

Comprehensive School Safety Plan

Sierra Vista Junior High School
William S. Hart Union High School District

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A meeting for public input was held on February 16, 2015 at
William S. Hart District Boardroom

Reviewed by Law Enforcement on January 17, 2017

Plan Adopted by School Site Council January 17, 2017

Plan approved by District or County Office of Education Governing
Board on (by March 1) March 1, 2017

Committee members

Carolyn Hoffman, Principal
Matt Hinze, Assistant Principal
Mark Funk, Plant Manager
Skye Ostrum, Teacher
Stephanie Brayman, Parent of attending student
Deputy Luis Cabrera, School Resource Officer

This document is available for public inspection at <http://www.sierravistajuniorhigh.org/>

School Site Mission

We challenge students to think critically as they gain knowledge and develop the skills needed to succeed in our global society. We strengthen students' ability to express themselves with confidence and creativity. We cultivate self-directed learning. We honor the worth of people, ideas, and behaviors. Justice and integrity guide our learning community.

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Assessment of the Current Status of School Crime

The Safety Committee reviewed the Discipline record from the 2015-2016 school year. The committee felt the number of suspensions was high and made it a goal to continue implementing Other Means of Corrections to decrease this number. Sierra Vista continues to be a school that provides interventions for student behavior and provides an extensive Anti-Bully Program in order to support students in their academic success.

Assessment of the Current Status of School Crime (District/Sierra Vista Junior High School)

Disciplinary Action Taken

<i>School Name</i>	<i># of Students That Committed an Offense (unduplicated)</i>	<i># of Offenses Committed</i>	<i># of Out-of-School Suspensions (100)</i>	<i># of Expulsions (200)</i>	<i># of In-School Suspensions (110)</i>	<i># of No Suspensions or Expulsions (300)</i>	<i># of Students who Received Instructional Support (Unduplicated)</i>
<i>District</i>	846	1702	343	14	52	1286	3
<i>Sierra Vista Junior High</i>	81	184	16	1	22	142	0

2016 REPORTED ANNUAL CRIME IN SANTA CLARITA

The table provides a full overview of all reported crimes in Santa Clarita, CA for the year. The sum of the recorded criminal acts in Santa Clarita, CA is displayed; for comparisons, each offense is also shown in regards to the amount of offenses per 100,000 people. The crime data reveals that the overall Santa Clarita, CA crime rates are 51% lower than in comparison to the California mean and are 54% lower than the nations mean. In regards to violent offenses, Santa Clarita, CA has a rate that is 39% lower than the California average; compared to the United States, it is 45% lower.

Statistic	Reported Incidents	Santa Clarita Per 100,000	California Per 100,000	National Per 100,000
Total Crime	3276	1552	3045	2860
Murder	7	3.3	4.8	4.9
Rape	34	16.1	32.7	38.6
Robbery	124	58.7	135.0	101.9
Assault	186	88.1	253.8	237.8
Violent Crime	351	166	426	373
Burglary	656	310.7	504.3	491.4
Theft	1971	933.5	1677.1	1775.4
Vehicle Theft	298	141.1	436.8	220.2
Property Crime	2925	1385	2618	2487

GOALS

1. By January 2018 Sierra Vista Junior High School refine staff, students and community school lockdown and evacuation procedures using data from previous drills to update and enhance the practice.
2. By January 2018 Sierra Vista Junior High School will develop and implement a Crisis Response Box for the main office to supplement emergency preparedness.

