

# **Edison Bethune Charter Academy**

## **Comprehensive School Safety Plan**

**SB 187 & SB 334 Compliance Document**

**2016-2017**

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Edison Bethune Charter Academy  
1616 South Fruit Avenue  
Fresno, California 93706

*This document is to be maintained for public inspection during business hours*



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# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 1: Edison Bethune Charter Academy Commitment to School Safety

The Edison Bethune Charter Academy’s goal is to have safe and secure campuses for enrolled students and all employees. The school believes that a beginning step toward safer schools is the development of a comprehensive plan for school safety for Edison Bethune Charter Academy. Fresno County Department of Education intends that parents, students, teachers, administrators, counselors, classified personnel, and community agencies develop safe school plans, including local law enforcement. The school site committee will review these safe school plans on an annual basis and proposed changes will be submitted to the Board for approval.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 2: Legislative Requirements

The California Education Code (sections 35294-35294.9) outlines the requirements of all schools operating any T-K and any grades K to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

This requirement was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 187/SB 334 to contain the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Sexual harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 3: Maintaining a Safe and Orderly Environment

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

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

At our school, we promote nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training which implements and supports conflict resolution (California Education Code Sections 32230-32239, 35160, 35160.1, 44806).

Edison Bethune Charter Academy remains in compliance with existing laws related to school safety. This manual outlines several elements critical to maintaining a safe school environment.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

The school site council at Edison Bethune Charter Academy shall develop a comprehensive school safety plan relevant to the needs and resources of our school. (Education Code 32281)

The school safety plan shall take into account the school’s staffing, available resources, and building design, as well as other factors unique to the site.

Edison Bethune Charter Academy shall review and update its safety plan by March 1 of each year. (Education Code 32286)

Edison Bethune Charter Academy shall forward the safety plan to the Board for approval. (Education Code 32288)

The Board shall review the comprehensive school safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation.

The Board shall approve the plan at a regularly scheduled meeting.

The Executive Director or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

By October 15 of each year, the Executive or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

## Legal Reference:

### EDUCATION CODE

200-262.4 Prohibition of sex discrimination  
32260-32262 Interagency School Safety Demonstration Act of 1985  
32270 School safety cadre  
32280-32289 School safety plans  
32290 Safety devices  
35147 School site councils and advisory committees  
35183 School dress code; uniforms  
35291 Rules  
35291.5 School-adopted discipline rules  
35294.10-35294.15 School Safety and Violence Prevention Act  
41510-41514 School Safety Consolidated Competitive Grant Program  
48900-48927 Suspension and expulsion  
48950 Speech and Other Communication  
49079 Notification to teacher; student who has committed acts constituting grounds for suspension or expulsion  
67381 Violent crime

### PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

### CALIFORNIA CONSTITUTION

Article 1, Section 28© Right to Safe School

### CODE OF REGULATIONS, TITLE 5

11992-11993 Definition, persistently dangerous schools  
11987-11987.7 School Community Violence Prevention Program requirements

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

## UNITED STATES CODE, TITLE 20

- 7101-7165.1 Safe and Drug Free Schools and Communities, especially:
- 7114 Application for local educational agencies
- 7912 Transfers from persistently dangerous schools

## UNITED STATES CODE, TITLE 42

- 12101-12213 Americans with Disabilities Act

## Management Resources:

### CSBA PUBLICATIONS

- 911! A Manual for Schools and the Media During a Campus Crisis, 2001
- Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
- Early Warning, Timely Response: A Guide to Safe Schools, August 1998

### WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>
- California Office of Emergency Services: <http://www.oes.ca.gov>
- California Seismic Safety Commission: <http://www.seismic.ca.gov>
- Center for Effective Collaboration and Practice: <http://cecp.air.org>
- Federal Bureau of Investigation: <http://www.fbi.gov>
- National Alliance for Safe Schools: <http://www.safeschools.org>
- National School Safety Center: <http://www.schoolsafety.us>
- U.S. Department of Education, Office of Safe and Drug Free Schools: <http://www.ed.gov/about/offies/list/osdfs/index.html>

Reviewed: \_\_\_\_\_ Date \_\_\_\_\_  
Adopted: \_\_\_\_\_ Date, resno, California \_\_\_\_\_

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

## Development and Review of School Site Safety Plan

When developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

The school site council may delegate the responsibility for developing a school safety plan to a school safety planning committee. This committee shall be composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. once classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the school safety plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. A representative of the local school employee organization
2. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
3. A representative of each teacher organization at the school site
4. A representative of the student body government (middle schools)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

Comprehensive Safety Plan:

## Content of the Safety Plan

The school site safety plan shall include an assessment of current status of school crime committed on campus and at school-related functions. (Education Code 32282)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety. The plan shall include the development of all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164
2. Routine and emergency disaster procedures including, but not limited to:
  - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act
  - b. An earthquake emergency procedure system in accordance with the Education Code 32282
  - c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 4891(c) and other school designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing “gang-related apparel” pursuant to Education Code 35183, the provisions of that dress code and the definition of “gang-related apparel”
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Hate crime reporting procedures

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution.
2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing and cyber-bullying, as well as behavioral expectations and consequences for violations
3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, medial analysis skills, conflict resolution, and community service learning
4. Parent involvement strategies, including strategies to help ensured parent/guardian support and reinforcement of the school’s rules and increase the number of adults on campus
5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction
7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school
8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
9. Assessment of the school’s physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 1: General Information – School Safety
Part 4: Policy and Administrative Regulations

10. Crisis prevention and intervention strategies, which may include the following:
  - a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
  - b. Assignment of staff members responsible for each identified task and procedure
  - c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
  - d. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
  - e. Development of a method for the reporting of violent incidents
  - f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
11. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

The requirements of school personnel and the identification and reporting of known or suspected child abuse to a protective agency is mandated by the State of California Penal Code. In fact, failure to do so on the part of school personnel could lead to penalties, which might be imposed, on these individuals. The Edison Bethune Charter Academy board policy and administrative regulations are continually updated to reflect appropriate legislation. Excerpts from the California Penal Code and Edison Bethune Charter Academy Board Policy as well as Administrative Regulations are presented below.

From California Penal Code Section 11166

...any child care custodian, health practitioner, or employee of a child protective agency who has knowledge or observes a child in his or her professional capacity within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective 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.

## Child Abuse Prevention Programs

Recognizing that our responsibility to students includes the protection of their physical and mental well-being, the Governing Board desires to provide whatever opportunities or resources may be available for the prevention of child abuse.

The Board agrees with the Legislature that:

1. Child abuse and neglect is a severe and increasing problem in California.
2. Schools and preschools are able to provide an environment for training of children, parents, and all school district staff.
3. Primary prevention programs in the schools are an effective and cost-efficient method of reducing the incidence of child abuse and neglect and for promoting healthy family environments.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention Programs (Continued)

The Executive Director, or equivalent, shall explore funding and assistance available for the establishment of programs directed toward preventing the occurrence of child abuse, including physical abuse, sexual assault, and child neglect, and reducing the general vulnerability of children, including coordination with and training for parents and school staff.

Parents shall be given notice of, and may refuse to have their children participate in, prevention training program.

## Child Abuse Prevention and Reporting

### Definitions

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

1. A physical injury inflicted by other than accidental means or child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health or a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

3. An injury resulting from the exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonable necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning  
(Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

6. Homelessness or classification as an unaccompanied minor. (Penal Code 1165.12)

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

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

### Reportable Offenses

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

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

### Responsibility for Reporting

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

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

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

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

### Reporting Procedures

#### 1. Initial Telephone Report

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

To report Child Abuse in Fresno County:

(559) 600-8320 phone  
(559) 266-2463 fax

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

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

### 2. Written Report

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

The Department of Justice form may be obtained from the District Office or other appropriate agencies, such as the County Probation or Welfare Department or the Police or Sheriff's Department.

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

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child
- f. The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her (Penal Code 11167)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05 (Penal Code 11167)

### 3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the Principal, or the Executive Director or designee. (Penal Code 11166)

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

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

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

### Training

Within the first six weeks of each school year, the Executive Director or designee shall provide training on mandated reporting requirements to employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Ed. Code 44691; Penal Code 11165.7)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law, is a misdemeanor punishable by imprisonment and/or a fine as specified. (Ed. Code 44691; Penal Code 11165.7)

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

### Victim Interviews

Whenever a representative of a government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim 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 given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Report Act, a violation of which is punishable as specified in Penal Code 1167.5.

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

### Release of Child to Peace Officer

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



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

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

### Parent/Guardian Complaints

Upon request, the Executive Director or designee shall provide parents/guardians with procedures that describe how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

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

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

### Notifications

The Executive Director or designee shall provide all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, informs them of their reporting obligations under Penal Code 11166, and of their confidentiality rights under Penal Code 11167. The district shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

## Child Abuse Prevention and Reporting (Continued)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating the he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Executive Director or designee. (Penal Code 11166.5)

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

The Executive Director or designee shall also notify all employees that:

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 1: General Information - Disaster

Edison Bethune Charter Academy and the will take all necessary measures to keep students, staff and visitors safe in the event of a disaster. The following sections of this plan outline basic responsibilities for all staff for specific incidents

The Edison Bethune Charter Academy has developed a Standardized Emergency Management System (SEMS) Plan that outlines in more detail, specific responsibilities for Emergency Response Teams at this school.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 2: Biological/Chemical Weapons Assault

Biological and chemical weapons are unconventional warfare tactics that can be deployed upon the public with little or no notice. Such weapons typically involve microscopic materials that may be organic or synthetically manufactured in laboratories. Biological or chemical weapons can be in powder form, liquid, or vaporous. Agents used in biological/chemical attacks include, but are not limited to: anthrax, smallpox, other harmful viruses, various forms of nerve gas, tear gas, and other vaporous irritants. Pranks using stink bombs should also be considered a chemical weapons attack.

