Upland Elementary School

Comprehensive School Safety Plan
2018-2019

Education Code Section 35294 (SB 187)

“... all California public schools... in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns...” “safety plan” means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.”

Comprehensive School Safety Plan Section 35294.2 of the California Education Code

This law states that each school district and county office of education is responsible for the overall writing and development of comprehensive school safety plans for its schools operating K-12 grades.

A comprehensive school safety plan includes strategies and programs designed to maintain a high level of school safety. Plans should address procedures for:

- Disaster Response
- Safe ingress and egress to/from school
- Reporting child abuse
- Sexual harassment
- School discipline
- Provisions for school-wide dress code
- Policies related to suspension, expulsion or mandatory expulsion, etc.
- Procedures for notifying teachers about dangerous pupils

Plans must be updated by March 1st each year and taken to the Board for approval.
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Assessment of the Current Status of School Crime

Upland Elementary recognizes that campus disturbances and crimes may be committed by visitors and outsiders to the campus. Upland Elementary's number one priority is the safety of our students. Having a locked campus was put in place to protect the school, staff, and pupils from safety threats by individuals visiting the campus area. While we remain a closed campus, we have volunteers and visitors who come to UE on a daily basis. Upland Elementary has implemented a check-in system at the front office of our school called Raptor for added security. This is a visitor management system that enhances school security by reading a visitor's drivers' license or other approved government issued ID comparing information against sex offender database to alert school administration and law enforcement if a match is found. Once cleared through the system, a visitor badge is produced that includes a photo, name of the visitor, date & time and destination. The staff of Upland Elementary maintains custody documentation provided by families in the student's record and will request assistance from local law enforcement and the Office of Child Welfare and Attendance as needed. Upland Elementary has had 9 suspensions specifically in areas of sexual harassment, physical injury and use of force.
Appropriate Programs and Strategies that Provide School Safety

Upland Elementary is a PBIS (Positive Behavior Intervention & Support) School. Our entire staff is trained to use positive, immediate, intervention to support student behavior. Positive behavior is recognized daily and staff members provide direct teaching of behavioral expectations. Teachers have aligned behavior expectations and consequences to provide consistent practices. Upland Elementary uses BEARS (Belief, Everyone Safe, Achieve, Respect, Support Others) as a focus for the development of moral intelligence. UE makes sure to recognize each of the expectations for a 2 month period in each classroom, students who exceed in the demonstration of the expectation of the month receive a BEARS award at one of our bi-monthly award assemblies. It is our hope that with a deliberate focus on character and behavior expectation development, our students will be well balanced and have academic, social and emotional intelligence.

Community involvement creates an environment of "our kids" vs. "my kid". All staff both certificated and classified have been trained on Tier 1 PBIS practices and have satisfactory knowledge of BEAR expectations and the process to recognize students. The staff is present during recess and lunch where they seek to recognize positive behavior and show appreciation with Bear Up tickets. Twice a week, 4 students are recognized during morning announcements. They receive a prize and get their picture taken which is displayed on our PBIS wall.

At Upland Elementary, we take a whole-child approach to education. That means we focus on social-emotional learning as well as academics. Social-emotional learning (SEL) is the process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions. This year we have used Second Step curriculum in TK-6th-grade classrooms, a program with units covering the following topics: Empathy, Emotion Management, and Problem-solving.

Upland Elementary is a closed campus. Parent must check in at the front office using our Raptor system. This is a visitor management system that enhances school security by reading a visitor's drivers' license or other approved government issued ID comparing information against sex offender database to alert school administration and law enforcement if a match is found. Once cleared through the system, a visitor badge is produced that includes a photo, name of the visitor, date & time and destination.

Before school starts, staff members are assigned to all open gate areas, the front parking lot and exit areas to ensure all students are safe and that only students assigned to Upland Elementary are entering the secure areas. After school, all teachers walk their class out at the end of the day and remain with them until students have been picked up.

Student/Faculty/Staff Records

Information on file is accurate, accessible on the computer, current, and updated regularly. Records are complete with life-threatening medical facts noted (i.e. peanut allergies, medicinal allergies, chronic medical infections, medications being taken). There is a current photo of each student in the school office. Records clearly identify persons authorized to pick up the student in the absence of a parent/guardian. Copies of court orders relevant to the children are on file in the school office. Procedures require that records and identification be checked prior to the release of a student to any person. If computerized records are unavailable, paper records located in the front office are organized alphabetically by grade level so that information can be located quickly. Staff/Faculty records meet the same qualifications noted for student records. In addition, the office staff has held parent sessions and one on one meetings to get every family signed up to Parent Portal this school year. Aeries Parent Portal allows office staff and parents to find up-to-date information about grades and attendance online.
Component 1: Narrative on School Climate

School Profile – Area of Pride and Strength
The staff at Upland Elementary believes that every child at our school has the potential to excel and accomplish great things. In addition to a challenging curriculum, our students have access to up to date technology, music, and PE. Students in sixth grade create and edit their own scripts and work collaboratively to create monthly broadcasts for the whole school to view. We promote positive BEARS behavior expectations (Believe, Everyone Safe, Achieve, Respect, Support others). Upland Elementary has begun a focus on social-emotional learning. Social-emotional learning (SEL) is the process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions. This year we have used Second Step curriculum in TK-6th-grade classrooms, a program with units covering the following topics: Empathy, Emotion Management, and Problem-solving.

Our school has a full-time Reading Specialist who works with four aides. Students who are struggling to read have opportunities to have deliberate, targeted intervention in the area of fluency and comprehension. Students throughout the school have many opportunities to read books of interest with support as needed. Our Reading Specialist also works with teachers and parents to ensure that our students are being challenged and supported inside the classroom and at home. All stakeholders in our learning community work together to build a foundation of excellence that our students can build upon.

We provide instruction using the Common Core standards as our guide. Our staff works diligently to empower our students with academic and moral intelligence so that they are prepared to move forward with their education. Our students come to school prepared to learn and happily take on the challenges in the curriculum because they know that they are supported and cared for. We are proud to be part of their academic journey. The teachers at Upland Elementary implement Kagan strategies, to enhance content knowledge and collaborative work. Upland Elementary is a Thinking Maps school so we have ensured that all of our staff and students are trained to use Thinking Maps across all grade levels and content areas. Additionally, we are implementing the writing component of Thinking Maps "Write From the Beginning" which will allow teachers to use a common rubric for assessing writing development for students.

Curriculum and Educational Activities
We provide a rigorous, engaging curriculum following the Common Cores Standards. Students use hands-on experiences, collaboration, and technology to prepare students for 21st-century learning. Here at Upland Elementary, we believe it is our responsibility to provide rigorous instruction allowing students to think critically, collaborate, and communicate. We place equal value on teaching our students how to demonstrate honesty, responsibility, integrity, self-control, and empathy. We take time each day to teach students about behavior expectations as well as strategies in mindfulness and skills in empathy, emotional management and problem-solving, using Second Step curriculum in order to prepare them to be productive members of a global society.
The teachers at Upland Elementary have a heart for the students entrusted into their care. Students are recognized for academic success, appropriate behavior expectations, and attendance during bi-monthly award assemblies. Each grade level creates learning opportunities that extend beyond the classroom. Some classes visit local farms, while our sixth graders travel to the local mountains for a three day overnight camp. Furthermore, our students use various forms of technology on a daily basis, from online learning tools to online curriculum. This approach to technology promotes a student-centered experience with students taking a more active role in their learning. We have an MTSS team that has created a process, which looks at data collection and intervention support for students who have been identified by teachers as having difficulties with grade level curriculum or behavior. Our Reading Lab provides support for students to practice reading skills and comprehension with a Reading Specialist and three Instructional Aides. In cooperation with the City of Upland, Upland Elementary offers the Think Together program which is a free after-school program providing a supportive, structured environment for students to complete homework, receive curriculum support and partake in enrichment activities. Working together, we utilize best practices to facilitate life-long learning and promote social responsibility for all students.

**The School’s Social Environment**
We believe in using positive interventions to promote desirable student behavior. We have Bear Up tickets which all staff members use as a way to encourage, reinforce and celebrate what students are doing right. Each week, names are drawn and students receive a small token of appreciation for demonstrating any of our BEARS behavior expectations. Each month, students who have consistently demonstrated admirable character qualities are honored and pictures are posted in our main foyer. We encourage students to talk through their issues and model the appropriate way to problem solve. We have partnered with Chick-Fil-A who provides free lunch to students who have perfect attendance. We also invite the Rotary Club each year to read to students and distribute free books. These community partnerships have strengthened our school culture.