Child Abuse Reporting Procedures

The William S. Hart School district is compliant with EC 44691, for mandated reporter training-effective January 1, 2015. For specific details, refer to Los Angeles County Office of Education Board Policy and Administrative Regulations 5141.4 Child Abuse Prevention and Reporting 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; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7) Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

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

Responsibility for Reporting

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

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

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

DCFS- LA County Department of Children and Family Services
28490 Avenue Stanford, Santa Clarita, Ca. 91355
(800) 540-4000

2. Written Report

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

Victim Interviews by Social Services/Law Enforcement

Whenever a representative from the Department of Social Services or another 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 Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

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

Release of Child to Peace Officer

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

SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

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

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

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

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation; GREEN COPY- District Attorney's Office; YELLOW COPY-Reporting Party

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

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

I. MANDATED CHILD ABUSE REPORTERS

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

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

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

III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected instance of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected instance of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by the CANRA. Any other person reporting a known or suspected instance of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by the CANRA unless it can be proven the report was false and the person knew it was false or make the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

IV. INSTRUCTIONS

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

ETHNICITY CODES

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

IV. INSTRUCTIONS (Continued)

- SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, date of the written report, date/time of the phone call and the name, title and telephone number of the official contacted.
 - SECTION C - VICTIM** (One Report per Family, siblings must have same parents/guardians): Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and where applicable enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box for: developmentally disabled?, physically disabled? and specify the victim's other disability. To determine if the victim has a disability, ask the victim's parent or care giver. Also check the appropriate yes-no box for in foster care?, indicate type of care if the victim was in out-of-home care, indicate the type of abuse. List the victim's relationship to the suspect, check the appropriate yes-no box for photos taken?, indicate whether the incident resulted in this victim's death.
 - SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians and the Suspect.
 - SECTION E - INCIDENT INFORMATION:** If multiple victims, enter the number. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheets if needed.
- ### V. DISTRIBUTION
- Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
 - Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send **white copy** to police or sheriff, **blue copy** to county welfare or probation, and **green copy** to district attorney.

Disaster Response Procedures

For specific details, refer to William S. Hart Board Policy and Administrative Regulations 3516.

EMERGENCY/DISASTER PROCEDURE

In accordance with Board policy and California laws, each school in the William S. Hart Union High School District has developed specific plan in preparation for a possible emergency or disaster. The purpose is to prepare as much as possible in advance for the safety and welfare of each student. What is done now, when there is time to prepare, could result in preventing serious injury to or possible death of student (s).

In the event of an emergency or disaster, you can expect the following:

3. Regularly scheduled fire, earthquake, and lock down drills, as well as disaster drills will be conducted at school.
4. Preparation for an emergency or disaster will be reviewed and an emergency backpack will be maintained in each classroom.
5. Students will be kept AT SCHOOL during school hours UNLESS it is unsafe or inappropriate to do so.
6. Students will be instructed to continue on their way home if they are already going home.
7. Students will be instructed to continue on their way to school if they are already going to school.
8. Parents/guardians will be asked for identification before your student is released to you.
9. Unauthorized persons will not be allowed on campus.
10. Should a parent/guardian need to pick up their student, you may do so at the location where there is a sign stating PICK-UP POINT.
11. Parents/guardians will be asked to keep clear of all access roads and parking lots so that emergency vehicles can arrive safely and easily.
12. Should a student need to be evacuated from the school, he/she will be taken to the nearest safe location available.

Sierra Vista's highest priority is student safety. For more information, please look up the specific Safety Plan under students/parents section on our website: [Sierra Vista SEMS Plan](#)

Suspension and Expulsion Policies

The William S. Hart District Board Policy in suspensions and Expulsions is as follows:
BP 5144

Students

***Note: The following policy is optional. Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), the Governing Board is required to adopt, for the district and each school under its jurisdiction, a local control and accountability plan (LCAP) that includes a description of the specific actions that the district intends to take in order to achieve its annual goals in specific priority areas, including student engagement and school climate. See BP/AR 0460 - Local Control and Accountability Plan. ***

***Note: Since a district's ability to meet its goals around these priorities is impacted by its student discipline policies and practices, the Board must be careful to enact rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction. Education Code 48900 specifies behaviors for which a student may be suspended and/or recommended for expulsion (see BP/AR 5144.1 - Suspension and Expulsion/Due Process) and authorizes the use of age-appropriate alternatives designed to address a student's specific misbehavior, including those listed in Education Code 48900.5 and 48900.6. ***

***Note: In addition, the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance, diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior. ***