There are several possible dispersion techniques to deliver biological and chemical agents. The following procedures should be utilized in the event of an assault involving biological or chemical weapons.

Any possible biological/chemical weapons assault should be reported immediately to the principal.

The principal should notify law enforcement authorities immediately.

As necessary alert all site employees of the situation by intercom.

If the agent is delivered via aircraft:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the principal, principal's designee or officers of emergency response agencies.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 2: Biological/Chemical Weapons Assault

If the agent is delivered via dispersion device that is outdoors:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the principal, principal's designee or officers of emergency response agencies.

If the agent is delivered via dispersion device that is indoors:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

If the agent is delivered via the school's HVAC system:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

In any situation involving biological or chemical weapons the principal and staff must follow all instructions given by officers of emergency response agencies. The District EOC will develop an action plan to handle telephone inquiries, rumor control, media relations, public information, employee/student crisis counseling, and facility damage assessment/control

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

If you observe a suspicious object or potential bomb on property, **DO NOT HANDLE THE OBJECT, IMMEDIATELY NOTIFY 9-1-1.**

## 1. Receiving the Call

Make every attempt to keep the caller on the phone as long as possible to gain information. Try if possible, to determine the gender and age of caller. Try if possible, to get the caller to tell you the exact location of the bomb and the time of threatened detonation.

## 2. Notification Procedures

School Site; communicate the above information to the following in this order:

- Principal
- Assistant Principals/Counselor
- Administrator Designee

The Principal/administrator will notify local law enforcement those designated to be notified.

Strictly follow the above notification procedures and do not discuss or notify others of the bomb threat since this may create an unwarranted panic response at the facility.

## 3. Action Plan Procedures

If required to develop an action plan, the principal/administrator may consult with the following: other administrators, head counselor, head custodian utilizing their expertise.

If the location of the bomb is not specifically designated, students will be kept in the classroom.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

The principal will make the decision to evacuate the building. However, if possible, this decision should be made in conjunction with law enforcement authorities after they arrive at the site.

The decision to search the building will be made in conjunction with law enforcement authorities and performed by them.

Reoccupation of an evacuated building will be authorized by the principal only after consulting with law enforcement authorities.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 4: Chemical or Hazardous Material Incident

If a hazardous material incident occurs off site, stay indoors and close all doors and windows (referred to as taking “Shelter in Place”).

Notify 9-1-1 of the Chemical or Hazardous Material Incident.

If possible, determine the location of the spill in relation to facility buildings and wind direction.

Do not evacuate buildings until you are sure you will not be evacuating into an area which may be more hazardous.

Follow all instructions given by the Fire Department when they arrive at the facility.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 5: Earthquake Procedures

## Indoors

**DROP, COVER, AND HOLD.**

Get under desk or table. Move away from windows and objects that could fall. Stay under desk or table until shaking stops.

## Outdoors

Move away from building, utility poles and vehicles. Avoid all down wires or electrical lines. Do not run.

## In School Bus

Stop vehicle in safe location away from power lines, overpasses or large buildings. Stay in vehicle and establish radio contact with Transportation or school office.

## General

Be prepared for immediate aftershocks and ground motion.

Evaluate immediate area for earthquake related hazards (fire, building collapse, gas leaks, broken electrical lines, wires etc.)

Evaluate immediate area (classroom, bus, etc.) for injuries or medical aid situations.

Call 9-1-1, if you have an immediate emergency such as a fire or serious injury.

Assist injured with First Aid treatment.

Do not evacuate buildings or vehicles unless you have a hazard-related reason to do so.

Conduct a headcount to account for all personnel and students.

Establish communications with your supervisor or principal and follow emergency checklist and procedures.

Assist any police or fire units that respond to your location.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 6: Explosion, Aircraft Crash or Similar Incident

If possible, Duck and Cover under a desk or table.

Notify 9-1-1 of the explosion or crash.

Assist any injured requiring first aid treatment.

If necessary because of fire, building damage etc., evacuate building.

Assist any persons who would have physical problems evacuating the building.

Go to an outdoor evacuation/assembly area which is hazard free and not affected by the explosion or crash.

Keep fire lanes, streets and walkways open for emergency responders.

Stay in assembly area and account for all personnel and students.

Do not return to buildings until authorized by fire department or principal.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 7: Fire Procedures

Call 9-1-1 to report a fire, stay one line and give specific information (name, address of school or facility).

Utilize manual pull station to activate building alarm system and evacuate building when you hear an alarm.

In the event of a small fire, notify 9-1-1 and then use the nearest fire extinguisher to control the fire if you have been trained in their use.

Do not attempt to fight large fires, call 9-1-1 and evacuate building.

Assist students in building evacuation and proceed to outdoor school evacuation area or areas.

When evacuating buildings walk, do not run.

Do not use elevators for building evacuation or in an emergency.

If heavy smoke is present, crawl or stay near floor for breathable air.

Assist any individuals who would have physical problems evacuating the building.

Stay in the designated assembly area and account for all personnel and students.

Do not block fire lanes or areas used by the fire department.

Do not reenter building until authorized by fire department or the principal.

If the fire is off site, wait for instructions from the principal.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 8: Flood Procedures

If a flood warning is received by the school or site, notify the Principal immediately.

Based upon the specific threat, the school site in conjunction with the Operational Area EOC and SEMS system will develop an action plan to protect personnel, students and facilities.

Evacuation of the school will be directed in coordination with SEMS.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 9: Lockdown/Civil Unrest Procedures

Any threatening disturbance should be reported immediately to the Principal/Administrator.

If the disturbance is affecting normal school or facility operations, the Principal/Administrator should notify law enforcement authorities immediately.

As necessary, alert all site employees of the situation by intercom, Site staff must follow the instructions below:

If you are inside:

- Close and lock all doors and windows immediately upon notification of situation
- Keep all students inside and take roll
- If feasible, move all students to a center point and keep low to the ground. Stay away from all doors and windows
- Never open the door or window to anyone
- Keep students inside classroom, regardless of lunch or recess until you are told by the principal or principal's designee that the situation has been resolved

If you are outside:

- Immediately have students and staff seek shelter if it is safe to do so. Drill with students and staff to go to the nearest room to them
- If shelter is not available, ensure students lie flat on the ground immediately
- Children in restrooms should be instructed to stay there until directed to exit by the principal or principal's designee

If situation is violent and may include the use of firearms, the principal or principal's designee should instruct all staff and students to lie face down on the floor and remain immobile.

Principal and staff must follow all instructions given by responding law enforcement.

If the event is major, the Principal will develop an Action Plan to deal with the situation as well as the following:

- A. Telephone inquiries and rumor control
- B. Media relations and public information
- C. Employee/Student crisis counseling
- D. Facility damage assessment/control

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 10: Severe Windstorm Procedures

If a severe wind warning is received, notify the Principal immediately.

Based upon the specific threat, the District EOC in conjunction with the Operational Area EOC or City EOC will develop an action plan to protect personnel, students and facilities.

In general, if severe winds are affecting a school or facility, employees and students should be moved to the interior core area of the building (inside wall on the ground floor) away from outside windows and doors.

Close all windows and blinds and avoid auditoriums, gymnasiums and other building locations that have large roof areas or spans.

Avoid all areas that have large concentrations of electrical equipment or power cables.

Evacuation of specific schools, facilities or areas will be directed by the District EOC in coordination with SEMS.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

All incoming mail and packages should be handled with caution.

Below are Indicators of suspicious mail and steps to take in the event that suspicious mail is received.

Mail that ...

- ... is unexpected or from an unfamiliar source
- ... has excessive postage
- ... is addressed to someone who no longer works in the District
- ... is addressed to a current employee but with the wrong title
- ... contains several misspelled words on the envelope
- ... marked with restrictive endorsements such as "Personal" or "Confidential"
- ... has no return address or an address that cannot be verified
- ... mail that is from a foreign country
- ... shows a city or state in the postmark that doesn't match the return address
- ... is lopsided, oddly shaped, or has an unusual weight, given its size
- ... has protruding wires, strange odors or stains
- ... has powdery substance on the outside
- ... has an unusual amount of tape on it
- ... is ticking or making unusual sounds

Not all mail comes perfectly packaged or with accurate information on it, so it is important that employees handling mail remain sensible in the screening of mail. However, prudent scrutiny conducted in a reasonable manner can greatly reduce the school's chances of becoming the victim of attack by mail.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

What to do with suspicious mail (general response):

- Do not try to open the package or envelope.
- Do not sniff, taste or shake the package.
- Isolate the package.
- Evacuate the immediate area; close the door.
- Contact your supervisor and call 911.

