.3d 482
In Re Oscar R., (1984) 161 Cal.App.3d 770
ATTORNEY GENERAL OPINIONS
79 Ops.Cal.Atty.Gen. 58 (1996)
Management Resources:
CSBA PUBLICATIONS
911! A Manual for Schools and the Media During a Campus Crisis, 2001
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Guide for Developing High-Quality School Emergency Operations Plans, 2013
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>
U.S. Department of Education: <http://www.ed.gov>
Policy
adopted: May 9, 2018

AUBURN UNION SCHOOL DISTRICT
Auburn, California

APPENDIX C: Fire Drills and Fires

[Auburn Un SD](#) | AR 3516.1 Business and Noninstructional Operations

Fire Drills

The principal shall cause the fire alarm signal to be sounded at least once every month. (Education Code [32001](#))

The principal shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary level. (Education Code [32001](#))

1. The principal may notify staff as to the schedule for fire drills.
2. Whenever a fire drill is held, all students, teachers and other employees shall be directed to leave the building. (5 CCR [550](#))
3. Teachers shall ascertain that no student remains in the building.
4. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
5. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

Fires

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The principal or designee shall sound fire signals, unless the school and/or building is equipped with an automatic fire detection and alarm system. (Education Code [32001](#))
2. The principal or designee shall call 911.
3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.
5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. In outside assembly areas, the principal, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.
7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

Legal Reference:

EDUCATION CODE

17074.50-17074.56 Automatic fire detection, alarm and sprinkler systems

32001 Uniform fire signals

32040 Duty to equip school with first aid kit

CODE OF REGULATIONS, TITLE 5

550 Fire drills

Regulation

approved: May 9, 2018

AUBURN UNION SCHOOL DISTRICT

Auburn, California

APPENDIX D: Bomb Threats

[Auburn Un SD](#) | AR 3516.2 Business and Noninstructional Operations

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for dealing with bomb threats. He/she also shall provide training regarding the procedures to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Receiving Threats

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices.

If the bomb threat is received through the mail system or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email or text messaging, the staff member should not delete the message.

Response Procedure

The following procedure shall be followed when a bomb threat is received:

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the Superintendent or designee. If the threat is in writing, the employee shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee who sees a suspicious package shall promptly notify the Superintendent or designee.
3. The Superintendent or designee shall immediately use fire drill signals and initiate standard evacuation procedures as specified in the emergency plan. (cf. [3516](#) - Emergencies and Disaster Preparedness Plan) (cf. [3516.1](#) - Fire Drills and Fires)
4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff shall search for or handle any explosive or incendiary device.

(cf. 3515.3 - District Police/Security Department)

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

(cf. [3516.5](#) - Emergency Schedules)

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Board of Trustees, other governmental agencies, and the media during the period of the incident.

(cf. [1112](#) - Media Relations)

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

(cf. 6164.2 - Guidance/Counseling Services)

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

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

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

Legal Reference:

EDUCATION CODE

44810 Willful interference with classroom conduct

48900 Grounds for suspension or expulsion

51202 Instruction in personal and public health and safety

PENAL CODE

17 Felony, misdemeanor, classification of offenses

148.1 False report of explosive or facsimile bomb

245 Assault with deadly weapon or force likely to produce great bodily injury; punishment

Management Resources:

CSBA PUBLICATIONS

911: A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF HOMELAND SECURITY PUBLICATIONS

Bomb Threat Checklist

WEB SITES

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

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

U.S. Department of Homeland Security: <http://www.dhs.gov>

U.S. Department of Treasury, Bureau of Alcohol, Tobacco, Firearms and Explosives:

<http://www.THREATPLAN.org>

Regulation

AUBURN UNION SCHOOL DISTRICT

approved: May 9, 2018

Auburn, California

APPENDIX E: Earthquakes

[Auburn Un SD](#) | AR 3516.3 Business and Noninstructional Operations

Earthquake Preparedness

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive safety plan. (Education Code [32282](#))

(cf. [0450](#) - Comprehensive Safety Plan)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code [8607](#); 19 CCR [2400-2450](#))

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may work with the California Governor's Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code [32282](#))

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code [32282](#))

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate primary and alternative locations outside of buildings, which may include areas off campus if necessary, where individuals on a school site will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures also shall outline primary and alternative evacuation routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The Superintendent or designee shall consider the danger of a post-earthquake tsunami when developing evacuation routes and locations, including the need to evacuate to higher ground.