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

- (cf. 5131 - Conduct)
- (cf. 5131.1 - Bus Conduct)
- (cf. 5131.2 - Bullying)
- (cf. 5137 - Positive School Climate)
- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 6020 - Parent Involvement)

The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

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

(cf. 6164.5 - Student Success Teams)

***Note: The following optional paragraph may be revised to reflect district practice. According to Public Counsel's model policy issued as part of the Fix School Discipline Project, a discipline matrix that lists violations and consequences could be a useful guide to school site administrators with regard to when suspension or expulsion referrals should be utilized. ***

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

***Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. Pursuant to Education Code 32282, any adopted site-level discipline rules must be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan. The following paragraph is optional. ***

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

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

***Note: Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), the district must annually adopt an LCAP that includes a description of district goals for improving school climate, as provided in the following paragraph. ***

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

Management Resources:

CSBA PUBLICATIONS

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

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

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

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

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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

SIERRA VISTA JUNIOR HIGH SCHOOL

Students BP 5144.1(a)

SUSPENSION AND INVOLUNTARY TRANSFER BACK TO THE DISTRICT OF RESIDENCE /DUE PROCESS

Suspensions

In order to maintain an educational environment that promotes learning and protects the health, safety and welfare of all students and staff, SIERRA VISTA JUNIOR HIGH SCHOOL requires students of SIERRA VISTA JUNIOR HIGH SCHOOL programs and activities to face discipline for misconduct.

Grounds for Suspension

Grounds for suspension shall conform to the acts enumerated in Education Code Sections 48900, 48900.2, 48900.3, 48900.4., and 48900.7.

Descriptions of the acts shall be provided in the SIERRA VISTA JUNIOR HIGH SCHOOL Annual Notification.

Suspension from a Classroom/Out of Class Referrals

1. A teacher may suspend a student from class for any of the misconduct listed in SIERRA VISTA JUNIOR HIGH SCHOOL Policy, for the day of the misconduct and the day after.

2. The teacher will immediately report the classroom suspension to the site administrator and ensure that the student is under appropriate supervision.

3. As soon as possible, the teacher will request a parent/guardian conference to discuss the suspension. If practicable, a school counselor or school psychologist will also attend. The site administrator shall attend if the teacher or the parent/guardian so requests. When a teacher makes this request, the

principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law.

4. The student, who is suspended from a classroom, will not be placed in another class during the period of suspension. However, if the student is assigned to more than one class per day taught by a teacher other than the suspending teacher, the student is entitled to attend the remainder of the day's classes.

Suspension from School

1. A site administrator or designee may suspend a student from school for up to five (5) consecutive school days for misconduct listed in SIERRA VISTA JUNIOR HIGH SCHOOL Policy. A special needs student is subject to the same grounds for suspension that apply to students without disabilities except as provided below.

2. The site administrator or designee will first hold an informal conference with the student and, if possible, the teacher or SIERRA VISTA JUNIOR HIGH SCHOOL staff member who referred the student for suspension. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given an opportunity to present his or her version and evidence in his or her defense.

a. This conference may be postponed if the principal determines that an emergency situation exists that constitutes a clear and present danger to the life, safety, or health of students or SIERRA VISTA JUNIOR HIGH SCHOOL staff.

(1) If a student is suspended without a conference, the parent/ guardian and student will be notified of the right to a conference and the student's right to return to campus for the conference.

(2) The conference should be held within two (2) school days of the suspension, unless the student is physically unable to attend (for example, hospitalized or incarcerated). If the student is physically unable to attend, the conference should be held as soon as the student is able to attend.

3. A SIERRA VISTA JUNIOR HIGH SCHOOL staff member will immediately notify the parent/guardian of the student of the suspension in person or by telephone. This notice will be followed by notification in writing.

4. The parent/guardian of any pupil shall respond without delay to any request from SIERRA VISTA JUNIOR HIGH SCHOOL staff to attend a conference regarding his or her child's behavior. Failure of the parent/guardian to attend shall not be held against the student in the form of penalties or withholding reinstatement.