Response to mail suspected of delivering biological/chemical agents in powder form:

- Do not open an envelope or package with powder on the outside.
- If powder is spilled from an envelope or package, do not try to clean up the powder.
- Cover the spilled contents immediately with anything (clothing, paper, trash can).
- Do not remove this cover.
- Leave the room and close the door or otherwise prevent access to the room.
- Wash your hands with soap and hot water.
- Ensure that everyone who had contact with the piece of mail washes his/her hands with soap and hot water.
- Notify your supervisor.
- Supervisor should immediately contact the local police (911) or the U.S. Postal Inspection Service (877-876-2455).
- Supervisor should notify the Principal's Office.
- Remove heavily contaminated clothing as soon as possible and place inside a plastic bag or some other container that can be sealed. This clothing should be given to the responding emergency response units.
- Shower with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- Make a list of all the people who were in the room or area, especially those who had contact with the envelope or package. Provide this list to the emergency response teams investigating the incident.
- Investigators will remove the envelope or package and conduct a thorough check of the area for contamination.
- If you are prescribed medicine as a result of this exposure, take it until instructed or until it runs out.

NOTE: Contacting the U.S. Postal Service is less likely to create a media event than the local police but their response may be slower.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

When the principal at Edison Bethune Charter Academy is aware that a student has caused or tried to cause another person serious bodily injury, or any injury that requires professional medical treatment, a separate and confidential file is created for that child. Information based upon written District records or records received from a law enforcement agency are contained in the file.

When such a student is assigned to a teacher's classroom, the principal shall provide the teacher with written notification. The teacher is asked to review the student's separate and confidential file in the office. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Excerpts from the California Education Code, the California Penal Code are presented below.

From California Education Code Section 49079

- (a) A school district shall inform the teacher of every student who has caused or who has attempted to cause serious bodily injury to another person, as defined in paragraphs (5) and (6) of subdivision (e) of Section 243 of the Penal Code, to another person. The District shall provide the information to the teacher based on any written records that the District maintains or receives from a law enforcement agency regarding a student described in this section.
- (b) No school district shall be liable for failure to comply with this section if, in a particular instance, it is demonstrated that the district has made a good faith effort to notify the teacher.
- (c) The information provided shall be from the previous three (3) school years.
- (d) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

From California Penal Code Section 243(e) – Paragraphs 5 and 6

- (5) ... “Injury” means any physical injury which requires professional medical treatment.
- (6) ... “Custodial Officer” means any person who has the responsibilities and duties and who is employed by a law enforcement agency of the city or county or who performs those duties as a volunteer.

## Employee Security

### Notice Regarding Student Crimes and Offenses

The Executive Director or designee shall inform the teacher of every student who has engaged in, or is reasonably suspected to have engaged in, any act during the previous three years which could constitute grounds for suspension or expulsion, with the exception of the possession or use of tobacco products. This information shall be based upon written district records or records received from a law enforcement agency. (California Education Code 49079).

When informed pursuant to Welfare and Institutions Code 828.1 that a student has committed crimes unrelated to school attendance which do not therefore constitute grounds for suspension or expulsion, the Executive Director or designee may so inform any teacher, counselor or administrator whom he/she believes needs this information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from needless vulnerability. The Executive Director or designee shall consult with the principal of the school which the student attends in order to identify staff that should be so informed. (California Welfare and Institutions Code 828.1).

Teachers shall receive the above information in confidence and disseminate it no further. (California Education Code 49079, California Welfare and Institutions Code 828.1).

The principal or designee shall maintain the above information in a separate confidential file for each student. When such a student is assigned to a class/program, the principal or designee shall notify the teacher in writing and ask the teacher to initial this notice, return it to the principal or designee, and review the student’s file in the school office. This notification shall not name or otherwise identify the student.

The principal or designee shall notify all certificated personnel who are likely to come into contact with the student, including the student’s homeroom or classroom teachers, special education teachers, coaches and counselors.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

## Employee Security (Continued)

The teacher shall initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079, a teacher's failure to review the file may be construed as a waiver of the district's liability.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 1: Definitions

## Suspension and Expulsion/Due Process

*Suspension* from school means removal of a student from ongoing instruction for adjustment purposes. However, “suspension” does not mean any of the following):

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the governing board for pupils of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the pupil to the principal or designee as provided in the California Education Code, Section 48910. Removal from a particular class shall not occur more than once every five school days.

*Expulsion* means removal of a student from the immediate supervision and control, or the general supervision, of school personnel.

*Day* means a calendar day unless otherwise specifically provided.

*School day* means a day upon which the schools of the district are in session or weekdays during summer recess.

*Student* includes a student’s parent/guardian or legal counsel.

*Principal’s designee* means any one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal’s primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal’s office.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
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Section 5: Suspension and Expulsion/Due Process
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Part 2: Notice of Regulations
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## Suspension and Expulsion/Due Process

At the beginning of each school year, the Principal of each school site will notify in writing all students, and parents/guardians of all school rules related to discipline, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment.

Notification shall include information about the availability of individual school rules and all district policies and regulations pertaining to student discipline.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 3: Grounds for Suspension and Expulsion

## Suspension and Expulsion/Due Process

Students may be subject to suspension or expulsion for committing any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Possessed sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance listed in the California Health and Safety Code, Section 11053-11058, alcoholic beverage, or an intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed as defined in Health and Safety Code, Section 11053-11058, an alcoholic beverage, or an intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 3: Grounds for Suspension and Expulsion

11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date. Ed. Code 48900.k (1) (2)
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e. a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289 or committed a sexual battery as defined in Penal Code 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.

Students in grades 4 through 12 are also subject to suspension or recommendation for expulsion for any of the acts listed below:

16. Committed sexual harassment as defined in Education Code 212.5.
17. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5.
18. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonable expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 3: Grounds for Suspension and Expulsion

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, including but not limited to the following circumstances:

1. While on school grounds.
2. While going to or coming from school.
3. During lunch period.
4. During, going to, or coming from a school-sponsored activity

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



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 4: Removal from Class by a Teacher/Parental Attendance

## Suspension and Expulsion/Due Process

A teacher may suspend any student from his/her class, for the day of suspension and the next day for any act listed in “Grounds for Suspension and Expulsion” above.

A teacher also may refer a student to the principal or designee for consideration of suspension from school.

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

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

A student removed from class shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal.

A student removed from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was suspended.

The teacher of any class from which a student is removed may require the suspended student to complete any assignments and tests missed during the suspension.

Pursuant to Board policy, a teacher may require the parent/guardian of a student whom the teacher has suspended to attend a portion of a school day in his/her child’s classroom. When a teacher makes this requirement, the principal shall send the parent/guardian a written notice that the parent/guardian’s attendance is pursuant to law.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 4: Removal from Class by a Teacher/Parental Attendance

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternative date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 5: Suspension by Executive Director, Principal, or Principal's Designee

## Suspension and Expulsion/Due Process

The principal, or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion.

The principal or designee shall immediately suspend any student found at school or at a school activity to be:

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm.
2. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault.
5. Committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion", Section 5, Part 3.

Suspension also may be imposed upon a first offense if the principal or designee determines the student violated items (1)-(5) listed in "Grounds for Suspension and Expulsion", Section 5, Part 3, or if the student's presence causes danger to persons or property or threatens to disrupt the instructional process.

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion.

### 1. Informal Conference

Suspension shall be preceded by an informal conference conducted by the principal, designee or the Executive Director with the student and, whenever practicable, the teacher, supervisor or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 5: Suspension by Executive Director, Principal, or Principal's Designee

evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense.

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

## 2. Administrative Actions

All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior.

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Executive Director or designee.

## 3. Notice to Parents/Guardians

At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension.

This notice shall state the reasons for suspension and the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such requests without delay.

## 4. Parent/Guardian Conference

Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
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Section 5: Suspension and Expulsion/Due Process
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Part 5: Suspension by Executive Director, Principal, or Principal's Designee
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While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend.

## 5. Extension of Suspension

If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Executive Director or designee may, in writing, extend the suspension until such time as the Board has made a decision.

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Executive Director or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 6: Suspension by the Board

## Suspension and Expulsion/Due Process

The Board may suspend a student for any of the acts listed in “Grounds for Suspension and Expulsion” above and within the limits specified in “Suspension by Executive Director, Principal, or Principal’s Designee” above.

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts enumerated in Education Code 48900 occurred. The suspension shall meet the requirements of Education Code 48915.

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

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 7: On-Campus Suspension Program

## Suspension and Expulsion/Due Process

Students for whom an action to expel has not been initiated and who pose no imminent danger or threat to the school, students or staff may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply:

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

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 8: Authority to Expel

## Suspension and Expulsion/Due Process

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed above under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Executive Director, hearing officer or administrative panel, based on finding either or both of the following:

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



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 9: Mandatory Recommendation for Expulsion

## Suspension and Expulsion/Due Process

Unless the principal or Executive Director finds that expulsion is inappropriate due to particular circumstances, the principal, Executive Director or designee shall recommend a student's expulsion for any of the following acts:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 10: Mandatory Recommendation and Mandatory Expulsion

## Suspension and Expulsion/Due Process

The principal, Executive Director or designee shall recommend that the Board expel any student found at school or at a school activity to be:

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certified school employee, with the principal or designee's concurrence.
2. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.

Upon finding that the student committed any of these acts, the Board shall expel the student.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 11: Student's Right to Expulsion Hearing

## Suspension and Expulsion/Due Process

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Executive Director or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred.