**Classroom Organization and Structure**
Upland Elementary has a staff of highly qualified teachers with many holding advanced graduate degrees. Teachers provide safe, orderly learning environments which enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized. Teachers at Upland Elementary provide rigorous academic instruction enhanced by technology and opportunities to create presentations, movies, and broadcasts.
Upland Elementary spends time planning Common Core-based lessons in grade-level teams that coordinate the teaching of grade-level standards for all curricular areas using current texts and other standards-based resources for instruction. Teachers use a variety of teaching strategies including oral presentations, collaborative projects, computer-based learning activities, and formative assessments to guide instruction.

**Professional Development**
Upland Unified School District’s Staff Development Department works on a continuous basis with the district’s Educational Services Department to provide ongoing training for improved student learning. The Staff Development staff and Educational Services Department has taken an active role in working with teachers to align instruction, technology, and assessments with the new Common Core standards. Training is offered throughout the year that teachers can select to attend. Upland Elementary staff members are provided with professional development training during 7 Wednesdays of the year as well as during staff meetings and in-service days as designated by the district office.
School Cultural Environment
Upland Elementary is a diverse community with evidence of parent, teacher and administrative collaboration. All students are expected to behave in a manner that promotes safety and order. Students are encouraged to bring problems to the principal, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern. The academic and behavior efforts of pupils are recognized and rewarded at bi-monthly award assemblies. Parents are encouraged to attend and be part of School Site Council and ELAC. Together, staff and parents have built a school that works in the best interest of the children entrusted into our care.

 Discipline Policy and Code
Upland Elementary is committed to supporting students development in order to make them college and career ready and morally upright global citizens. The values upon which our Behavior Plan is based focuses on the following behavior expectations: Believe, Everyone Safe, Achieve, Respect, Support others. Upland Elementary is working hand in hand with parents to be proactive in identifying positive behavior interventions. Staff looks to recognize students daily with Bear Up tickets. Names are drawn weekly during our morning announcements. Our goal is to assist children in learning how to make decisions about their behavior by learning the listed behavioral traits and practicing them on a daily basis. The emphasis is on learning how to take charge of one’s own decision-making process and use problem-solving skills to deal with difficult interpersonal situations and conflicts. We want children who are empowered to take responsibility for their own behavior, whether it be about working and playing together in a positive way, taking an active role in their own learning (i.e., staying on task, completing assignments, etc.), or solving interpersonal conflicts without negative verbal or physical actions. School expectations are displayed around the campus, in classrooms and can also be found in the Parent/Student Handbook. The rules are sent home at the beginning of the school year to be signed and discussed by both parents and students. Consequences range from warning, intervention to suspension depending on student history and severity of behavior. Classroom expectations are established by each teacher and the students. They are displayed in a prominent place in the classroom.

 Safe Schools Assessment
Upland Elementary has collaborated with parents to ensure our students are safe. We are a closed campus and all visitors must sign in through the front office. They must be buzzed through a locked door to gain access to the school. Staff members and parent volunteers monitor parking lots, crosswalks and school playground before and after school. Staff members and administration spread out to make sure all students exit campus safely. We continuously converse with students about acting with integrity to make sure we are setting excellent examples of citizenship. Students are encouraged to report any suspicious activities and teachers discuss character traits in great length throughout the school year.

 Gang Affiliation
Gang activity and affiliations are present in the community and surrounding neighborhood. On occasion, we do have graffiti which is promptly covered and painted over. However, there is an absence of gang presence or tensions on campus.

 Drug and Violence Prevention Programs
The district uses "Here's Looking at You" drug prevention program in the Elementary schools and has partnered with Reach Out West End to provide grades 7-12 with an intervention program. Each school also conducts activities from character building, words of wisdom, anti-bullying prevention presentations at all grade levels.

 Parent/Guardian Involvement
We seek parent involvement through School Site Council and ELAC meetings. We use these meetings to inform the community of important school initiatives, programs and funding allocation based on our district LCAP.
**Campus Supervisor and Administrative Positions**

School administration ensures that all site personnel is familiar with the procedures in the disaster plan. Site administrators provide information to parents annually about the guidelines and procedures of the disaster plan. Upland Elementary office and administration staff conduct fire, earthquake and lockdown drills as required by law. We make it a priority to work with custodial, maintenance and transportation management personnel in order to maintain accurate emergency preparedness efforts at the site.

**Truancy**

Upland Elementary recognizes the importance of punctuality and regular attendance. The staff of Upland Elementary makes it a priority to accurately record the attendance record for all students. Students with poor attendance are referred to our Healthy Start Attendance Incentive program and meet with their representatives throughout the year. Parents of students with poor attendance are contacted. Should attendance problems continue, official action will be taken, which could result in a referral to the School Attendance Review Board. The following guidelines are adhered to when students have attendance issues:

- Combo of 3 absences/tardies- Phone call to parent and attendance letter #1 sent home
- Combo of 5 absences/tardies- Attendance letter #2 sent home
- Combo of 10 absences/tardies- Pre-SARB meeting with the Administrator, Probation Office where parent signs a contract.
- If improvements are not seen after Pre-SARB meeting - Probation Officer makes a home visit with or without the Administrator
- If attendance issues continue- Referral to SARB

**Campus Disturbances and Crimes**

Upland Elementary recognizes that campus disturbances and crimes may be committed by visitors and outsiders to the campus. Having a locked campus was put in place to protect the school, staff, and pupils from safety threats by individuals visiting the campus area. In order to address conflicts such as parental custody issues, the staff of Upland Elementary maintains custody documentation provided by families in the student’s record and will request assistance from local law enforcement and the Office of Child Welfare and Attendance as needed. Furthermore, our secure campus allows for entrance via the front office only if buzzed in by the main secretary. This is ensures that students are safe and uninterrupted while they learn.

**Visitors and Disruptions to Educational Process**

Upland Elementary is aware of the laws, policies, and procedures, which govern the conduct of visitors to the school campus. Access to school grounds is limited and supervised on a regular basis by staff members at all times. Campus traffic, both pedestrian and vehicular, flows through areas that can be easily and naturally supervised. Delivery entrances used by vendors are also checked regularly. The campus has perimeter fencing. To ensure the safety of pupils and staff and avoid potential disruptions, all visitors to the campus, except students and staff members, must register immediately upon entering any school building or grounds when school is in session. Upland Elementary has established a visible means of identification for visitors while on school premises (i.e Raptor system). Furthermore, the principal or designee may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act. Law enforcement is immediately contacted for individuals engaging in threatening conduct, including disturbing the peace. For continuing disruptive behavior by a visitor or outsider, Upland Elementary will contact the district office to determine whether to file for a temporary restraining order and injunction.
**Component 2: Physical Environment**

**Introduction**
Upland Elementary opened in 1939, making it the oldest school in the Upland Unified School District. This gives it the distinction of being one of the most historical buildings in Upland. Upland Elementary is surrounded by apartments, single-family homes, the city post office as well as Upland Junior High and downtown Upland. We are a TK-6th grade school with 460 students enrolled. We most recently were awarded silver recognition for our work with Positive Behavioral Interventions & Supports (PBIS). Our PBIS framework and practices are founded on the belief that all children can exhibit appropriate behavior. As a site, we focus on best practices to intervene, teach and support targeted behavior expectations.

**The Schools’ Location and Physical Environment**
Upland Elementary is located in the southern part of Upland. It is also home to Upland Unified's Healthy Start program where counseling and additional support is offered to our families. We are right beside Upland Junior High. Upland Elementary is the center of a racially and socioeconomically diverse neighborhood. Our students come from single family homes, apartments. We are less than a mile from downtown Upland, a fire department and city post office. Upland Elementary is 80 years old and the first elementary school in Upland. We have over 20 classrooms and a Literacy Lab. We also have a cafeteria and celebrate students in our breathtaking auditorium. Character Trait murals line the halls and additional portables are used to house our students in the after-school Access programs. The rich history of Upland Elementary is preserved in its character and charm.

**Description of School Ground**
Upland Elementary is comprised of one main building, a cafeteria, auditorium, library and fourteen portables. The front office houses a foyer, health office and three main administrative offices. The main corridor connects all permanent classrooms and leads to the playground and main exterior corridors. Outside, there is a large blacktop area and one main field for students. There is also a kindergarten playground in the front southwest corner. On the playground, students have access to basketball courts, handball courts, foursquare, and tetherball. Upland Elementary is enclosed by a fence with gates which are kept locked during school hours. During the school day, staff members and administrators provide campus supervision. Identified problem areas receive increased supervision to reduce discipline or other school safety concerns.