The Superintendent or designee shall identify at least one individual within each building to determine if an evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

The Superintendent or designee shall identify potential earthquake hazards in classrooms and other district facilities, including, but not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, dangers presented by such potential hazards shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.
4. After the earthquake, the principal or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.
5. When directed by the principal or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

Earthquake While Outdoors on School Grounds

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

(cf. [3543](#) - Transportation Safety and Emergencies)

Subsequent Emergency Procedures

After an earthquake episode has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.
6. The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.
8. The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

(cf. [1112](#) - Media Relations)

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standardized Emergency Management System

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized Emergency Management System

Management Resources:

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS

The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty

Guide and Checklist for Nonstructural Earthquake Hazards in California Schools, January 2003

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

WEB SITES

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

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

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

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

National Incident Management System: <http://www.fema.gov/emergency/nims>

Regulation

AUBURN UNION SCHOOL DISTRICT

approved: May 9, 2018

Auburn, California

APPENDIX F: School Suspension, Expulsion and Mandatory Expulsion Guidelines

[Auburn Un SD](#) | BP 5144.1

Suspension And Expulsion/Due Process

The Governing Board 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 his/her 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 his/her 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. 1020 - Youth Services)

(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-3 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. 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
5. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K- 12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," 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 a public session.

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)

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 annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including 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.

The report shall be disaggregated by school and by numerically significant student subgroups,

including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about 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

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

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on

behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

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

7151 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

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

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

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

ATTORNEY GENERAL OPINIONS

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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 Drug-Free Schools: <http://www.ed.gov/about/offices/list/osdfs>

Policy

AUBURN UNION SCHOOL DISTRICT

adopted: May 9, 2018

Auburn, California

APPENDIX G: Suspension/Expulsion Due Process

[Auburn Un SD](#) | BP 5144.1 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 his/her 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)

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 his/her 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. [1020](#) - Youth Services)

(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-3 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 under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," 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](#))

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 annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code [48900.8](#) and [48916.1](#), including 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.

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

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

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

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

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon
 245.6 Hazing
 261 Rape defined
 266c Unlawful sexual intercourse
 286 Sodomy defined
 288 Lewd or lascivious acts with child under age 14
 288a Oral copulation
 289 Penetration of genital or anal openings
 417.27 Laser pointers
 422.55 Hate crime defined
 422.6 Interference with exercise of civil rights
 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)
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 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:

<https://www2.ed.gov/about/offices/list/oese/oshs>

Policy

AUBURN UNION SCHOOL DISTRICT

adopted: May 9, 2018

Auburn, California

APPENDIX H: Procedures to Notify Teachers of Dangerous Pupils

Teachers have access to the disciplinary records of all students on their role.

APPENDIX I: Sexual Harassment Policies

[Auburn Un SD](#) | BP 5145.7 Students

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

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

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. [1312.3](#) - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. [5144](#) - Discipline)

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

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

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. [4117.7/4317.7](#) - Employment Status Report)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. [3580](#) - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

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

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

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

Safe Schools: Strategies for Board of Trustees to Ensure Student Success, 2011

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

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

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

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>

Policy

AUBURN UNION SCHOOL DISTRICT

adopted: May 9, 2018

Auburn, California

APPENDIX J: School Discipline

Behavior Standards

Alta Vista Community Charter School has three primary values:

Be Safe~Be Responsible~Be Respectful

We reinforce these values through acknowledgments, incentives and consequences. Behavior standards are maintained in accordance with the California Education Code.