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

If the Board finds it impracticable to comply with these time requirements for conducting an expulsion hearing, the Executive Director or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 12: Rights of Complaining Witness

## Suspension and Expulsion/Due Process

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

Whenever the Executive Director or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following:

1. Receive five days notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 13: Written Notice of the Expulsion Hearing

## Suspension and Expulsion/Due Process

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten calendar days before the date of the hearing. The notice shall include:

1. The date and place of the hearing.
2. A statement of the specific facts and charges upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a).
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 14: Conduct of Expulsion Hearing

## Suspension and Expulsion/Due Process

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session.

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

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made.
3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion."

Findings of fact shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of harm.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 14: Conduct of Expulsion Hearing

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

4. Testimony by Complaining Witnesses: The following shall be observed when hearings involve allegations of sexual assault or sexual battery by a student:
  - a. Any complaining witness shall be given five days notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person who he/she finds disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
  - f. Evidence of specific instances or prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy

Section 5: Suspension and Expulsion/Due Process

Part 14: Conduct of Expulsion Hearing

- g. In order to facilitate a free and accurate statement of the experience of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.
- 5. **Decision Within Ten Days:** The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed.
- 6. **Decision Within 40 Days:** If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 15: Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

## Suspension and Expulsion/Due Process

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled.

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in “Conduct of Expulsion Hearing.”

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion to the Board. If expulsion is not recommended, the student shall be immediately reinstated. (See “Final Action by the Board” below.)

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the finding of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order.

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See “Suspension of Expulsion” below.)

The Board shall make its decision about the student’s expulsion within 40 school days after the date of the student’s removal from school unless the student requests in writing that the decision be postponed.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 16: Final Action by the Board

## Suspension and Expulsion/Due Process

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting.

When the Board accepts a recommendation against expulsion or decides after the hearing not to expel, this decision is final and the student shall be reinstated immediately. The Executive Director or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs after consulting with district personnel, including the teacher involved, and with the student's parent/guardian.

Upon ordering the expulsion, the Board shall set a date, no later than the last day of the semester following the semester in which the expulsion occurred, when the student may apply for readmission to a school within the district.

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

With parental consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 17: Written Notice to Expel

## Suspension and Expulsion/Due Process

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

1. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian.
2. Notice of the right to appeal the expulsion to the County Board of Education.
3. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1.
4. Notice of the alternative educational placements available to the student during the time of expulsion.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion/Due Process
Part 18: Suspension of Enforcement of the Expulsion

## Suspension and Expulsion/Due Process

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year.

When deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

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

In cases of mandatory expulsion, the enforcement of an expulsion order shall not be suspended.

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on a probationary status.
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
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Section 5: Suspension and Expulsion/Due Process
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Part 18: Suspension of Enforcement of the Expulsion
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5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. Suspension of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.
7. The Executive Director or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion
Part 19: Right to Appeal

## Suspension and Expulsion/Due Process

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion
Part 20: Post-Expulsion Assignments

## Suspension and Expulsion/Due Process

The Board shall refer expelled students to a program of study that meets all the following conditions:

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

When the placement described above is not available, and when the County Executive Director of Schools so certifies, students expelled for acts described in items #6 through #15 under “Grounds for Suspension and Expulsion” may be instead referred to a program of study that is provided at another comprehensive middle, Junior, or senior high school, or at an elementary school.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion
Part 21: Readmission After Expulsion

## Suspension and Expulsion/Due Process

Readmission procedures shall be as follows:

1. On the date set by the Board when it is ordered the expulsion. The district shall consider readmission of the student.
2. The Executive Director or designee shall hold a conference with the parent/guardian and the student. At the conference the conditions for readmission shall be reviewed. The Executive Director or designee shall verify that these conditions have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Executive Director or designee shall transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Executive Director or designee shall notify the student and parent/guardian by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission if it finds that the student had not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees.
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion
Part 22: Maintenance of Records

## Suspension and Expulsion/Due Process

The Board shall maintain a record of each expulsion, including the cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school.

The Executive Director or designee shall, within five working days, honor any other district's request for information about an expulsion from this district.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 5: Suspension and Expulsion
Part 23: Notifications to Law Enforcement Authorities

## Suspension and Expulsion/Due Process

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 1: General Information

The administration, teachers and staff at Edison Bethune Charter Academy actively strive to eliminate acts of sexual harassment at the school. All personnel are aware of the mandates from the State of California, the California Department of Education, and the Board of Education of the Edison Bethune Charter Academy and support them fully. All personnel have received instruction regarding the recognition, prevention, and reporting of acts of sexual harassment. It is important that parents understand the provisions regarding sexual harassment and, in particular, student-to-student harassment. In recent years, this area of sexual harassment has been more clearly delineated in federal and state legislation as well as in our District's policies.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 2: Sexual Harassment – All Personnel

## Sexual Harassment

The Governing Board prohibits sexual harassment in the working environment of employees or applicants by any person in any form.

Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal.

Any employee or applicant for employment who feels that he/she or another individual in the district is being sexually harassed should immediately contact his/her supervisor, principal, other district administrator, or the Executive Director or designee in order to obtain procedures for reporting a complaint.

Any supervisor who receives a harassment complaint shall notify the Executive Director or designee, who shall ensure that the complaint is appropriately investigated.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

## Sexual Harassment

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

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 2: Sexual Harassment – All Personnel

4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking of normal movements.
8. Displaying sexually suggestive objects in the educational or work environment.
9. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment.

Each principal and supervisor has the responsibility of maintaining an educational and work environment free of sexual harassment. This responsibility includes and/or discussing the district's sexual harassment policy with his/her students and/or employees and informing them that they are not required to endure sexually insulting, degrading, or exploitive treatment or any other form of sexual harassment.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 2: Sexual Harassment – All Personnel

## Notifications

A copy of the district’s policy on Harassment in Employment shall:

1. Be displayed in a prominent location near each school principal’s office.
2. Be provided to each faculty member, all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired.
3. Appear in any school or district publication that sets forth the school or district’s comprehensive rules, regulations, procedures, and standards of conduct.

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

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment with examples.
4. The district’s complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission.
6. Direction on how to contact the Fair Employment and Housing Department and Commission.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 3: Sexual Harassment – Students

## Sexual Harassment:

The Governing Board prohibits unlawful sexual harassment of or by any student by anyone in or from the district.

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

Any student who engages in the sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

The Board expects students or staff to immediately report incidents of sexual harassment to the principal or designee or to another district administrator.

Any student who feels that he/she is being harassed should immediately contact the principal or designee or another district administrator in order to obtain a copy of AR 1312.3 – Uniform Complaint Procedures. Complaints of harassment can be filed in accordance with these procedures.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

## Sexual Harassment

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 3: Sexual Harassment – Students

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

Other types of conduct which are prohibited in the district and which may constitute sexual harassment include:

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



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 6: Sexual Harassment Policy
Part 3: Sexual Harassment – Students

## Notifications

A copy of the district's sexual harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
2. Be displayed in a prominent location near each school principal's office.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session.
4. Appear in any school or district publication that sets forth the school or district's comprehensive rules, regulations, procedures, and standards of conduct.

## Enforcement

The principal or designee shall take appropriate actions to reinforce the district's sexual harassment policy. These actions may include:

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 7: School Dress and Grooming
Part 1: Board Policy and Administrative Regulations

## Student Dress and Grooming

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction, which would interfere with the educational process.

When gangs constitute a danger to students, the Principal or designee may restrict student dress and grooming as necessary to comply with Board policy related to gang activity.

Students and parents/guardians shall be informed about the school dress code at the beginning of the school year and when revised. A student who violates the dress code shall be subject to appropriate disciplinary action.

## Uniforms

The Board recognizes that, in order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a district school may wish to establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval.

The Board shall approve such dress codes when it determines they are necessary for the health and safety of the school's students.

The Principal or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from an adopted school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

The Principal or designee will identify the resources to assist economically disadvantaged students in obtaining uniforms.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 7: School Dress and Grooming
Part 1: Board Policy and Administrative Regulations

## Student Dress and Grooming

Local law enforcement officials indicate that certain types of dress contribute to gang association and violence. Students wearing gang attire become targets for violence even though they are not gang members. In addition, the baggy, oversized clothing now identified as gang related, presents a safety hazard since it allows students to more readily conceal dangerous objects such as knives, and other weapons or provide hiding places for drugs and drug paraphernalia. Accordingly, the following types of clothing have been identified as gang related:

- Oversized, baggy pants
- Excessively large shirts and jackets
- Military style and/or steel-toed boots
- Oversized belts and/or initial on buckles
- Caps/hats
- Shirts depicting or promoting violence towards police and/or others and/or graffiti or “tagging”
- Clothing which features lewd or obscene language

## Uniforms

As gang attire changes, the Executive Director or designee is authorized to delete and add items as deemed appropriate by the school staff and law enforcement agencies.

In schools where a school wide uniform is required, the principal, staff and parents/guardians of the individual school shall jointly select the specific uniform to be worn.

The principal or designee shall give parents/guardians at least six month notice before a school uniform policy is implemented.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting.

The Executive Director or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy

Section 7: School Dress and Grooming

Part 2: Dress Policy

Edison Bethune Charter Academy's standard of dress is designed to create an academic environment that is equitable and conducive to learning.