**Maintenance of School Buildings/Classrooms**
The school site's daily needs are maintained by two custodians who are supported by a district facilities team and site administration. Grounds are inspected regularly in order to ensure a building conducive to a productive positive learning environment for both our students and staff.
Internal Security Procedures

Upland Elementary is aware of the laws, policies and procedures, which govern the conduct of visitors to the school campus. Upland Elementary uses continuing efforts to minimize the number of campus entrance and exit points used daily. Access to school grounds is limited and supervised on a regular basis by staff members at all times. Campus traffic, both pedestrian and vehicular, flows through areas that can be easily and naturally supervised. Delivery entrances used by vendors are also checked regularly. The campus has perimeter fencing. To ensure the safety of pupils and staff and avoid potential disruptions, all visitors to the campus, except students and staff members, must register immediately upon entering any school building or grounds when school is in session. Upland Elementary has established a visible means of identification for visitors while on school premises (Raptor system). Furthermore, the Principal or designee may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act. Law enforcement is immediately contacted for individuals engaging in threatening conduct, including disturbing the peace. For continuing disruptive behavior by a visitor or outsider, Upland Elementary will contact the district office to determine whether to file for a temporary restraining order and injunction. Parents must check in at the front office using our Raptor system in order to visit classrooms. Additionally, parents can only gain access to the interior hallway via the secretary who must unlock the entrance door.

Inventory System – Engraved ID, Security Storage

Disaster Procedures, Routine and Emergency

FIRE ALARM AND EVACUATION: sound alarm.

School evacuates to blacktop and takes attendance.

Staff carries out emergency procedures

TAKE COVER (one minute): one long bell

- ------

LOCKDOWN

Intercom announcement by office staff: intercom announcement by office staff

- ------

ALL CLEAR (ten seconds)

or intercom announcement: or intercom announcement

Disaster Drill or Actual Emergency: Overview

1 Each Teacher and / or support staff will lead students to exit calmly and quickly.

2 The emergency backpack and room number field sign must be taken outside for ALL drills and actual emergencies. The room number field sign is to be set up in front of the entire assigned line for easy viewing.

3 For a fire:
• CLOSE the door – “DON’T FEED THE FIRE.”
• Do NOT place the red/green door hanger on the door.
• Do NOT touch the light switches.

4 For an earthquake:
• Leave the door OPEN – access needed by Search & Rescue.
• Do NOT touch the light switches.
• Check for anyone that cannot exit. Place the red / green door hanger accordingly.

* Red- person left behind in the room due to injury.

* Green – no one left behind.
  • Pull the emergency cart to the middle of the primary blacktop. Do NOT bring the bins up to the field. The Command Post will approve their movement if classes and staff are to remain for an extended period of time.

5 All staff will walk students to assigned areas before reporting to their assigned team.

6 Staff members must take any separated students to their designated lines on the field so they can be accounted for as soon as possible after reaching the evacuation area. Daycare supervisors in a designed line on the primary field will supervise daycare students.

7 The Student Release Team will be located at the East Lot gates. Parents or other visitors will NOT be allowed past the pickup point.

8 All parent volunteers must report to the Command Post.

9 Using a walkie-talkie, please use only “B” channel for the site. The Command Post will use the channel 20 for communication with the school district.

10 Medical supplies are stored in two locations: the Emergency Bin and the Health Technicians office. The gate key opens the Emergency Bin to access supplies.

11 This binder has student release procedures on Page 24.

12 A “Health Concerns” list for each class should be placed with the Blue Emergency Cards in each Emergency Backpack. The Health Technician issues this confidential list.

SEARCH AND RESCUE TEAM DUTIES AND PROCEDURES

DUTIES:

1. Conduct and organize a search of buildings for those who are injured or trapped, as directed by the Command Post.

2. Triage

3. Administer life saving first aide when needed.

4. Attempt to find children/adults unaccounted for.
5. Determine the extent of damage to the outside/entrance of the buildings.

PROCEDURES:

1. This team will split into 6 teams. Refer to the color map for room assignments. The teams will systematically search each of the rooms, portables, offices, library, cafeteria, and auditorium.

2. NOTE: Do not leave the Command Post until all members of the team are present for each search. Stay together. Carry first aid backpacks and hard hats.

3. The first aid team will administer the proper first aid.

4. The Search and Rescue Team will perform triage during this process. Team members are to remove injured persons from the building to an adjacent clear area.

COMMAND POST DUTIES AND PROCEDURES

DUTIES:

1. Transport emergency equipment to Command Post: bullhorn, district/school site radio, battery radio, list of teachers, notes of classes off campus, clipboard – plain paper for documentation of action taken.

2. Assign all emergency personnel as injuries and/or absences dictate.

3. Coordinate assignments to the other support teams.

4. Notify district office of emergency situation. Update information on injuries, damaged areas, actions of outside emergency services, need for assistance, and time of next communication.

5. Maintain a log of outside communications during emergency.

6. Maintain a log of actions taken.

7. Account for all students who are not with their classes as indicated by the blue emergency cards, by cross checking schedules and absence reports.

8. Send a copy of student attendance in classes on the field to Student Release as it becomes available.

PROCEDURES:

1. Assess the type and scope of the emergency.

2. Determine threat to students, personnel and structures.

3. Determine which emergency teams, and when, need to be activated.

4. Evaluate and relocate teams if necessary.

5. Refer request for assistance to appropriate emergency teams.
6. Authorize students release team to begin releasing students when attendance is completed.

7. Notify district office of emergencies and update on a regular basis: number of students injured and extent of injuries, type and extent of damage to the buildings and grounds, actions being taken by emergency teams and outside agencies, needed assistance requested from district, establish time for next communication update.

MEDICAL TEAM DUTIES AND PROCEDURES

DUTIES:

1. Establish a first aid area and report to Command Post.

2. Provide emergency first aid.

3. Document all first aid treatment administered.

4. Provide supplies/services as necessary.

PROCEDURES:

5. When activated by Command Post, this team will establish a first aid station in a safe area.

6. The team will take the first aid supplies from the storage shed and bring them to the first aid area.

7. The first aid team will administer the proper first aid.

8. Those students who receive only minor injuries are to be treated and returned to their classroom holding area. (Teachers are to try to handle minor injuries from their emergency supplies in their emergency backpacks.)

9. Designated first aid team members follow the Search and Rescue Team to administer first aid to the more seriously injured person.

10. Remove medications from the health office.

11. Place list of critical health needs/identifications of students on the clipboard for reference.

FOOD SERVICE TEAM DUTIES AND PROCEDURES

DUTIES:

1. This team will be responsible for providing food items to those students and staff members remaining at school over an extended period of time.

2. This team will be responsible for the preparation, distribution and disposal of food.

3. Maintain inventory of food supplies available.

PROCEDURES:

1. When it is determined by the Command Post that the student and staff will need to be fed, the Food Service Team will begin preparation.
2. This team may need to utilize the services of other staff members depending upon the number of students remaining at school and the anticipated time they will remain at the school.

3. This team will operate from an area by the storage bin. This team will support the medical team until it is time to feed students.

FATALITY TEAM DUTIES AND PROCEDURES:

DUTIES:

1. Set up fatality area.

2. Tag bodies with identification

3. Secure area.

4. Notify Command Post of those persons in the fatality area.

5. Maintain a log of body identification.

PROCEDURES:

1. This team will be activated by the Command Post and members of the medical team will become fatality team.

2. Upon activation this team will remove deceased persons to the designated area.

3. The Fatality Team will place identification tags on the deceased and cover.

4. The Fatality Team will prohibit anyone from entering the area unless authorized by the Command Post.

5. The Fatality Team will provide the Command Post with the names of the deceased students and staff.

6. The Fatality Team will remain with the deceased until an authorized adult who has been cleared at the Release Station removes them from the school premises.

CARD COLLECTION TEAM DUTIES AND PROCEDURES

DUTIES:

1. To make sure that each class and student is accounted for.

2. Communication between Student Supervision and Command Post.

PROCEDURES:

1. There will be 2 Card Collectors. One will begin at the North end of the field, and the other will begin at the South end of the field.
2. From each class, the Collector will retrieve the class Attendance Card and Blue Emergency cards of those students who are absent or who are not currently on the field with the class. Ask if the location of any missing students is known.