5. After a student is suspended, the site administrator/designee and, where possible, the teacher, may meet with the parent/guardian of the student to discuss the misconduct, length of suspension, school policy, and any other related matters.

6. A student may be suspended up to twenty (20) school days per school year, or thirty (30) school days if the student enrolls in or transfers to another school. The school may count suspensions from the former school district toward the maximum number of days for the year.

7. SIERRA VISTA JUNIOR HIGH SCHOOL staff must monitor the number of days, including portions of days, in which a special needs student has been suspended during the school year. After ten (10) days of suspension in a school year, a special needs student is entitled to services. For additional removals that do not constitute a change in placement as defined by 34

CFR 300.536, the school administrator along with the student's teacher shall determine the services provided. For additional removals that do constitute a change in placement, services are to be determined by the IEP team. Within ten (10) business days after removing a student for more than ten (10) school days in a school year or commencing a removal that constitutes a change in placement, staff shall implement a behavioral intervention plan in accordance with 34 CFR 300.524. Removals that constitute a change in placement require a manifestation determination review before the removal can be made.

8. If the student does not pose an imminent danger or threat to the campus, students, or SIERRA VISTA JUNIOR HIGH SCHOOL staff, the student may attend a supervised classroom throughout the suspension.

a. SIERRA VISTA JUNIOR HIGH SCHOOL staff member must notify the student's parent/guardian of this placement by phone or in person. If the placement is longer than one class period a written notification shall also be provided.

b. The classroom shall be appropriately staffed. Student should have access to counseling services, and the classroom should promote the completion of schoolwork and tests missed by the student.

c. The teacher of any class from which the student is suspended shall provide all assignments and tests that the pupil will miss while suspended. (*SIERRA VISTA JUNIOR HIGH SCHOOL: Adopted 11/24/1998; Policy 7420 Revised and Renumbered 01/19/2010*)

Involuntary Transfers

Involuntary transfer back to the district of residence of students enrolled in SIERRA VISTA JUNIOR HIGH SCHOOL schools may be used to promote the positive social adjustment of a particular student and to promote school safety for all students.

When possible, staff should work with the student and the family to seek a voluntary transfer that is in the best interest of the student and the school. Involuntary transfers should generally be made only when other interventions fail to bring about student improvement, except for expellable offenses.

For those students under IDEA or Section 504, the manifestation determination process will be utilized to determine if the SIERRA VISTA JUNIOR HIGH SCHOOL program is the Least Restrictive Environment or if additional Behavioral Assessments and Behavior Intervention Plan is required.

Grounds for Involuntary Transfer back to the District of Residence

1. The student commits an act of misconduct enumerated in Education Code Sections 48900, 48900.2, 48900.3, 48900.4, and 48900.7.

2. Students who commit a mandatory expellable offense enumerated in Education Code Section 48915(c).

3. The student is habitually truant or absent and the interventions specified in Policy have failed to bring about student improvement.
4. For students attending a specialized SIERRA VISTA JUNIOR HIGH SCHOOL school, additional grounds for involuntary transfer include failure to pass arts probation, behavior probation, or academic probation.

Process

1. A decision to involuntarily transfer a student shall be made within ten (10) days after it is determined that grounds for transfer exist.
2. Prior to an involuntary transfer, the student and parent/guardian shall be given written notice that they may attend a meeting with the principal or designee.

At the meeting, the student and parent/guardian shall be informed of the specific facts and reasons for the proposed transfer. The student and parent/guardian shall have the opportunity to inspect all documents relied upon, question any evidence presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting.