## **Mandatory Uniform Policy**

The purpose of dress regulations is to help each student set a standard for his/her personal appearance that is appropriate within the accepted standards of Edison Bethune Charter Academy. Daily attire need not be expensive to be attractive and entirely acceptable. All apparel must comply with Standard of Dress. The dress code shall be in effect at all school-related activities both on and off campus, including activities such as dances, award ceremonies, and field trips. The school reserves the right to make adjustments to the standard of dress if any item worn by a student is deemed distracting to the learning environment; this includes hair and hair accessories.

Students who are considered out of dress code are referred to Administration. An administrator or designee makes a determination whether or not the student is out of dress code. If an administrator or designee determines that the student does not meet dress code regulations, the student may be temporarily removed from classes until dress code regulations are met. Repeat offenders will face disciplinary action which may include a referral, parent contact, detention, suspension, placement on a behavior contract, or Dismissal.

## **Tops and Shirts**

- **Approved Colors** -SOLID colors only (Fluorescent shades are not permitted) Black, Navy Blue, White, and Light Baby Blue.
- All tops must have a collar and sleeves and long enough to tuck into bottoms.- Polos, dress shirt, oxford. Turtle necks are acceptable.
- If an undershirt is worn, it must be in one of the solid, school approved colors and can't exceed length of uniform shirt.
- Shirts must be plain-no logos, no wording, no patterns, no see through designs.
  - o A manufacture's logo is permitted provided it is 2"X2" or smaller.
- No Jersey unless it is an approved school sponsored event.

## **Bottoms (Pants, Shorts, Capris, Skirts, Skorts, Jumpers)**

- **Approved Colors** (Solid) Black, Navy Blue, Khaki Tan.
- Bottoms must fit appropriate and be unadorned- No Bling or grommets, no excessive stitching, no rips, no fading.
- Pants must fit at waist appropriate. No sagging is permitted.
  - o Cargo shorts/pants, Carpenter pants/shorts, are permitted.
- Pants may not be excessively tight in fit.
- Shorts, skorts, and jumpers may not be shorter than your fingertips to your side.
- No jean or jean type material – no skinny jeans. No Sweat Pants-No athletic shorts.
- For skirts and dresses, shorts, tights, or leggings must be worn underneath.

### **Jackets and Outerwear (Sweaters and Vests)**

- Hoodies, jackets, and sweaters may be worn in any color – except Red.
- No head covering Hoodies allowed indoors.

### **Belts**

- Belts may not contain any adornments- no grommets, no bling, no hardware, no patterns or wording of any kind.
- All students must wear a belt if needed to prevent pants or shorts from sagging.

### **Tights**

- Tights may not have any designs or patterns.
- Leggings must be in approved school colors; Black, Navy, White, and Khaki Tan.
- jeggings are not permitted.

### **Footwear**

- Acceptable shoes: tennis shoes are recommended due to comfort and P.E. - any color but RED.
- Platform shoes of any type are not permitted.
- No open toe or open heeled shoes will be allowed.

### **Accessories**

- One jewelry item per style (i.e. one bracelet, one necklace, one ring, one set of ear rings).
  - Jewelry must be small and not contain any spikes or gauges.
  - Expensive jewelry and other personal items should not be brought to school.  
The school cannot be responsible in the case of any lost or stolen valuables.
- Piercings may only be in the ear-Earrings must be one inch or smaller.
- Prescription glasses are the only eye wear to be worn.
  - No “Fake” glasses are allowed.
  - No sunglasses unless they are prescription.

### **Hair (and hair accessories)**

- All hair styles must be clean and neatly styled. Subtle shades of natural hair colors are ok.
- Extreme styles (Mohawks, faux hawks, carvings, unnatural colors, streaks or any other distracting additions) are not allowed.
- Hair accessories –head bands and small bows(2 inches or smaller)are OK.
- Hats- (Baseball Caps) ONLY HATS/CAPS WITH SCHOOL LOGO ARE ALLOWED. HATS/BEANIES MAY NOT BE WORN INSIDE ANY BUILDING AT ANY TIME.
- Beanies with School Logo or winter hats are allowed to be worn from Thanksgiving Break until Spring Break.
- If the concern is sun protection- a straw hat will be allowed for this purpose outside only.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 1: General Information

Edison Bethune Charter Academy takes pride in being part of a school district that has a mission to provide a safe environment for all students, parents, and school employees. Our School will take reasonable measures to provide safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. All passageways to and from school buildings, corridors within school buildings and emergency exits are to remain clear of all obstruction to allow flow of pedestrian and vehicular traffic. The school will also take reasonable measures that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies and the city of Santa Fe Springs for a safe school environment and community.

Through the joint efforts of the site administrators, faculty, Safety Committee, PTSA, and other organizations, including consultants, Edison Bethune Charter Academy has developed a sound plan for a safe arrival and departure of students, staff, and visitors. Edison Bethune Charter Academy encourages input from our community and reviews this plan on an annual basis.

Any problems associated with safe ingress and egress will be addressed immediately.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 2: Safe Ingress and Egress

Edison Bethune Charter Academy is bordered by a residential community. It also has on its border a public part, separated by a locked gate. There is one main entrance and all visitors are encouraged, through signs located on the premises, to report to the front office.

The perimeter is secure, although there are numerous gates, they remain locked. To promote safety on campus for all, EBCA is a closed campus.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 3: Policy and Administrative Regulations

## Visitors/Outsiders:

The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Executive Director or designee shall establish procedures which facilitate visits during regular school days at least 24 hours in advance. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during non-instructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

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

## Legal Reference:

### EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

51512 Prohibited use of electronic listening or recording device



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 3: Policy and Administrative Regulations

Visitors/Outsiders: (Continued)

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off

PENAL CODE

626-626.10 Schools

627-627.10 Access to school premises, especially:

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

ATTORNEY GENERAL OPINIONS

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 3: Policy and Administrative Regulations

## Visitors/Outsiders:

The Executive Director or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirement. (Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

### Registration Procedure

In order to register, visitors shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provision of law

### Denial of Registration

1. The principal or designee may refuse to register any visitor if he/she reasonably concludes that the visitor's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke a visitor's registration if he/she has a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 8: Safe Ingress and Egress
Part 3: Policy and Administrative Regulations

Visitors/Outsiders: (Continued)

2. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform the visitor that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment.

## Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Executive Director or designee by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Executive Director or designee shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Executive Director or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

(cf. 1312.1 – Complaints Concerning District Employees)

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 1: Specific Guidelines

## OFFICE

Students are to come to the office only with permission (hall pass), except in the case of an emergency.

Students that do not complete assignments should not be sent to the office to complete them. They may complete them during recess, lunch recess, or after school under your supervision. When students are sent to the office for disciplinary reasons, a note must accompany the student stating the infraction and other pertinent data.

Since we have very limited nursing services, you may have to use your judgment in sending students to the office. For minor injuries, use your first aid kit; for minor complaints, try sending the student to drink water, or use the restroom, or rest for a while. If the complaint persists, send them to the office. Any child with an injury to the eyes, head, or private parts must be sent to the office immediately. If there is an injury in the classroom or on the playground that you consider serious, do not move the child until the principal or nurse arrive.

## DETENTION

Students may be detained after school for 15 minutes without parent notification. Detention lasting longer requires parent notification. Parents of children who attend child care must be notified prior to their child's detention.

**DO NOT LEAVE CHILDREN IN THE CLASSROOM WITHOUT ADULT SUPERVISION.**

## PERMITS

All students going home for lunch must have a lunch permit on file in the office.

Any student leaving the school grounds during school hours must be signed-out by an *authorized* adult and go through the office.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 1: Specific Guidelines

## COMMUNICATIONS

Any notes sent home to parents, other than a routine communication, should be cleared with the principal. All communication must be translated into Spanish unless you are certain only English is spoken in the home.

## DISCIPLINE

Edison Bethune Charter Academy uses the Assertive Discipline method, which encourages teacher and student interaction in making classroom rules and consequences. It is important that the positive as well as the negative consequences to each rule are included.

**CORPORAL PUNISHMENT IS NOT PERMITTED EVEN WITH PARENT PERMISSION**

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 2: School Standards for Pupils

In order to provide a positive and safe learning environment for students, EBCA staff has created school wide expectations by implementing the Positive Behavior and Intervention Support (PBIS) System, as well as a bully prevention component. The following goals were developed by staff to promote a safe environment for all:

*Throughout the 2016 - 2017 school year, all staff will implement the PBIS (positive behavior and intervention support) school wide expectations matrix in order to maintain a safe environment for all students, as measured by data (office referrals, Eagle Eye ticket distribution, infraction slips).*

The following steps were created and have been put into place this year:

- Develop school wide expectations following the PBIS framework.
- Share SMART goal with community (staff/parents/students).
- Provide *Responsibility Assemblies* per grade level to communicate school wide expectations, consequences and incentives to students.
- Post school wide expectations matrix posters throughout campus as a reminder to students and teachers.
- Provide parent communication on the school wide expectations.
- Provide one on one counseling to students who need extra support.
- Purchase materials (incentives) and resources as needed.