3. Return the Attendance Cards and Blue Cards to the Command Post.

4. As needed, provide communication between the Command Post and Student Supervisors.

STUDENT SUPERVISION TEAM DUTIES AND PROCEDURES

DUTIES:

1. Remain calm and keep students calm, quiet, and together during the emergency.

2. Account for all students.

3. Perform minor first aide using supplies and emergency backpacks.

PROCEDURES:

1. This team will be activated immediately after an earthquake.

2. When activated, this team will assume full responsibility for all children in the holding area until such time they are either released or reassigned to the regular classroom teacher.

3. Student supervision team will hold all students in the field.

4. Regular classroom teachers are to account for their students before leaving the students to your care. This team is responsible for the attendance of any classroom in which the regular teacher is not present.

5. Students will only be released upon request from a member of the student release team via handheld radios.

6. A member of student supervision team will call student being released with a bullhorn or a parent may be there to pick up.

STUDENT RELEASE TEAM DUTIES AND PROCEDURES

DUTIES:
1. Establish the student release area.

2. Document and maintain total control of the release of students to the designated parent and/or guardian.

3. Take to release station: master list, teachers' emergency cards, pencils, student runner's tag, clipboard, a sign that says "Student Release Station", in English and Spanish.

PROCEDURES:

1. The Student Release Team will establish an area deemed safe and accessible to parents or guardians to check out students (Between auditorium and Upland Junior High).

2. Use the master list of students identified through teacher's name. Locate the student's white emergency card.

3. Determine that the person checking the student out has the authority to do so.

4. Authorized adults must sign out students on the designated chart.

SECURITY TEAM DUTIES AND PROCEDURES

DUTIES:

1. Shut off gas, electricity, and water to the school if needed. Shut off valves of hot water to trap water.

2. Secure school to prevent unauthorized entry or exit from school.

3. Assist the Search and Rescue Team.

4. Report status of the utilities to the Command Post.

PROCEDURES:

1. A security team member will lock north double front doors and a member will lock south double front doors. They will proceed to the nearest campus gate, and lock gates. The security team will report back to the command post when their responsibilities have been completed.
2. The security team will place barrier tape around areas that are not safe for foot traffic (determined by Search And Rescue Teams.)

3. The security team will station them around the campus fence perimeter to deter entrance to the campus. A security team member will be stationed at the North gate to allow student release and emergency vehicles to enter the campus.

Staff Disaster Team Assignments

Updated 9/17/15

See Attached Documents
Board Policy

Positive School Climate

BP 5137

Students

The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3515 - Campus Security)
(cf. 3515.2 - Disruptions)
(cf. 5030 - Student Wellness)
(cf. 5131.4 - Student Disturbances)
(cf. 5142 - Safety)
(cf. 5145.3 - Nondiscrimination/Harassment)

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

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

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.6 - Alcohol and Drugs)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.
The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

Legal Reference:
EDUCATION CODE
233-233.8 Hate violence prevention
32280-32289 School safety plans
32295.5 Teen court programs
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
44807 Teachers' duty concerning conduct of students
48900-48925 Suspension and expulsion
Management Resources:

CSBA PUBLICATIONS
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Learning Support: http://www.cde.ca.gov/ls
National School Safety Center: http://www.schoollabsafety.us

Policy  UPLAND UNIFIED SCHOOL DISTRICT
adopted: September 27, 2011  Upland, California
Board Policy

Disruptions

BP 3515.2
Business and Noninstructional Operations

The Governing Board is committed to providing a safe environment for district students, staff, and others while they are on district property or 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 district or school operations, 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 - 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 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 in the event of a disruption.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department)
(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.

Safe School Zone

Possession of a firearm within 1000 feet of any district school is prohibited except when authorized by law. (Penal Code 626.9)

Possession of any other unauthorized weapon or dangerous instrument is prohibited on school grounds or buses and at school-related or school-sponsored activities without the written permission of school authorities.

(cf. 5131.7 - Weapons and Dangerous Instruments)
Legal Reference:

**EDUCATION CODE**
- 32210 Willful disturbance of public school or meeting, misdemeanor
- 32211 Threatened disruption or interference with classes; misdemeanor
- 35160 Authority of governing boards
- 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

**UNITED STATES CODE, TITLE 20**
- 7151 Gun-Free Schools Act

**COURT DECISIONS**

**ATTORNEY GENERAL OPINIONS**

Management Resources:

**CSBA PUBLICATIONS**
- 911! A Manual for Schools and the Media During a Campus Crisis, 2001

**U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**
- Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

**WEB SITES**
- CSBA: http://www.csba.org
- California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss

Policy **UPLAND UNIFIED SCHOOL DISTRICT**
- adopted: September 27, 2011  Upland, California
Child Abuse Reporting Procedures

A mandated reporter who knows or reasonably suspects that a minor is the victim of child abuse must report immediately by telephone and in writing by follow-up report within 36 hours to a law enforcement agency. The law penalizes the failure to report by imposing a jail sentence on the defaulting mandated reporter. On the other hand, the law rewards the reporter who meets the reporting obligation by granting absolute immunity from civil or criminal prosecution. (Penal Code Section 11166)

Mandated Reporter: a “Child care custodian”; includes teachers, administrators, supervisors of child welfare and attendance, certificated pupil personnel staff, instructional aides, teacher's aides, and teacher assistants and paid athletic coaches. District employed child care workers and health practitioners (doctors, nurses and psychologists) are also mandated reporters.

Knowledge of or Reasonably Suspects Abuse: When a mandated reporter observes a child with physical “injuries which appear to have been inflicted...by other than accidental means by any other person...” Whether or not there are visible physical injuries, all suspected sexual abuse must be reported.

To Whom is the Report Made: An oral report to designated law enforcement agencies must be made immediately. The observing employee must contact:

a. The Child Protective Services (CPS) Unit of the local Welfare or Human Services Department:

   or

b. Upland Police Department (909) 982-1331
   Emergency Number 911

All law enforcement officers are mandated reporters.

A follow up written report must be submitted within 36 hours. Forms are available on-line at:

School Interview Law: Penal Code 11174.3 imposes both a time sequence and series of duties on school personnel and the law enforcement investigator. This law is limited to child abuse victims only. The law speaks only to abuse which takes place in the home. When law enforcement comes to school to take the child into custody, rather than question the child, the interview procedures do not apply. The child is effectively under arrest.

Law enforcement (sheriff, police or CPS) may interview suspected victims of child abuse on school premises during school hours concerning child abuse in the home. The child may choose to be interviewed in private or may select an adult staff member to be present “to lend support.”

Step One – The investigator comes to school. All investigations begin in the school office. The staff member “in charge” should ask for identification and the purpose of the proposed interview. When it is made clear that the interview will focus on allegation of abuse in the home, the staff member in charge should be present with the child before the interview begins.
Step Two - The investigator must advise the child of the right to choose a staff member to be present during the interview.

What the school employee should do if:
1. The child chooses not to have a staff member present?
   The staff member should leave the room.
2. The child asks for either the mother or father to be present?
   School employees do not grant or deny such requests. This responsibility lies with the investigator.
3. The child changes their mind during the interview?
   The law gives the child a continuous option to ask for an adult staff member or to send the staff member away.

Step Three – The child asks for an adult staff member to be present
What can the selected staff member do:
   a. The staff member, by law, may decline to sit in the interview
   b. The school administrator should inform the selected staff member of their duties during the interview. A copy of Penal Code 11174.3 should be supplied to the staff member who has agreed to be present.
   c. The staff member’s role is one of a “comforter” during the interview. There is no questioning by the staff member and no discussion of the child abuse incident with the child. There must be no prompting by the staff member. Investigators should not attempt to ask or direct the staff member to coerce, suggest or elicit a response from the child.
   d. The law forbids disclosure of what the staff member hears or learns during the interview. This confidentiality disappears when a court orders testimony. No written report is required by the staff member.
California Penal Code 11174.3
“School Interview Law”

11174.3(a) Whenever a representative of a government agency investigating suspected child abuse or neglect or the State Department of Social Services deems it necessary, a suspected victim of child abuse or neglect may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present at the interview. A representative of the agency investigating suspected child abuse or neglect or the State Department of Social Services shall inform the child of that right prior to the interview.