Positive Incentives and Recognition

Celebrations build community and support a positive culture. Students at AVCCS are celebrated for positive school excellence in academics, effort, attendance, and citizenship. Throughout the school year, students' positive choices are acknowledged with Super Bucks, distributed to students for exhibiting safe, responsible, respectful, and good-attitude behavior. Super Bucks are awarded at staff members' discretion to recognize exemplary behavior that improves our school culture. Students may place their Awards in raffles that are held regularly for books, and spend their Super Bucks at the Student Council Store.

Students are also honored at Honors Assemblies each trimester for academic growth, academic excellence, outstanding character, perfect attendance and other demonstrations of leadership, kindness and community service.

Alta Vista students also receive distinction with Rotary, Kiwanis, and other community partners in Auburn each year.

Definition of Discipline

Alta Vista defines student discipline as teaching students how to handle different challenges, situations and environments in safe, respectful and responsible ways through consistency, kindness and encouragement. The focus of positive student discipline is to establish reasonable boundaries and guide students to take responsibility and learn how to remedy the situation when a mistake occurs.

Resolution of behavior challenges is a joint effort between the students, parents, teachers, and school administrators. Alta Vista is committed to timely and respectful communication. Consequences to poor choices are progressive, increasing with repeat occurrences.

This Code of Conduct identifies behavior expectations and supports on our campus to maintain a culture of learning which is safe, respectful, and responsible.

Progressive Discipline

Behaviors not meeting expectations are categorized as either Teacher/Staff Managed Behaviors (minor behaviors which are not chronic and can be managed within the learning environment) or Office Managed Behaviors (major or chronic behaviors which require the student to be removed from the learning environment) and are addressed as outlined in the Behavior Flow Chart.

Restorative Justice

Restorative justice is a powerful approach to discipline that focuses on repairing harm through inclusive processes that engage the parties involved, shifting the focus of discipline from punishment to learning and from the individual to the community. When a student has caused harm, whether intentionally or accidentally, the following steps are taken to repair the harm caused:

A pupil shall not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to California Education Code Section 48900, subdivisions (a) to (r), inclusive. The maximum number of allowable suspensions within a single school year is 20. If a student reaches twenty days of suspension, he or she may be expelled from the school district.

Behaviors and Special Events/Field Trips

At Alta Vista, three or more minor behavior infractions and/or one major infraction may indicate that a student could pose a risk to the safety of themselves or others if attending off-site field trips or special events at school. In such a case, Alta Vista teachers may require that a parent chaperone accompany the student on a field trip or during a special event at school. Alternatively, the student will be provided with an alternative educational setting for the duration of the field trip/special event.

Bullying Defined

Bullying is an intention to cause some kind of harm, either physical or psychological. The person doing the bullying purposely says or does something to hurt the target of his or her behavior. Bullying always involves an imbalance of strength, whether physical or social. In other words the bullying person has or is perceived to have greater physical strength or social status than the person targeted. Bullying is aggressive, deliberate and unwanted or unprovoked. A person who bullies someone often gains a sense of satisfaction from the behavior, rather than exhibiting sorrow or regret. While bullying can occur in a single incident, it is usually a pattern of behavior repeated over time and can take many forms –physical, verbal or social.

APPENDIX K: Alcohol and Other Drugs

[Auburn Un SD](#) | BP 5131.6 Students

The Board of Trustees believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

- (cf. [0450](#) - Comprehensive Safety Plan)
- (cf. [4020](#) - Drug and Alcohol-Free Workplace)
- (cf. [5137](#) - Positive School Climate)

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

- (cf. [1020](#) - Youth Services)
- (cf. [1220](#) - Citizen Advisory Committees)
- (cf. 6020 - Parent Involvement)

Prevention and intervention programs and activities may include, but are not limited to: (20 USC [7118](#))

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes (cf. [5131.62](#) - Tobacco)
2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral (cf. [4131](#) - Staff Development)(cf. [4231](#) - Staff Development)(cf. [4331](#) - Staff Development)
3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals (cf. 5141.6 - School Health Services)
4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