3. The decision to involuntary transfer shall be made by the principal.
4. Written notice of the decision, stating the facts and reasons for the transfer, shall be sent to the student and parent/guardian. The notice shall include to where the student will be released, either the district of residence or, if the student qualifies, another SIERRA VISTA JUNIOR HIGH SCHOOL program. The student's district of residence shall be sent a copy of the decision.
5. For students identified as needing special education and related services under the Individuals with Disabilities Education Act (IDEA), and Section 504, or for students for whom the school had prior knowledge that the student may qualify for special education and related services, the following concerns must be addressed before an involuntary transfer can be rendered:
 - a. Convene an IEP team to conduct a manifestation determination review in accordance with SELPA guidelines.
 - b. If it is determined that the behavior is a manifestation of the student's disability, the student shall be returned to the placement from which he/she was removed, unless the IEP team agrees to a change of placement. The IEP team shall also conduct a functional behavioral assessment, unless one has already been conducted and shall behavior intervention plan has already been developed, the IEP team shall review the plan and modify it as necessary to address the behavior.
 - c. If it is determined that the behavior is not a manifestation of the student's disability, the student may be transferred in accordance with the procedures for students without disabilities. For transfers within SIERRA VISTA JUNIOR HIGH SCHOOL, the IEP team shall ensure a free appropriate education is provided in the subsequent placement.

Appeal

1. Appeal to SIERRA VISTA JUNIOR HIGH SCHOOL's Assistant Superintendent, Educational Programs or designee.

- a. The student or parent/guardian may appeal an involuntary transfer decision within ten (10) school days to the Assistant Superintendent, Educational Programs or designee.
- b. The director will convene an impartial panel to review the decision of the principal.

The panel shall be comprised of three members, all of whom are not employed at the site from which the student was removed.

The panel shall meet with the parent and staff from the school to review the specific facts and reasons for the proposed transfer, the student's record, and all documents considered during the involuntary transfer meeting.

- c. The panel shall determine whether appropriate procedures were followed and whether the evidence supports the findings made by the principal in rendering the decision. The panel may consider new evidence if such evidence could not have been produced at the involuntary transfer meeting with reasonable diligence.

- d. Each appeal panel member has a single vote. A vote of at least two out of three panel members constitutes adoption of the recommendation to either: 1) uphold the principal's decision in whole; 2) revise and require specific conditions for the student that is allowed to remain at the school; or 3) reverse the decision.

The decision letter must be prepared with the signatures of all three (3) appeal panel members regardless of each individual member's decision. The signed decision letter will be given to the parent and the principal.

2. Appeal to the County Board

The Los Angeles County Board of Education (County Board) has appellate authority to determine whether a student should be involuntarily transferred from a William S. Hart Union High School District program to the student's district of residence.

- a. Parent/guardian of a student involuntarily transferred from any William S. Hart Union High School District program to the student's district of residence may appeal the decision of the Assistant Superintendent, Educational Programs or designee to the County Board.

This process will be confidential to the extent possible.

b. Appeal Policy

(1) Statement of Intent

It is the desire of the County Board that all appeal proceedings be completed as quickly as possible, consistent with giving the parties a fair opportunity to prepare and present their cases.

The County Board believes that through a degree of informality in and appeal proceeding, burdens on all concerned and the amount of time required can be significantly reduced without prejudice to the rights of the parties. The parties should recognize that this is not possible without their fullest cooperation, and the County Board expects all parties to conduct themselves with this in mind.

(2) County Board Hearing

The hearings before the County Board will be held in closed session unless the parent/guardian requests an open session hearing at least five (5) calendar days before the hearing. Even with an open session appeal hearing, the County Board may deliberate its decision in closed session. During a closed session, for the purpose of deliberation, the County Board may exclude any or all persons except that if one party is present, the other party has the right to be present at the same time.

The parent/guardian may bring advocates or counsel to the appeal hearing.

In ruling on matters of procedure and questions of law, the County Board may consult with the County Office's legal adviser.

The County Board's decision on the appeal shall be final and binding upon the student, and upon the school. The parent/guardian and the school will be notified of the County Board's decision in writing by personal delivery or certified mail. The order shall become final when rendered.

c. Appeal Procedures

(1) Initiating an Appeal

An appeal of an involuntary transfer shall be filed with the SIERRA VISTA JUNIOR HIGH SCHOOL Educational Programs, in writing and utilizing a Notice of Appeal form. The Notice of Appeal form shall state why the parent/guardian feels the decision of the school should be reversed. The parent/guardian may amend the Notice of Appeal up to five (5) school days prior to the hearing before the County Board.