*Throughout the 2016 - 2017 school year, all staff and students will be trained in Bully Preventions part of EBCA's PBIS (positive behavior and intervention support) school wide expectations in order to maintain a safe environment for all students, as measured by evidence of implementation (bully prevention student presentation; classroom follow up on bully prevention; observations of strategies utilized by students).*

The following steps were created and have been put into place this year:

- Review PBIS school wide expectations with students.
- Share the definition of "bully", as stated in the Ed Code, to staff.
- Define acts of "bothering" versus acts of "bullying" based on the Ed Code definition.
- Research Bully Prevention strategies as outlined in PBIS.
- Identify focus strategies to implement at EBCA.
- Train students to use the selected strategies in preventing "bothering" and "bullying" behaviors.
- Provide *Bully Prevention Assemblies* per grade level as part of student training.
- Provide parent communication on the Bully Policy.
- Provide one on one counseling to students who need extra support.

EBCA's school wide expectations matrix and staff expectations are provide on the following page.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

## Drugs, Tobacco, Alcohol

### Alcohol and Other Drugs

#### Drugs and Alcohol

It shall be the policy of the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances and drug paraphernalia. These substances shall include but not be limited to marijuana, LSD, glue, alcohol, and barbiturates.

Students involved in the possession, sale and/or use of behavior affecting substances as stated above shall be subject to disciplinary procedures which may result in suspension or expulsion.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel; so long as such inspections are conducted in accordance with constitutional requirements of applicable state law relating to searches and seizures.

### Tobacco

The Board recognizes that smoking presents a health hazard which can have serious consequences both for the smoker and the non-smoker and is, therefore of concern to the Board.

### Elementary/Middle Schools

Students shall not be allowed to smoke or possess tobacco on school property or during school hours. Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

## Drugs, Tobacco, Alcohol

### Drug Use and Abuse

The administration shall practice the following procedures relative to student drug use and abuse on school property or whenever the student is under the jurisdiction of the schools. Alcohol is a drug, illegal for use by minors. Cases involving alcohol shall be treated in the same manner as for other drugs.

### Tobacco

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Executive Director or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by student, tobacco use prevention education including youth development activities and intervention and cessation activities and/or referrals.

### Prohibition Against Tobacco Use

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities or while under the supervision and control of EBCA employees. Prohibited products include, but not limited to, cigarettes, cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. (Ed. Code 48900, 48901)

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

### Intervention

Staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

Drugs, Tobacco, Alcohol  
(continued)

If the Principal or designee, in his/her professional capacity or in the course of his/her employment, known observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian (Ed. Code 44049)

## Use of Possession

1. No internal medication is to be administered to students by school personnel except as prescribed by a doctor.
2. Dangerous and narcotic drugs which a student has on prescription for ingestion as prescribed by a doctor must be in their original containers and kept in the nurse's or principal's office, whichever provides greater security.
3. Whenever any staff member has reason to believe that a student may be under drug influence, he/she shall immediately notify the principal. The principal, if in agreement, shall notify the parent to come for the student and to remove the student to his/her home, to the jurisdiction of the police, and/or the paramedics.
4. In severe cases, if the parents or the doctor cannot or will not come to the school, the principal is authorized to call an ambulance to remove the student to a hospital. Parents will be notified of this action and shall be responsible for the incurred expenses.
  - a. A schedule of regular appointments with a school counselor or other school official.

In addition, the following action may be taken:

1. Transfer to another school or alternative education program as appropriate.
2. Recommendation for expulsion.
5. A second incidence of use or possession of illegal drugs within one year at any school or school activity may result in a recommendation for expulsion as provided for in Education Code 48900.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

## Selling or Providing

When there is reason to believe that a student is selling or is in possession of drugs, the following procedures listed below will be followed:

1. The school administrator shall advise the local juvenile narcotics officer or law enforcement personnel. Juvenile authorities will make the decision as to whether they or the school will notify the parent.
2. The school administrator will escort the student to the school office and confront him/her with the suspicion. The administrator may notify the police before taking the student to the office. The student should be removed from a classroom by a school administrator or designee when there is reasonable cause.
3. For reasonable cause, a search for drugs may be made by the administrator. This may include searching the student's locker and/or other district-owned facilities such as science drawers, shop lockers, etc. Such search should be conducted by the administrator with at least one other certificated person as witness. No school staff member should search a student, but may ask student to volunteer for self-search. In cases when a personal search seems to be in order, the administrator should call for a law enforcement officer to make the search. Repeated attempts shall be made to notify the student's parent/guardian before the personal search is made.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

4. The student may be interrogated by the school administrator without notifying the student of his/her rights, but if the administrator believes that a law has been broken, the police will be notified.

When there is good evidence that a student has actually used, sold or is in possession of narcotics or drug paraphernalia on or about school premises or at school-sponsored functions, the police must be notified. Regardless of any legal action taken by the police, the district must immediately suspend the student according to the provisions of BP/AR 5144.1 – Suspension and Expulsion/Due Process. The school administrator may, at his/her discretion, recommend expulsion to the Governing Board.

Provisions of Board Policy and Administrative Regulations shall be disseminated to student and parents through school newsletters, student handbooks, parent and student meetings, newspapers, radio, television, and other means of communications.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

## Tobacco-Free Schools/Smoking

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. As required by law, the district provides instructional programs designed to discourage students from using tobacco products.

In the best interests of students, employees, and the general public, the Governing Board, therefore, prohibits the use of tobacco products at all times on district property and in district vehicles. This prohibition applies to all employees, students, visitors, and other persons at any school or school-sponsored activity or athletic event.

This policy shall go into effect on July 1, 1994.

The Principal or designee shall inform students, parents/guardians, employees and the public about this policy. All individuals on district premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

The Principal or designee shall maintain a list of clinics and community resources which assist employees and students who wish to stop using tobacco products.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

## Tobacco-Free Schools

Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property.

### Employee Notifications

The Principal or designee shall notify employees of the district's tobacco-free policy. The notification shall also inform them of:

1. Their need to abide by district policy as a condition of employment.
2. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students, and the public.
3. Available resources which may help employees stop using tobacco.
4. Possible disciplinary actions in accordance with Board policy, state law and applicable collective bargaining agreements.

Community members who smoke on district property shall be informed of the district's tobacco-free schools policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:

1. The matter may be referred to the Principal or designee responsible for the area or the event.
2. If the person fails to refrain when so requested by the Principal or designee, the Executive Director or designee may direct him/her to leave school property.
3. If necessary, the Principal or designee may request local law enforcement assistance in removing the person from school premises.
4. When individuals repeatedly violate the tobacco-free schools policy, the Principal or designee may prohibit them from entering district property for a specified period of time.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 10: Crime Assessment
Part 1: Crime Assessment

In compliance with SB 187 and SB 334, Edison Bethune Charter Academy will compile statistics pertaining to school crime committed on school campuses and at school-related functions. The school will complete a *California Safe Schools Assessment – School Crime Reporting Form* for each incident that occurs on campus. Copies of these forms shall be inserted in Appendix M of this plan. The school will also insert an annual breakdown of incidents, by month. Information obtained will assist the school and the District in developing programs to reduce the incidence of crime on campus.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

## Bullying

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. EBCA 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.

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.

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.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

## 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.

BP 5131.2 (b)

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

EBCA 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 Executive Director or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

## Bullying

### Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Principal 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 Principal 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 Executive Director 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 Executive Director or designee also may file a complaint with the Internet site or service to have the material removed.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

## Bullying

### 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

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

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

### Management Resources:

#### CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

## **Comprehensive School Safety Plan**

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

### Bullying

#### 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 Cyber safety for Children: <http://www.cybersafety.ca.gov>

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

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 1: Bullying Policy

In order to provide a positive and safe learning environment for students, EBCA staff has created school wide expectations by implementing the Positive Behavior and Intervention Plan, as well as a bully prevention component. The following goals were developed by staff to promote a safe environment for all:

*Throughout the 2016 - 2017 school year, all staff will implement Time to Teach and Restorative Justice-Discipline That Restores in order to maintain a safe environment for all students, as measured by data (office referrals, Refocus and Thinkery referrals).*

The following steps were created and have been put into place this year:

- Develop school wide expectations following the EBCA Discipline Flowchart.
- Share Our Restorative Justice approach with community (staff/parents/students).
- Provide *Responsibility Assemblies or class visits* per grade level to communicate school wide expectations, consequences and incentives to students.
- Post school wide expectations flowchart posters throughout campus as a reminder to students and teachers.
- Provide parent communication on the school wide expectations using our school App.
- Provide one on one counseling to students who need extra support.
- Use our Core Value Reward as an incentive to promote positive behavior
- Purchase materials (incentives) and resources as needed.

1. *Throughout the 2016 - 2017 school year, all staff and students will be trained in Bully Preventions part of EBCA's positive behavior and intervention plan in order to maintain a safe environment for all students, as measured by evidence of implementation (Peacemaking process using the Four Options For Handling Conflict).*
2. The following steps were created and have been put into place this year:
  - Review EBCA Discipline Flowchart and school wide expectations with students.
  - Share the definition of "bully", as stated in the Ed Code, to staff.
  - Define acts of "bothering" versus acts of "bullying" based on the Ed Code definition.
  - Implement a Kindness Committee to help with any bullying issues.
  - Train students to use the selected strategies in preventing "bothering" and "bullying" behaviors.
  - Provide School wide *Bully Prevention Assemblies* as part of student training.
  - Provide parent communication on the Bully Policy.
  - Provide one on one counseling to students who need extra support.