The purpose of the staff person's presence at the interview is to lend support to the child and enable him or her to be as comfortable as possible. However, the member of the staff so elected shall not participate in the interview. The member of the staff so present shall not discuss the facts or circumstances of the case with the child. The member of the staff so present, including, but not limited to, a volunteer aide, is subject to the confidentiality requirements of this article, a violation of which is punishable as specified in Section 11167.5. A representative of the school shall inform a member of the staff so selected by a child of the requirements of this section prior to the interview. A staff member selected by a child may decline the request to be present at the interview. If the staff person selected agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. Failure to comply with the requirements of this section does not affect the admissibility of evidence in a criminal or civil proceeding.
### Suspected Child Abuse Report

**To Be Completed by Mandated Child Abuse Reporters**

Pursuant to Penal Code Section 11166

**PLEASE PRINT OR TYPE**

**NAME OF MANDATED REPORTER**

**TITLE**

**MANDATED REPORTER CATEGORY**

**REPORTER’S BUSINESS/AGENCY NAME AND ADDRESS**

**Street**

**City**

**Zip**

**DAYTIME TELEPHONE**

**SIGNATURE**

**TODAY’S DATE**

**OFFICIAL CONTACTED - TITLE**

**TELEPHONE**

**NAME (LAST, FIRST, MIDDLE)**

**BIRTHDATE OR APPROX. AGE**

**SEX**

**ETHNICITY**

**ADDRESS**

**STREET**

**CITY**

**ZIP**

**TELEPHONE**

**PHYSICALLY DISABLED?**

**YES**

**NO**

**DEVELOPMENTALLY DISABLED?**

**YES**

**NO**

**OTHER DISABILITY (SPECIFY)**

**PRIMARY LANGUAGE**

**SPOKEN IN HOME**

**IN FOSTER CARE?**

**YES**

**NO**

**IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE:**

**YES**

**NO**

**DAY CARE**

**CHILD CARE CENTER**

**FOSTER FAMILY HOME**

**FAMILY FRIEND**

**GROUP HOME OR INSTITUTION**

**RELATIVE’S HOME**

**RELATIONSHIP TO SUSPECT**

**PHOTOS TAKEN?**

**YES**

**NO**

**DID THE INCIDENT RESULT IN THIS VICTIM’S DEATH?**

**YES**

**NO**

**NAME (LAST, FIRST, MIDDLE)**

**BIRTHDATE OR APPROX. AGE**

**SEX**

**ETHNICITY**

**ADDRESS**

**STREET**

**CITY**

**ZIP**

**HOME PHONE**

**BUSINESS PHONE**

**NAME (LAST, FIRST, MIDDLE)**

**BIRTHDATE OR APPROX. AGE**

**SEX**

**ETHNICITY**

**ADDRESS**

**STREET**

**CITY**

**ZIP**

**HOME PHONE**

**BUSINESS PHONE**

**ADDRESS**

**STREET**

**CITY**

**ZIP**

**TELEPHONE**

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**E. INCIDENT INFORMATION**

**IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX IF MULTIPLE VICTIMS, INDICATE NUMBER:**

**DATE / TIME OF INCIDENT**

**PLACE OF INCIDENT**

**NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)**

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**DEFINITIONS AND INSTRUCTIONS ON REVERSE**

**DO NOT** submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was not determined to be unfounded.

**WHITE COPY - Police or Sheriff's Department.**

**BLUE COPY - County Welfare or Probation.**

**GREEN COPY - District Attorney's Office.**

**YELLOW COPY - Reporting Party**
DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act, also known as CANRA. The Internet site is: http://www.feginfo.ca.gov/canra.html (specify Penal Code and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some information is not known. (PC Section 11167(a)).

I. MANDATED CHILD ABUSE REPORTERS

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

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

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

III. REPORTING RESPONSIBILITIES

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

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

IV. INSTRUCTIONS (Continued)

- SECTION A - REPORTING PARTY: Enter the mandated reporter’s name, title, category (from PC Section 11165.7), business (agency) name and address, telephone number, a signature and today’s date. Also check yes-no whether you (the mandated reporter) witnessed the incident. The signature area is for either the mandated report or the person taking as telephoned report.

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

- SECTION C - VICTIM (One Report per Family, siblings must have same parents/guardians): Enter the victim’s name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and where applicable enter the school, school class (indicate the teacher’s name or room number), and grade. List the primary language spoken in the victim’s home. Check the appropriate yes-no box for: developmentally disabled?, physically disabled? and specify the victim’s other disability. To determine if the victim has a disability, ask the victim’s parent or care giver. Also check the appropriate yes-no box for in foster care?, indicate type of care if the victim was in out-of-home care, indicate the type of abuse. List the victim’s relationship to the suspect, check the appropriate yes-no box for photos taken? indicate whether the incident resulted in this victim’s death.

- SECTION D - INVOLVED PARTIES: Enter the requested information for: Victim’s Siblings, Victim’s Parents/Guardians and the Suspect.

- SECTION E - INCIDENT INFORMATION: If multiple victims, enter the number. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheets if needed.

V. DISTRIBUTION

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

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

Child Abuse Prevention And Reporting

BP 5141.4

Students

Child Abuse Prevention

The Governing Board recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

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, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf. 6143 - Courses of Study)

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

(cf. 1020 - Youth Services)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 0450 - Comprehensive Safety Plan)

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. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

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

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

Legal Reference:
EDUCATION CODE
32280-32288 Comprehensive school safety plans
33308.1 Guidelines on procedure for filing child abuse complaints
44690-44691 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

**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
11164-11174.4 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

**Management Resources:**

CDE LEGAL ADVISORIES
0514.93 Guidelines for parents to report suspected child abuse

**WEB SITES**
California Attorney General's Office, Crime and Violence Prevention Center: http://safestate.org
California Department of Education, Safe Schools: http://www.cde.ca.gov/ls/ss
California Department of Social Services, Children and Family Services Division: http://www.childsworld.ca.gov

**Policy**
UPLAND UNIFIED SCHOOL DISTRICT
adopted: September 27, 2011  Upland, California
Suspension and Expulsion Policies

Suspensions and Expulsion Policies

“Policies ...for pupils who committed an act listed in subdivision (d) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion...”

Zero Tolerance - A student must be expelled at least one year for the following:

Section 48915(c)

(1) Possessing, selling, or otherwise furnishing a firearm.
(2) Brandishing a knife at another person.
(3) Unlawfully selling a controlled substance.
(4) Commits or attempts to commit a sexual assault, or commits a sexual battery.

SPECIFIC ACTS OF MISCONDUCT

Specific Acts of Misconduct for which a student may be suspended or expelled as listed in Education Code, (EC) 48900, 48900.2, 48900.3, 48900.4, 48915(a) and 48915(c) are summarized below. These acts are related to school activities or attendance which occur at any time, including, but not limited to:

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

Section 48900 Grounds for suspension

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or
(2) Willfully used force or violence upon the person of another, except in self-defense.
(b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object.
(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance.
(d) Unlawfully offered, arranged, or negotiated to sell any controlled substance and then deliver a false substance.
(e) Committed robbery or extortion.
(f) Caused or attempted to cause damage to school property or private property.
(g) Stolen or attempted to steal school or private property.
(h) Possessed or used tobacco, or any products, containing tobacco or nicotine products.
(i) Committed an obscene act or engaged in habitual profanity or vulgarity.
(j) Had unlawful possession of, or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials.
(l) Knowingly received stolen school property or private property.
(m) Possession of an imitation firearm.
(n) Committed or attempted to commit a sexual assault.
(o) Harassed, threatened, or intimidated a student who is a complaining witness.
(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
(q) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
(r) Aiding or abetting the infliction or attempted infliction of physical injury to another (being a “back-up”).

Note: Look-a-like items apply to b, c, d, h and j.
Board Policy

Suspension And Expulsion/Due Process

BP 5144.1
Students

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. 5144 - Discipline)

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

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

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

Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when the student involved has a history of misconduct and other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.

To correct the behavior of students who are subject to discipline, the Superintendent or designee, to the extent allowed by law, shall use alternative disciplinary measures that keep students in school during the school day.

(cf. 1020 - Youth Services)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

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

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)
Due Process

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

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Removal from Class by a Teacher and Parental Attendance

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and his/her parents/guardians and to improve classroom behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other means that maintains the confidentiality of the student's records.