(2) Deadline to File

In order to be timely, an appeal form must be received by SIERRA VISTA JUNIOR HIGH SCHOOL Educational Programs within fifteen (15) calendar days of the decision of the school to involuntarily transfer the student to the district of residence. Delivery of the appeal form shall be made in person or by U.S. mail. The office address is Los Angeles County Office of Education, SIERRA VISTA JUNIOR HIGH SCHOOL Educational Programs, 9300 Imperial Highway, Downey, California 90242-2890. Forms mailed and postmarked but not actually received within fifteen (15) calendar days will not be accepted.

(3) Written Briefs/Arguments.

The parent/guardian may submit a written argument or appeal brief, limited to ten (10) pages or less, which must be received at least five (5) school days prior to the date set for the hearing before the County Board.

Upon receipt, staff shall serve a copy of the written argument or brief upon the school.

The school may submit a written argument or brief, limited to ten (10) pages or less, which must be received at least five (5) school days prior to the date set for the hearing before the County Board. The school shall also simultaneously serve a copy of its written argument or brief upon the parent/guardian.

(4) Hearing Procedures

Upon hearing the appeal of the involuntary transfer, the County Board shall render a decision within ten (10) school days. All parties will be notified in writing of the date, time, and place of the hearing and its procedures.

The administrative hearing proceeds as follows:

(a) The County Board President opens the hearing, identifies all participants, and addresses procedural matters.

(b) Parties may make an opening statement of up to five (5) minutes to the County Board as follows:

- (i) Parent/guardian's opening argument
- (ii) School's rebuttal argument
- (iii) Parent/guardian's rebuttal/closing argument

(c) County Board members will direct questions to the parties.

(d) Upon completion of a hearing, the County Board President declares the hearing closed.

(e) The County Board will render a decision within ten (10) school days.

(f) All documents submitted to the SIERRA VISTA JUNIOR HIGH SCHOOL Educational Programs shall be sent to the parent/guardian and the school.

d. Postponement of Hearing

The parent/guardian may request a postponement of the County Board hearing. Such request shall be filed in writing no less than five (5) calendar days prior to the date of the hearing with the Los Angeles County Office of Education, SIERRA VISTA JUNIOR HIGH SCHOOL Educational Programs, 9300 Imperial Highway, Downey, California 90242- 2890. The request may be granted by mutual agreement of the parties.

e. Termination of Appeal

(1) Abandonment by Parent/guardian

Unless otherwise excused by the County Board, failure to pursue the appeal with diligence within the established time frames may be deemed an abandonment of the appeal, and the County Board may dismiss the appeal.

(2) Acquiescence by the School Failure of the school to appear at the scheduled hearing may be deemed acquiescence of the appeal, and the County Board may reverse the decision of the school in favor of the student.

f. Decision

The County Board believes that appeals of an involuntary transfer are among the most important business that the Board undertakes. The County Board therefore believes that every County Board member present for such an appeal should, absent some disqualifying conflict of interest, participate in the decision on such appeals. Accordingly, the County Board strongly discourages abstentions on appeal decisions. Four affirmative votes of the County Board are required for the appeal to be granted. The County Board will either affirm or reverse the school's decision to involuntarily transfer the student to the district of residence.

g. Attendance during Appeal During the appeal process, the student must continue to attend school. The student's placement during that time will be determined by the SIERRA VISTA JUNIOR HIGH SCHOOL Educational Services. The parent/guardian may choose to enroll the student in any other appropriate educational setting, such as a private or charter school, during the appeal process.

h. Attendance after an Unsuccessful Appeal

The County Board is not authorized to order the specific school placement for the student in the district of residence. School placement in the district of residence is determined by the district of residence.