## ***EDISON BETHUNE CHARTER ACADEMY ANTI-BULLYING POLICY***

### **Our school's social vision**

At Edison Bethune Charter Academy we believe that every student should feel accepted for who they are and able to enjoy their time at our school free from bullying and harassment.

### **Purpose of this policy**

Bullying and harassment stand in the way of our social vision. This policy prohibits harassment and bullying at Edison Bethune Charter Academy during the school and after-school program, at school field trips, school sponsored events, and when students are traveling to and from school. It describes our school's procedures to prevent and stop bullying and prohibits reprisal or retaliation against any person who reports bullying. This policy applies to all students, teachers, staff, specialists, and anyone who works on our campus, whether employed by the school or district, working as contractors, or volunteers.

### **Definitions**

**Bullying** is different from conflict. It occurs when a student, or group of students, repeatedly try to hurt, humiliate or get power over another less powerful student in any of the following ways.

- **Physical bullying** is when a student uses physical force to hurt another student e.g. by hitting, pushing, shoving, kicking, taking a student's belongings or stealing their money.
- **Verbal bullying** is when a student uses words, images or gestures to intimidate or humiliate another student e.g. by taunting, name-calling, teasing, put-downs, insults, threats and blackmail.
- **Relational bullying** is when a student excludes or isolates another student e.g. through leaving them out, manipulating others against them, or spreading gossip or rumors.
- **Cyberbullying** is when a student uses their cell-phone, text messages, e-mails, instant messaging, chats and websites (such as Facebook, Twitter, You Tube or Instagram) to bully another student in any of the ways described above.

Bullying may at times amount to **harassment**. It is harassment to target a student online or face to face because of their actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or because they are associating with a student or group of students with one or more of these actual or perceived characteristics.

It is **sexual harassment** to target a student with unwanted sexual comments, gestures, attention, stalking and physical contact that cause a student to feel uncomfortable or unsafe at school, or interferes with schoolwork. This is dealt with further in the school's sexual harassment policy.

Our school does not tolerate bullying or harassment for any reason. You are breaking the law if you harass anyone at our school. It is a serious breach of the school rules if a student takes revenge or asks someone to threaten or hurt a student that has reported bullying or harassment.

If the school's intervention does not resolve the bullying, the student or their parent/guardian should inform the Principal. If the student or parent/guardian disagrees with how the school has responded to their complaint of discrimination, harassment, intimidation, or bullying, he or she may appeal to the Executive Director's office at (559) 475-2530.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 2: Anti-Intimidation Policy and Administrative Regulations

## Anti-Intimidation

The Edison Bethune Charter Academy Board of Trustees believe that all students have a right to a safe and healthy school environment. To that end, EBCA will not tolerate any act of intimidation including direct physical contact, gestures, comments, threats or actions, either written, verbal or physical, which cause, threaten to cause or are likely to cause bodily harm, social isolation, manipulation, or personal degradation on any EBCA campus, at any school activity whether on or off campus, while traveling to and from school or a school sponsored activity, or during the lunch period, whether on or off campus.

The consequences of these actions may include a broad range of disciplinary measures as appropriate; however, every effort will also be taken to provide or locate appropriate assistance for both the victim and the offender.

## Anti-Intimidation

Bullying occurs when one or more students threaten, harass, or intimidate another student through words, or actions including continual direct physical contact such as hitting or shoving intentionally.

These incidents will be acted upon when they occur on the school grounds at any time, en route to and from school or a school-sponsored activity, during the lunch period whether on or off campus.

A “school-related” or “school-sponsored” activity is an activity that is approved by the Principal or his/her designee and supervised by assigned school personnel.

For the purpose of this administrative regulation, bullying is, but is not limited to, making unsolicited and unwelcome written, verbal, physical and/or threatening visual gestures or contact.

Written – intimidating/threatening letters, notes, or messages

Verbal – intimidating/threatening comments, slurs, innuendos, teasing, jokes, or epithets

Visual – threatening gestures

Physical – hitting, slapping and/or pinching

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 2: Anti-Intimidation Policy and Administrative Regulations

## Anti-Intimidation

Making reprisals, threats or reprisal, engaging in coercive behavior to negatively control, influence or affect the health and well being of a student.

### Initial Response and Reporting Expectations

EBCA expects all employees, if they observe or become aware of an act of intimidation, to take immediate, appropriate steps to intervene.

If, in the opinion of the employee, the matter has not been resolved, then the situation shall be reported to an administrator for further investigation.

EBCA encourages students, parents and other community members who observe or become aware of a serious act of intimidation to report this act to a school administrator for further investigation.

### Investigation and Response

Any incident, which may constitute an act of intimidation and is reported to the Principal, shall be thoroughly investigated by the site administrator or designee. Consequences shall be commensurate with the results of the investigation. This may include, but is not limited to, counseling, parent conference, detention, involuntary transfer, a formal suspension and/or expulsion of the offender. The parent or guardian shall be contacted and may be asked to attend a conference with school officials.

If the parent or guardian does not attend the conference, the site administrator shall send a letter informing the parent of the actions under consideration and notifying parent of all data pertinent to the action.

Depending on the severity of the incident, the administrator shall take appropriate steps to insure campus safety. This may include any or all of the following: Implement an immediate safety plan; isolate and supervise involved students; provide staff support for involved students as necessary; report incident to law enforcement if appropriate; notify the parents/guardians of both the offender and the victim and develop supervision plan with parents.

If the act of intimidation is deemed to warrant a suspension, expulsion, or involuntary transfer to another school, then the matter will be processed in accordance with the board policies and administrative regulations pertaining to the suspension/expulsion due process.



# Comprehensive School Safety Plan

Edison Bethune Charter Academy
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Section 11: Bullying and Intimidation
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Part 2: Anti-Intimidation Policy and Administrative Regulations
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## Assessment and Intervention

An administrative contact will be made with the victim and offender prior to resuming regular schedule of classes. If deemed necessary, the administrator or designee may convene a multidisciplinary team to further assess and determine the need for ongoing support for the victim of the offender.

Depending upon the severity of the intimidation, an investigation may include a review of school records, identification of parent/family issues, and interview with students, parents, and school staff. A multi-disciplinary team consisting of school staff, counselor/psychologist, parent, student, and other agency personnel as appropriate, shall develop a behavior support plan.

The support plan may include any or all of the following: a case manager (special education staff), counseling services (site, and/or community resources), parenting skills classes, and other additional support services as deemed appropriate. The case manager will maintain a record of the services provided.

Each site will identify community resources to be used before, during and after incidents of intimidation.

## School Follow-up

The case manager has a responsibility to follow up and evaluate the behavior support plan. The case manager will compile a report to the site administrator on the process, resources used, and the follow up procedure involving the victim and the offender.

A copy of the behavior plan and follow-up report will then be forwarded to the Coordinator of Pupil Services.

## Retaliation Prohibited

Retaliation against a student who reports or witnesses bullying is strictly prohibited and is ground for discipline.

## Mandated Notification

At the beginning of the school year, each student shall receive an age-appropriate summary of the board policy and administrative regulations prohibiting intimidation.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
Section 11: Bullying and Intimidation
Part 2: Anti-Intimidation Policy and Administrative Regulations

## Anti-Intimidation

An age-appropriate summary of the anti-intimidation board policy and administrative regulations shall be part of new student orientation programs and included in student handbooks or informational packets.

A summary of the anti-intimidation board policy and administrative regulations shall be included as part of the EBCA's annual notification of parents.

Each staff member shall be notified of the EBCA's anti-intimidation board policy and administrative regulations.

EBCA's anti-intimidation board policy and administrative regulations shall be included in each school's comprehensive school safety plan.

# Comprehensive School Safety Plan

Edison Bethune Charter Academy
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Section 12: Appendices
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## Appendix A: SB 334 Text

SB 334, Leyva. Pupil health: drinking water.

(1) Existing law requires a school district to provide access to free, fresh drinking water during meal times in school food service areas, unless the governing board of a school district adopts a resolution stating that it is unable to comply with this requirement and demonstrating the reasons why it is unable to comply due to fiscal constraints or health and safety concerns. Existing law requires the resolution to be publicly noticed on at least 2 consecutive meeting agendas and approved by at least a majority of the governing board of the school district.

This bill would delete the provision authorizing a school district to adopt a resolution stating that it is unable to provide access to free, fresh drinking water during meal times. The bill would instead specify that a school district shall provide access to free, fresh, and clean drinking water during meal times through the use of drinking water access points, as defined. By imposing additional duties on school districts, this bill would impose a state-mandated local program.

This bill would require a school district that has drinking water sources with drinking water that does not meet the United States Environmental Protection Agency drinking water standards for lead or any other contaminant to close access to those drinking water sources, to provide alternative drinking water sources, as specified, and to notify specified persons if the school district is required to provide those alternative drinking water sources. By imposing additional duties on pupil schools and school districts, this bill would impose a state-mandated local program.

(2) Under existing law, known as the Lead-Safe Schools Protection Act, the State Department of Public Health is required to perform various activities related to reducing the risk of exposure to lead hazards in public schools, including, among other activities, working with the State Department of Education to develop voluntary guidelines to ensure that lead hazards are minimized in the course of school repair and maintenance programs and abatement procedures.