(cf. 5125 - Student Records)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

(cf. 5145.6 - Parental Notifications)

Decision Not to Enforce Expulsion Order

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation.
Legal Reference:
EDUCATION CODE
212.5 Sexual harassment
1981 Enrollment of students in community school
17292.5 Program for expelled students
32261 Interagency School Safety Demonstration Act of 1985
35146 Closed sessions (re suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48660-48667 Community day schools
48900-48927 Suspension and expulsion
48950 Speech and other communication
49073-49079 Privacy of student records
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
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230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child
PENAL CODE
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240 Assault defined
241.2 Assault fines
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289 Penetration of genital or anal openings
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
7151 Gun free schools
COURT DECISIONS
ATTORNEY GENERAL OPINIONS

Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Civil Rights Data Collection Summary, March 2012
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 of Safe and Drug-Free Schools: http://www.ed.gov/about/offices/list/osdfs

Policy UPLAND UNIFIED SCHOOL DISTRICT
adopted: August 28, 2012 Upland, California
Policy for Notifying Teachers of Dangerous Pupils

DISCLOSURE OF STUDENT DISCIPLINARY HISTORY TO TEACHERS

The Education Code requires that teaching staff be informed if any of their students have a history of committing acts of the type described in Education Code 48900 (i.e. offenses justifying suspension or expulsion). Upland Elementary School maintains a summary of students with a history of such disciplinary problems, which is available for review by the teaching staff. Information contained in this summary is confidential and provided solely for the benefit of our teachers. Further dissemination is prohibited.
Discrimination and Harassment Policy

PROCEDURES FOR HANDLING HARASSMENT COMPLAINTS

Upland Elementary School is committed to a work and educational environment that is free of unlawful discrimination on the basis of actual or perceived ethnic group identification, race, ancestry, national origin, religion, physical or mental disability, gender, sex, color, age or sexual orientation. Civil rights guarantees and equal access laws shall be adhered to in all educational programs or activities and personnel/employment practices.
Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

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

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

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

(cf. 1240 - Volunteer Assistance)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21- Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Grievance Procedures

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district’s nondiscrimination policies:

Assistant Superintendent Human Resources
390 N. Euclid Avenue
Upland, CA 91786
(909) 985-1864

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

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

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

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 - Sexual Harassment)

Within 30 days of receiving the district's report, the complainant may appeal to the Board if he/she disagrees with the resolution of the complaint. The Board shall make a decision at its next regular meeting and its decision shall be final.

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

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 6163.4 - Student Use of Technology)

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

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
COURT DECISIONS

Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
California Student Safety and Violence Prevention - Laws and Regulations, April 2004
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, January 1999
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
First Amendment Center: http://www.firstamendment.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy UPLAND UNIFIED SCHOOL DISTRICT
adopted: August 28, 2012 Upland, California
Board Policy

Sexual Harassment

BP 5145.7

Students

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who files a complaint, testifies, or otherwise participates in district complaint processes.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and 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
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

Complaint Process

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 (e.g., by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and 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. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Confidentiality and Record-Keeping

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

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 the schools.

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
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
106.1-106.71 Nondiscrimination on the basis of sex in education programs
COURT DECISIONS
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
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
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Sexual Violence, April 4, 2011
Sexual Harassment: It's Not Academic, September 2008
Revised Sexual Harassment Guidance, 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   UPLAND UNIFIED SCHOOL DISTRICT
adopted: August 28, 2012       Upland, California
Uniform Complaint Process

SEXUAL HARASSMENT COMPLAINT PROCEDURE
The Upland Unified School District prohibits sex-based discrimination, including sexual harassment, and the district and school site staffs are committed to investigating and resolving, fairly, all reports and complaints of sex-based discrimination and sexual harassment.

The Assistant Superintendent of Human Resources is the Chief Complaint Officer for the District. The Assistant Superintendent may be contacted at (909) 985-1864, extension 229, or at Upland Unified School District, 390 N. Euclid Avenue, Upland, California, 91786.

Any report or complaint of sex-based discrimination or harassment against a student may be presented in person or in writing to the principal or assistant principal of the school the student attends. Any report or complaint of sex-based discrimination or harassment made by a student against an employee should be presented in person or in writing to the Assistant Superintendent of Human Resources at the above address. A complaint may also be filed directly with the U.S. Department of Education, Office for Civil Rights at 50 United Nations Plaza, Room 239, San Francisco, CA 94102.

The administration is committed to prohibiting sex-based discrimination and sexual harassment and will thoroughly investigate and resolve all such reports or complaints.

Reporting Procedures
1. The Board encourages and expects students to immediately report incidents of sexual harassment to any teacher, counselor, or administrator at the school site or to the District Complaint Officer.
2. Any teacher, counselor, or administrator who has received a report, verbally or in writing, from any student regarding sexual harassment of that student or any other student by a student or adult in the educational setting must forward that report to the building principal and the Assistant Superintendent of Human Resources, District Complaint Officer, Upland Unified School District, 390 N. Euclid Avenue, Upland, California 91786, Telephone (909) 985-1864 within twenty-four (24) hours, or within a reasonable extension of time thereafter for good cause.
3. Verbal reports of sexual harassment will be put in writing by the individual complaining or the person who receives the complaint and should be signed by the person complaining.
4. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned to the extent permitted by law and to the extent practical and appropriate under the circumstances.
5. The complaint investigator will put his/her findings in writing after concluding the investigation.
6. The investigator will communicate his/her finding to the complainant and the alleged harasser as expeditiously as possible. Appropriate discipline may be imposed.
7. Results may sustain the complaint, not sustain the complaint or be indeterminate. If indeterminate, the matter will be recorded as unresolved.
8. A written record of the investigation will be maintained by the school district separate and apart from any student or personnel file.
9. If dissatisfied with the district’s decision, the complainant may seek assistance through local resources, i.e., Legal Aid Society of the West End, Inland Counties Legal Services or Tel-Law General information. If unable to resolve the dispute via local remedies, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district’s decision. Other resources available include the Office of Civil Rights and the American Civil Liberties Union.

If you have any questions about Upland Unified’s policy against sexual harassment or the procedure for filing complaints, please contact:

Assistant Superintendent Human Resources, Upland Unified School District
Phone: (909) 985-1864
WILLIAMS CRITERIA LEGISLATION
Policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or mis-assignment will be addressed through Uniform Complaint Procedures process to identify and resolve complaints per the Williams Criteria Legislation.
(Education Code 35186)

UNIFORM COMPLAINT PROCEDURES
The Governing Board recognizes that the district has the primary responsibility for ensuring compliance with state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve complaints at the local level. The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on religion, age, gender, color, sex, sexual orientation, ethnic group identification, race, ancestry, national origin, or physical or mental disability in any program or activity that receives or benefits from state financial assistance. The district shall also follow uniform complaint procedures when addressing complaints alleging failure to comply with state or federal laws including adult basic education, consolidated categorical aid programs, vocational education, child care and development programs, child nutrition programs and special education programs.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

Upon receipt of a written complaint from an individual, public agency or organization, uniform complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

COMPLIANCE OFFICER
The Governing Board designates the following compliance officer to receive and investigate complaints and ensure district compliance with law:
Assistant Superintendent of Human Resources
390 N. Euclid Avenue
Upland, California 91786
(909) 985-1864

The Superintendent or designee shall annually notify in writing, as applicable, its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, and other interested parties of their local educational agency complaint procedures, including the opportunity to appeal to the California Department of Education. The notice shall include the identity (identities) of the person(s) responsible for processing complaints. The notice shall also advise the recipient of the notice of any civil law remedies that may be available, and of the appeal and review procedures. This notice shall be in English, and when necessary, in the primary language or mode of communication of the recipient of the notice.
The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. The Compliance Officer shall maintain a record of each complaint and subsequent related actions, including:

- a) The original complaint;
- b) A copy of the district decision;
- c) A summary of the nature and extent of the investigation conducted by the district if not covered in the district decision;
- d) A report of any action taken to resolve the complaint;
- e) A copy of the district complaint procedures; and
- f) Such other relevant information.

The district will use its uniform complaint procedures when addressing all complaints regarding sex equity.

Investigations of discrimination complaints shall be conducted in a manner that protects confidentiality of the parties and the facts.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

**Step 1: Filing of Complaint**

Any individual, public agency or organization may file a written complaint of alleged noncompliance.

The complaint shall be presented to the Superintendent or designee, who will then give it to the appropriate compliance officer. The Superintendent or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, district staff shall help him/her to file the complaint.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

**Step 2: Investigation of Complaint**

The compliance officer shall hold an investigative meeting within five days of receiving the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally. The complainant and/or his/her representative and the district’s representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other’s witnesses.

To ensure that all pertinent facts are made available, the compliance officer and the complainant may ask other individuals to attend this meeting and provide additional information.