Procedures for Notifying Teachers about Dangerous Pupils

In order to fulfill the requirements made by Education Code 49079 and Welfare and Institutions Code 827 that state teachers must be notified of the reason(s) a student has been suspended. The WSHUHSD has incorporated this notification into the existing "Attendance Reporting screen". On the daily attendance report, when a student is suspended, will show an "*" next to the students name. The teacher can access the suspension by looking at the student's discipline screen. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it.

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

Sierra Vista Junior High School

To: ALL CERTIFICATED STAFF
From: **Mr. Matt Hinze/Mrs. Courtney Iacenda**
Re: Student Suspension Information

Education Code 49079 and Welfare and Institutions Code 827 require that teachers be notified of the reason(s) a student has been suspended. The WSHUHSD has incorporated this notification into the existing "Attendance Reporting screen". On the daily attendance report, when a student is suspended, will show an "" next to the students name. The teacher can access the suspension by looking at the student's discipline screen. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it. The following are examples of Ed. Code 48900 and 48915 violations that may appear on your report.*

- E.C. 48900**
 - (a)(1) Mutual fight
 - (a)(2) Assault/Battery
 - (b) Possessed, sold or furnished dangerous object
 - (c) Controlled substance/alcohol
 - (d) Imitation controlled substance
 - (e) Robbery/extortion
 - (f) Vandalism
 - (g) Theft
 - (h) Tobacco/nicotine products
 - (i) Obscene act, habitual profanity/vulgarity
 - (j) Drug paraphernalia
 - (k) Disruptive/willfully defiant behavior (grades 4-12)
 - (l) Received stolen property
 - (m) Imitation firearm
 - (n) Sexual assault or battery
 - (o) Harassed/threatened witness
 - (p) Sale of soma
 - (q) Hazing
 - (r) Bullying/cyberbullying
 - (t) Aiding and abetting
- E.C. 48900.2** Sexual harassment (gr 4-12)
- E.C. 48900.3** Hate violence(gr 4-12)
- E.C. 48900.4** Severe or pervasive harassment, threats and intimidation (grades 4-12)
- E.C. 48900.7** Terrorist threats against school officials or property
- E.C. 48915**
 - (a)(1)(A) Serious physical injury
 - (a)(1)(B) Possession: knife or dangerous object
 - (a)(1)(C) Controlled substance
 - (a)(1)(D) Robbery or extortion
 - (a)(1)(E) Assault/battery of school employee
- E.C. 48915**
 - (c)(1) Possessing, selling, furnishing firearm
 - (c)(2) Brandishing a knife at another person
 - (c)(3) Selling a controlled substance
 - (c)(4) Committing or attempting to commit sexual assault or battery
 - (c)(5) Possession of an explosive

If you have any questions or want more information, please see me.

Confidential Memorandum

To: _____, Teacher

From: _____, Principal

Date:

Re: Students having committed specified crime

The student named below has been convicted of a penal code violation.

Welfare and Institutions Code 827 requires teachers to be informed when a student has engaged in certain criminal conduct.

NOTE: SUCH INFORMATION IS CONFIDENTIAL AND CANNOT BE FURTHER DISSEMINATED BY THE TEACHER OR OTHERS. UNLAWFUL DISSEMINATION OF THIS INFORMATION IS PUNISHABLE BY A SIGNIFICANT FINE. (EC 49079)

PLEASE DESTROY THIS NOTE IMMEDIATELY AFTER READING.

_____ was found to have committed the following criminal activity:

If you have any questions, please see me.
Principal

Sexual Harassment Policy

Sexual Harassment – EC 231.5 and 48980(g)

The School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact Mr. Greg Lee at 661-259-0033 ext. 316 or glee@hartdistrict.org.