This bill would repeal the requirement that the State Department of Public Health develop voluntary guidelines. The bill would instead require the State Department of Education to make information available to school districts about the United States Environmental Protection Agency's technical guidance for reducing lead in drinking water in schools. The bill would prohibit drinking water that does not meet the United States Environmental Protection Agency drinking water standards for lead from being provided at a school facility. The bill would require a public school that has lead-containing plumbing components to flush all drinking water sources at the beginning of each schoolday, except as provided. By imposing additional duties on public schools and school districts, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

## Appendix B: SB 187 Text

Existing law declares the intent of the Legislature that all California public schools operated by school districts develop a comprehensive school safety plan, as specified. The comprehensive school safety plan may include, among other things, development of an action plan, in conjunction with local law enforcement agencies, for implementing appropriate safety strategies and programs and determining the fiscal impact of executing the strategies and programs. Existing law provides for grants to assist schools in implementing their comprehensive school safety plans.

This bill would make each school district and county office of education responsible for the overall development of comprehensive school safety plans for its schools. The bill would require schoolsite councils to write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school, except with regard to small school districts, as defined, which would have the option of developing districtwide comprehensive school safety plans applicable to each schoolsite. The bill would authorize schoolsite councils to delegate this responsibility to a school safety planning committee, to be composed as specified. This bill would not limit or remove the authority of school boards as guaranteed in the Education Code.

This bill would require that the comprehensive school safety plan include, but not necessarily be limited to, among other things, assessing the current status of school crime committed on school campuses and at school-related functions and identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include specified procedures and policies.

This bill would require that the comprehensive school safety plan be evaluated and amended, as needed, by the schoolsite council or the school safety planning committee no less than once a year. The bill would also require that an updated file of all safety-related plans and materials be readily available for inspection by the public. The bill would require the comprehensive school safety plan to be submitted for approval, as specified.

The bill would require that each school adopt its comprehensive school safety plan by September 1, 1998.

This bill would provide that, if the Superintendent of Public Instruction determines that there has been a willful failure to make any report required by these provisions, the Superintendent of Public Instruction would be required to make an assessment of not more than \$500 against that school district or county office of education, as specified.

This bill would require each school to forward its comprehensive school safety plan to the school district or county office of

education for approval. Before adopting the comprehensive school safety plan, the schoolsite council or school safety planning committee would be required to hold a public hearing to allow the members of the public to express an opinion about the school safety plan. The bill would require each school district or county office of education to notify the State Department of Education by October 15, 1998, of any schools that have not complied with the requirement of developing a comprehensive school safety plan.

The bill would require a school, other than a school in a small school district, that submits a comprehensive school safety plan in existence on December 31, 1997, to be deemed to have satisfied the requirements of the law in this area on and after the effective date of this bill if the comprehensive school safety plan meets specified requirements in effect.

This bill would repeal these provisions on January 1, 2000, however, the comprehensive school safety plan would continue to be evaluated and amended by the schoolsite council.

This bill would make statements of legislative intent.

By imposing additional responsibilities on school districts, county offices of education, and schools, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Appendix C: Education Code Sections 35294 – 35294.9 Text

SEC. 12. Section 35294 of the Education Code is amended and renumbered to read: 32280. It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

SEC. 13. Section 35294.1 of the Education Code, as amended by Section 1 of Chapter 735 of the Statutes of 2002, is amended and renumbered to read: 32281.

(a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

(b) (1) Except as provided in subdivision (d) with regard to a small school district, the schoolsite council established pursuant to Section 52012 or 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school. (2) The schoolsite council may delegate this responsibility to a school safety planning committee made up of the following members: (A) The principal or the principal's designee. (B) One teacher who is a representative of the recognized certificated employee organization. (C) One parent whose child attends the school. (D) One classified employee who is a representative of the recognized classified employee organization. (E) Other members, if desired. (3) The schoolsite council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan. (4) In the absence of a schoolsite council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) (1) Subdivision (b) shall not apply to a small school district, as defined in paragraph (2), if the small school district develops a districtwide comprehensive school safety plan that is applicable to each schoolsite. (2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the schoolsite of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime"

shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915. (2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

SEC. 14. Section 35294.2 of the Education Code is amended and renumbered to read: 32282.

(a) The comprehensive school safety plan shall include, but not necessarily be limited to, the following: (1) Assessing the current status of school crime committed on school campuses and at school-related functions. (2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following: (A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Title 1 of Part 4 of the Penal Code. (B) Disaster procedures, routine and emergency including, but not limited to, adaptations for pupils with disabilities in accordance with the American with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). (C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27. (D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079. (E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1. (F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted such a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For the purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950. (G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school. (H) A safe and orderly environment conducive to learning at the school. (I) The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5. (J) Hate crime reporting procedures pursuant to Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code.

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

(c) Grants to assist schools in implementing their comprehensive school safety plan shall be made available through the partnership as authorized by Section 32285.

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

(e) The comprehensive school safety plan shall be evaluated and amended, as needed, by the school safety planning committee no less than once a year to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or

school safety planning committee, shall be submitted for approval under subdivision (a) of Section 32288...

SEC. 20. Section 35294.8 of the Education Code is amended and renumbered to read: 32288.

(a) In order to ensure compliance with this article, each school shall forward its comprehensive school safety plan to the school district or county office of education for approval.

(b) (1) Before adopting its comprehensive school safety plan, the schoolsite council or school safety planning committee shall hold a public meeting at the schoolsite in order to allow members of the public the opportunity to express an opinion about the school safety plan. (2)

The schoolsite council or school safety planning committee shall notify, in writing, the following persons and entities, if available, of the public meeting: (A) The local mayor. (B) A representative of the local school employee organization. (C) A representative of each parent organization at the schoolsite, including the parent teacher association and parent teacher clubs.

(D) A representative of each teacher organization at the schoolsite. (E) A representative of the student body government. (F) All persons who have indicated they want to be notified. (3)

The schoolsite council or school safety planning committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting: (A) A representative of the local churches. (B) Local civic leaders. (C) Local business organizations.

(c) In order to ensure compliance with this article, each school district or county office of education shall annually notify the State Department of Education by October 15 of any schools that have not complied with Section 32281.....



Appendix D: Suspected Child Abuse Report Form

Appendix E: Employee Acknowledgement of Child Abuse Reporting Requirements

E 5141.4

CHILD ABUSE REPORTING REQUIREMENT

NOTE: PENAL CODE 11166.5 REQUIRES THAT THE WRITTEN STATEMENT INCLUDE THE FOLLOWING PROVISIONS.

Section 11166 of the Penal Code requires any child care custodian, medical practitioner, non-medical practitioner, or employee of a child protective agency 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 a child abuse to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

‘**Child** care custodian’ includes teachers, administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; licenses, administrators or of employees community care facility licensed to care for children; Head Start teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; and social workers or probation officers.

•‘Medical practitioner’ includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, any other persons who are licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, or psychological assistants registered pursuant to Section 92913 of the Business and Professions Code.

‘Non-medical practitioner’ includes state or county public health employees who treat minors for venereal disease or any other condition; coroners; practitioners who diagnose, examine, or treat children.

I have been informed of the above law and will comply with its provisions.

Employee’s Signature \_\_\_\_\_

This statement is a permanent record of the Edison Bethune Charter Academy. The cost of printing, distribution, and filing of these statements is borne by Edison Bethune Charter Academy.

## Appendix F: Disciplinary & Suspension Forms

Appendix G: Request for Exemption from Uniform Program

**Mission**

*With a focus on learning, the shared mission of the community is to provide a quality education that ensures success for every student.*

**EDISON BETHUNE CHARTER ACADEMY**

Request for Exemption from Uniform Program

School \_\_\_\_\_

Student Name \_\_\_\_\_ Birth Date \_\_\_\_\_ Grade \_\_\_\_\_

Parent Name \_\_\_\_\_ Home Phone \_\_\_\_\_

Address \_\_\_\_\_ Work Phone \_\_\_\_\_

I understand that the mandatory uniform program at my child's school is designed to improve student safety. I have strong reservations about the program as it applies to my child. Therefore, I request that my child be excused from wearing the standard school uniform. I further understand that my child must comply with the Edison Bethune Charter Academy dress code, outlined in Board Policy 5132, which states:

Local law enforcement officials indicate that certain types of dress contribute to gang association and violence. Students wearing gang attire become targets for violence even though they are not gang members. In addition, the baggy, oversized clothing now identified as gang related, presents a safety hazard since it allows students to more readily conceal dangerous objects such as knives, and other weapons or provide hiding places for drugs and drug paraphernalia. Accordingly, the following types of clothing have been identified as gang related:

- Oversized, baggy pants
- Excessively large shirts and jackets
- Military style and/or steel-toed boots
- Oversized belts and/or initial buckles
- Caps/hats
- Shirts depicting or promoting violence towards police and/or others and/or graffiti or tagging
- Clothing which features lewd or obscene language
- Additional requirements as defined by individual school sites

I also understand that the process for exemption from the uniform program includes:

- completion of this form, and;
- a scheduled meeting with the school principal to state reasons for requesting an exemption and hear the school position regarding the uniform policy.

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Use the space below to clearly state your objections to the uniform program. Use another sheet if necessary.

## Appendix H: Behavior Contract

Appendix I: School Crime Reporting Form

Appendix J: School Site Council Meeting Minutes/Approval