**Step 3: Response**

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district’s investigation and decision. If the complainant is dissatisfied with the compliance officer’s decision, he/she may, within five days, file his/her complaint in writing with the Governing Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer’s decision is final. If the Board hears the complaint, the compliance officer shall send the Board’s decision to the complainant within 60 days of the district’s initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant.
Step 4: Final Written Decision

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any.
2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal.
4. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

If dissatisfied with the district's decision, the complainant may seek assistance through resources, i.e., Legal Aid Society of the West End, Inland Counties Legal Services or Tel-Law General information. If unable to resolve the dispute via local remedies, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. Other resources available include the Office of Civil Rights and the American Civil Liberties Union.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision.

Disciplinary Action

Any student who is found to be responsible for sexual harassment will be subject to appropriate discipline up to and including expulsion. The severity of the disciplinary action will be based upon the circumstances of the infraction. (Education Code 48900) (Cross Reference: CSBA Policy No. 5145.7)

EC 48900.3 states that suspension or expulsion may be applied if a student “caused, attempted to cause, threatened to cause, or participated in an act of hate violence.”

Hate violence is generally directed against an individual or group of individuals because of their race, religion, ethnicity, or other characteristic.

EC 48900.4 states that suspension or expulsion may be used if a student has “intentionally engaged in harassment, threats, or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that student or group of students by creating an intimidating or hostile educational environment.”

Examples of harassment, threats, or intimidation include mad dogging (intimidating stares), statements like “you better watch your back,” any action that is intended to harass, intimidate, or threaten another student.

Students should feel free from threats and intimidation at school. As always, if you have any questions or comments about these or any other school rules or policies, we at Upland Elementary School stand ready to assist.
Board Policy

Suspension/Disciplinary Action

BP 4118
Personnel

The Governing Board expects all employees to exhibit professional and appropriate conduct and serve as positive role models both at school and in the community. An employee may be suspended or disciplined for unprofessional or inappropriate conduct in accordance with law, the district's collective bargaining agreement, Board policy, and administrative regulation.

(cf. 4000 - Concepts and Roles)
(cf. 4112.5/4312.5 - Criminal Record Check)
(cf. 4117.4 - Dismissal)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4141/4241 - Collective Bargaining Agreement)

The Superintendent or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved and based on the severity of the misconduct. Disciplinary actions may include, but not be limited to, verbal warnings, written warnings, reassignment, suspension, compulsory leave, or dismissal.

The Superintendent or designee shall ensure that, consistent with law, disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Complaints Concerning Discrimination in Employment)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.1/4219.4319.1 - Civil and Legal Rights)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

In accordance with law, the Superintendent or designee shall notify the Commission on Teacher Credentialing when the status of a credentialed employee has been changed as a result of alleged misconduct.

(cf. 4117.7 - Employment Status Reports)

Legal Reference:
EDUCATION CODE
44008 Effect of termination of probation
44009 Conviction of specified crimes
44010 Sex offense - definitions
44011 Controlled substance offense - definitions
44242.5 Reports and review of alleged misconduct
44425 Conviction of a sex or narcotic offense
44660-44665 Evaluation and assessment of performance of certificated employees
44830.1 Criminal record summary certificated employees
44930-44988 Resignations, dismissal, and leave of absence, especially:
44940 Sex offenses and narcotic offenses; compulsory leave of absence
Compulsory leave of absence
Drawing of warrants for teachers
Exercise of free speech, expression
Speech and other communication
Advocacy or teaching of communism
GOVERNMENT CODE
Scope of representation
HEALTH AND SAFETY CODE
Schedule I; substances included
Schedule II, substances included
Schedule III, substances included
Marijuana
Peyote
Opium
Possession of controlled substances with a firearm
PENAL CODE
Murder
School employees arrest for sex offense
Prior prison terms, enhancement of prison terms
Plea bargaining limitation
CODE OF REGULATIONS, TITLE 5
Reports of change in employment status
Notice of sexual misconduct
COURT DECISIONS

Management Resources:
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
California’s Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007
WEB SITES
CSBA: http://www.csba.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov

Policy  UPLAND UNIFIED SCHOOL DISTRICT
adopted: September 27, 2011  Upland, California
Administrative Regulation

Complaints Concerning Discrimination In Employment

AR 4031
Personnel

Complaint Procedure

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: Any employee or job applicant (the "complainant") who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the district's Coordinator for Nondiscrimination in Employment, or the Superintendent.

   The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

   A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the Coordinator, whether or not the complainant files a written complaint.

   The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

   (cf. 0410 - Nondiscrimination in District Programs and Activities)
   (cf. 4030 - Nondiscrimination in Employment)
   (cf. 4032 - Reasonable Accommodation)
   (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

2. Investigation Process: The Coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five school days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

   The Coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The Coordinator shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

   (cf. 3580 - District Records)
   (cf. 4112.6/4212.6/4312.6 - Personnel Files)
   (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

   If the Coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the Coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.
When necessary to carry out his/her investigation or to protect employee or student safety, the Coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The Coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The Coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Corrective Action: No more than 30 days after receiving the complaint, the Coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, correct the effect on the complainant, and ensure that retaliation or further discrimination or harassment does not occur.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 working days of receiving the written report of the Coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 working days.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
GOVERNMENT CODE
12920-12921 Nondiscrimination
12940-12948 Discrimination prohibited; unlawful practices, generally
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2001d-2001d-7 Title VI, Civil Rights Act of 1964
2001e-2001e-17 Title VII, Civil Rights Act of 1964, as amended
2001h-2-2001h-6 Title IX of the Civil Rights Act of 1964
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
106.8 Designation of responsible employee for Title IX

Management Resources:
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov

Regulation UPLAND UNIFIED SCHOOL DISTRICT
approved: September 27, 2011 Upland, California
School-Wide Dress Code

STUDENT DRESS AND APPEARANCE REGULATIONS

Under the Constitution of the State of California, the students of the Upland Unified School District have the inalienable right to attend schools that are safe, secure and peaceful. The Upland Unified School District Board of Trustees subscribes to the philosophy that students should be provided with a quality education in a safe, secure and peaceful environment. The Board has determined and finds that the presence of any gang related jewelry, insignia, colors, paraphernalia, apparel, clothing and attire on school campuses and at school activities results in substantial disruption of or material interference with institutional and other activities and so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the substantial disruption of the orderly operation of the school. Specifically, the Board finds that it is necessary to establish dress and grooming regulations designed to regulate the wearing of or display of clothing, attire, jewelry, apparel, insignia, colors, paraphernalia or materials that evidence membership in or affiliation with any gang, which are obscene, sexually explicit or suggestive; which promote the use/abuse of drugs, tobacco and/or alcohol; which pose a threat to the physical wellbeing and safety of students or are likely to cause others to be intimidated by fear of violence; or which so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or at school activities, or the violation of law or lawful school regulations or the substantial disruption of or material interference with the orderly operation of the school or school-sponsored activities.

In recognition of the instructional responsibilities and goals of the Upland Unified School District, the district hereby adopts the following regulations relative to the dress and appearance of the students:

1. No gang-related jewelry, insignia, colors, paraphernalia, materials, apparel, clothing or attire may be worn or carried on campus or at school activities. Also prohibited are notebooks, manner of grooming or gesture, which, by virtue of its color, arrangement, trademark, graffiti or any other attribute, denotes membership in such a group.

2. Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including, but not limited to, hats. Each school site may set a policy related to the type of sun-protective clothing, including, but not limited to, hats, that pupils will be allowed to use outdoors. Specific clothing and hats determined by the school district or school site to be gang related or inappropriate apparel may be prohibited by the dress code policy. No gang-related hats or other gang related head attire may be worn on campus or at school activities.

3. Clothing, jewelry, paraphernalia or material, or manner of grooming, which is obscene, sexually explicit or which depicts or suggests sexually-related or obscene gestures, pictures or wording or which promotes violence, the use/abuse of drugs, tobacco, or alcohol, may not be worn or carried on campus or at school activities.

4. No student may wear articles of clothing, jewelry, paraphernalia or accessories which pose a threat to the physical and/or emotional well-being and safety of the student or others on campus or at school activities.

5. Clothing or articles of clothing (including, but not limited to, gloves, bandanas, shoestrings, wristbands, jewelry) which are likely to provoke others to acts of violence or which are likely to cause others to be intimidated by the fear of violence may not be worn on campus or at any school activity.