- (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
- (cf. 6142.8 - Comprehensive Health Education)
- (cf. 6143 - Courses of Study)

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code [11999.2](#))

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

Intervention, Referral, and Student Assistance Programs

The Superintendent or designee shall inform school staff, students, and parents/guardians about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

(cf. 5141.52 - Suicide Prevention)

Enforcement/Discipline

Students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

(cf. [3513.3](#) - Tobacco-Free Schools)

(cf. [3513.4](#) - Drug and Alcohol Free Schools)

(cf. [5131](#) - Conduct)

(cf. 5131.61 - Drug Testing)

(cf. [5131.63](#) - Steroids)

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

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code [11053-11058](#) shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

Program Evaluation

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC [7116](#))

(cf. [0500](#) - Accountability)

Legal Reference:

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student

44645 In-service training anabolic steroids

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

49602 Confidentiality of pupil information

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51210 Areas of study

51220 Areas of study, grades 7 to 12
51260-51269 Drug education
60041 Instructional materials
60110-60115 Instructional materials on alcohol and drug education
BUSINESS AND PROFESSIONS CODE
25608 Alcohol on school property; use in connection with instruction
HEALTH AND SAFETY CODE
11032 Narcotics, restricted dangerous drugs and marijuana
11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11357 Unauthorized possession of marijuana; possession in school or on school grounds
11361.5 Destruction of arrest or conviction records
11372.7 Drug program fund; uses
11802 Joint school-community alcohol abuse primary education and prevention program
11999-11999.3 Alcohol and drug program funding; no unlawful use
124175-124200 Adolescent family life program
PENAL CODE
13860-13864 Suppression of drug abuse in schools
VEHICLE CODE
13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;
WELFARE AND INSTITUTIONS CODE
828 Disclosure of information re minors
828.1 Disclosure of criminal records; protection of vulnerable staff & students
UNITED STATES CODE, TITLE 20
5812 National education goals
7101-7122 Student Support and Academic Enrichment Grants
Management Resources:
WEB SITES
California Department of Education, Alcohol, Tobacco and Other Drug Prevention:
<http://www.cde.ca.gov/ls/he/at>
California Healthy Kids: <http://www.californiahealthykids.org>
Office of Safe and Healthy Students: <https://www2.ed.gov/about/offices/list/oese/oshs>
Policy
adopted: May 9, 2018
AUBURN UNION SCHOOL DISTRICT
Auburn, California

APPENDIX L: Nondiscrimination / Harassment

[Auburn Un SD](#) | 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, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of

1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, 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, 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](#))

Superintendent

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [1312.3](#) - Uniform 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 on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.
2. Post in a prominent and conspicuous location on the district and school web sites 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 [221.61](#))
 - 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 with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - i. 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
 - ii. 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
 - iii. 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 (cf. [1113](#) - District and School Web Sites) (cf. [1114](#) - District-Sponsored Social Media)
3. 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. (Education Code [234.1](#))
4. 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)

5. The Superintendent or designee shall 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.
6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and 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)
7. 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](#))
8. 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 he/she 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

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is 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 verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or 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 of his/her gender, 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 he/she was assigned at birth.

Regardless of whether they are sexual in nature, 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 are prohibited. 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 his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her 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 his/her gender identity
4. Taunting a student because he/she 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. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) 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 his/her 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 he/she 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 his/her 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 his/her 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 his/her gender identity and begin to treat the student consistent with his/her 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, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education 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 his/her 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 his/her 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 sex-segregated 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, access to a staff member's office, 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 he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her 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 his/her 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. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law. (cf. [5125](#) - Student Records) (cf. [5125.1](#) - Release of Directory Information)
6. **Names and Pronouns:** If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her 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 his/her gender identity, subject to any dress code adopted on a school site. (cf. [5132](#) - Dress Code)

Regulation

AUBURN UNION SCHOOL DISTRICT