6. The principal or principal’s designee shall enforce the Student Dress and Appearance Regulations.

7. Gang-related clothing, apparel, attire including hats, jewelry, insignias, colors, paraphernalia and materials are prohibited from being worn at school or at school activities.
Safe Ingress and Egress Procedures

**Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.**

In order to ensure the safety of students, parents and staff, Upland Elementary School has established the following procedures:

- School hours have been established that provide access to our campus when supervision is provided.
- School personnel monitors’ student safety while entering and departing from school.
- School Personnel are posted at the gates designated for students entering and exiting campus, before and after school.
- Students are urged to walk with friends to and from school and discouraged from walking alone.
- Our School Resource Officer is another level of safety provided to our school community.
- Student bus riders are informed of bus safety rules, and are supervised by school personnel until they are loaded on the bus to return home.
- Parents and all visitors must check in at the Office and show proper identification before access to a student or student records.
- All staff members must display their District Identification Badges while on campus.
- All visitors must display a valid visitor’s pass while on campus.
Students who violate district rules are subject to the disciplinary actions listed on the following chart. Schools also have the right to make additional school rules. School administrators will determine the appropriate action after considering the severity of the infraction, other factors such as age, health and maturation of the student and all alternative measures designed to bring about proper conduct. Students whose behavior is insubordinate or incorrigible will be referred for appropriate action to the school administrator. If no improvement is noted or if a sanction more severe than a five-day suspension is considered appropriate, the principal may recommend expulsion or an involuntary transfer. A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district.

**RANGE OF DISCIPLINARY ACTIONS**
(Individual Schools May Have Additional Rules)
A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
- While on school grounds.
- While going to or coming from school.
- During the lunch period, whether on or off the campus.
- During, or while going to or coming from, a school-sponsored activity.

(Education Code 48900)

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<th>Maximum Action</th>
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<th>Grounds for Discipline</th>
<th>Minimum Action</th>
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<td>Suspension</td>
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<td>Suspension / Alternative Placement</td>
<td>Expulsion</td>
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<tr>
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<td>Conference/Suspension</td>
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<td>Receiving stolen property</td>
<td>Suspension</td>
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<tr>
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<tr>
<td>Possessing, selling or furnishing a firearm</td>
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</tr>
<tr>
<td>Brandishing a knife</td>
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<tr>
<td>Selling a controlled substance</td>
<td>Expulsion</td>
<td>Expulsion</td>
</tr>
<tr>
<td>Sexual assault or battery</td>
<td>Expulsion</td>
<td>Expulsion</td>
</tr>
<tr>
<td>Possessing an explosive</td>
<td>Expulsion</td>
<td>Expulsion</td>
</tr>
</tbody>
</table>
Board Policy

Conduct

BP 5131

Students

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131.1 - Bus Conduct)
(cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption

(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff’s authority

5. Damage to or theft of property belonging to students, staff, or the district

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)
The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire

(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes
a matter has not been resolved, he/she shall refer the matter to his/her supervisor or an administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6020 - Parent Involvement)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32280-32289 Comprehensive safety plan
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 Rules
44807 Duty concerning conduct of students
48900-48925 Suspension and expulsion
51512 Prohibition against electronic listening or recording device in classroom without permission
CIVIL CODE
1714.1 Liability of parents and guardians for willful misconduct of minor
PENAL CODE

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288.2 Harmful matter with intent to seduce
313 Harmful matter
417.25-417.27 Laser scope or laser pointer
647 Use of camera or other instrument to invade person's privacy; misdemeanor
653.2 Electronic communication devices, threats to safety

VEHICLE CODE
23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5
300-307 Duties of students

UNITED STATES CODE, TITLE 42
2000h-2000h6 Title IX, 1972 Education Act Amendments

COURT DECISIONS
LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981
Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Management Resources:

CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Bullying at School, 2003

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss
Center for Safe and Responsible Internet Use: http://cyberbully.org
National School Boards Association: http://www.nsba.org
National School Safety Center: http://www.schoolsafety.us

Policy UPLAND UNIFIED SCHOOL DISTRICT
adopted: August 28, 2012 Upland, California
Board Policy

Discipline

BP 5144
Students

The Governing Board desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. In addition, discipline shall be used in a manner that corrects student behavior without intentionally creating an adverse effect on student learning or health.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

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

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

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

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
The Superintendent or designee shall provide professional development as necessary to assist staff in developing consistent classroom management skills, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

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

Legal Reference:
EDUCATION CODE
32280-32288 School safety plans
35146 Closed sessions
35291 Rules
35291.5-35291.7 School-adopted discipline rules
37223 Weekend classes
44807.5 Restriction from recess
48900-48926 Suspension and expulsion
48980-48985 Notification of parent/guardian
49000-49001 Prohibition of corporal punishment
49330-49335 Injurious objects
CIVIL CODE
1714.1 Parental liability for child's misconduct
CODE OF REGULATIONS, TITLE 5
307 Participation in school activities until departure of bus
353 Detention after school

Management Resources:
CSBA PUBLICATIONS
Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009
CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
STATE BOARD OF EDUCATION POLICIES
01-02 School Safety, Discipline, and Attendance, March 2001
WEB SITES
California Department of Education: http://www.cde.ca.gov

Policy UPLAND UNIFIED SCHOOL DISTRICT
adopted: September 27, 2011 Upland, California
Hate Crime Policies and Procedures

Hate Crime Policies and Procedures

EC 48900.3 states that suspension or expulsion may be applied if a student “caused, attempted to cause, threatened to cause, or participated in an act of hate violence.”

Hate violence is generally directed against an individual or group of individuals because of their race, religion, ethnicity, or other characteristic.

EC 48900.4 states that suspension or expulsion may be used if a student has “intentionally engaged in harassment, threats, or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that student or group of students by creating and intimidating or hostile educational environment.”

Examples of harassment, threats, or intimidation include mad dogging (intimidating stares), statements like “you better watch your back,” any action that is intended to harass, intimidate, or threaten another student.

Students should feel free from threats and intimidation at school. These two provisions will help ensure a safe place for learning.
Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

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

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)
Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

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

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32282 School safety plans
48900.3 Suspension for hate violence
48900.4 Suspension or expulsion for threats or harassment
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
California Student Safety and Violence Prevention - Laws and Regulations, April 2004
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS
Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997
WEB SITES
CSBA: http://www.csba.org
California Association of Human Relations Organizations: http://www.cahro.org
California Department of Education: http://www.cde.ca.gov
National Youth Violence Prevention Resource Center: http://www.safeyouth.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
U.S. Department of Justice, Community Relations Service: http://www.usdoj.gov/crs

Policy UPLAND UNIFIED SCHOOL DISTRICT
adopted: September 27, 2011 Upland, California
Board Policy

Bullying

BP 5131.2

Students

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)
(cf. 6164.2 - Guidance/Counseling Services)
The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

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

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline
Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(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)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
PENAL CODE
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety
UNITED STATES CODE, TITLE 47
254 Universal service discounts (e-rate)
COURT DECISIONS

Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Harassment and Bullying, October 2010
WEB SITES
CSBA: http://www.csba.org
California Cybersafety for Children: http://www.cybersafety.ca.gov
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss
Center for Safe and Responsible Internet Use: http://cyberbully.org
National School Boards Association: http://www.nsba.org
National School Safety Center: http://www.schoolsafety.us
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy  UPLAND UNIFIED SCHOOL DISTRICT
adopted: August 28, 2012  Upland, California
Disaster Procedures

Disaster procedures, routine and emergency.

Disaster Service Workers

All public employees are designated as disaster service workers subject to service as may be assigned to them by their superiors or by law (Govt. Code, Chapter 8, Section 3100). Should a disaster strike during school hours, NO employee will leave his/her assignment under any circumstances unless officially released by the Superintendent or his designee.

“The Upland Unified School District agrees that, after meeting its responsibilities to pupils, it will permit, to the extent of its ability and upon request by the Red Cross, the use of its physical facilities by the Red Cross as mass shelters for the victims of disasters.”

All District staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and events that threaten to result in disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan, which details provisions for handling all foreseeable emergencies and disasters. This plan shall be reviewed and updated at least annually.

Principals are the responsible party at each site and shall augment the district plan with working plans and procedures reviewed by the Superintendent and/or designee specific to each school site. All students and employees shall receive instruction regarding these plans.

The Superintendent or designee shall consult with city and/or county agencies so that district and site plans may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and each school site.

The Superintendent, or designee, may provide a plan that allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety.

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

Disaster simulation exercises shall be held annually at each school site and coordinated with the city when possible. The exercises shall demonstrate how safety procedures may be applied to various types of emergencies.

All employees should become proficient in first aid and cardiopulmonary resuscitation. Each principal shall ascertain that at least one staff member at each school holds a valid certificate in these areas. The Superintendent or designee shall provide for CPR in-service training to be offered at least once a year for district staff.