SIERRA VISTA JUNIOR HIGH SCHOOL

BP5145.7

BP 5145.7

Students

***Note: Education Code 231.5 mandates the district to have written policies on sexual harassment. The following policy addresses harassment by and/or of students; for policy addressing the sexual harassment by and/or of employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment. ***

***Note: Title IX of the Education Amendments of 1972 (20 USC 1681-1688) prohibits discrimination based on sex by recipients of federal financial assistance. School districts are responsible under Title IX and the regulations for the issuance of a policy against sex discrimination (34 CFR 106.8). Sexual harassment is a form of sex discrimination under Title IX and can deny or limit a student's ability to participate in or receive education benefits, services, or opportunities on the basis of that student's sex. ***

***Note: A district can be held liable for civil damages for the sexual harassment of students pursuant to Title IX and/or Education Code 220, if the district is found to have been "deliberately indifferent" in its response to known sexual harassment. In *Davis v. Monroe County Board of Education*, the U.S. Supreme Court held that a district would be deliberately indifferent if (1) the harasser and the context in which the sexual harassment occurred were within the district's control; (2) the harassment was so severe, pervasive, and objectively offensive that it deprived a student of access to educational opportunities or benefits provided by the district; (3) the district had actual knowledge of the harassment; and (4) the district's conduct was unreasonable considering the surrounding circumstances. This standard was applied by an appellate court in *Donovan v. Poway Unified School District* based on Education Code 220. ***

***Note: In addition to filing a private civil lawsuit, an alleged victim of sexual harassment may file a complaint with the California Department of Education (CDE) and/or the U.S. Department of Education's Office for Civil Rights (OCR), the federal agency responsible for administrative enforcement of federal laws and regulations that prohibit discrimination in programs and activities that receive federal financial assistance from the U.S. Department of Education. OCR applies a different standard than the "deliberate indifference" standard when addressing complaints against a district. Under OCR's enforcement standards, a district may be held to be in violation when a student is subjected to harassing conduct by another student, an employee, or a third party, and (1) the district knows or should know about the harassment, (2) the harassment is sufficiently serious as to create a

hostile educational environment for the student, and (3) the district failed to take appropriate responsive actions. In other words, while a district is not responsible for the conduct of the other student or the third party, it may be liable for failing to respond adequately once it has notice. However, if a student is sexually harassed by an employee who was acting in the context of his/her job responsibilities, the district may be in violation of Title IX whether or not it has notice. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment. ***

***Note: In April 2011, OCR issued its Dear Colleague Letter: Sexual Violence to supplement its January 2001 Revised Sexual Harassment Guidance on federal Title IX requirements as they pertain to sexual harassment. In the letter, OCR clarifies that sexual violence, including rape, sexual assault, sexual battery, and sexual coercion, is a form of sexual harassment that must be addressed by districts using the same procedures used to address other forms of sexual harassment, such as unwelcome sexual advances. ***

***Note: CSBA staff met with representatives from CDE and OCR to discuss this policy and the accompanying regulation as they relate to the uniform complaint procedure (UCP) requirements. As a result, the sample policy and regulation have been drafted to go beyond the minimal requirements under California's UCP laws and regulations in an attempt to address issues and concerns raised by CDE and OCR. While CDE and OCR have not approved or signed off on them, CSBA believes that the additional details provided herein may help school districts and county offices of education during any compliance check by CDE or in the event that a CDE or OCR investigation occurs. ***

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

***Note: OCR's January 2001 Revised Sexual Harassment Guidance and 2011 Dear Colleague Letter: Sexual Violence note that, regardless of whether a harassed student, his/her parent/guardian, or a third party files a complaint under the district procedures or otherwise requests action on the student's behalf, a school that knows, or reasonably should know, about possible harassment must promptly take action to determine what occurred and then take appropriate steps to resolve the situation. Even where a parent/guardian or student does not wish to disclose the student's identity, there are steps a school can take to limit the effects of alleged harassment and prevent its recurrence without initiating formal action. Such steps may include limited investigative activities and actions to protect the complainant and the school community and prevent recurrence while keeping the identity of the complainant confidential. These actions may include providing services to the complainant, such as counseling services; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; or changing and publicizing the school's policies on sexual violence. OCR has indicated that the principles in its Revised Sexual Harassment Guidance also apply to harassment based on race, color, national origin, disability, or age. ***

***Note: It is also important to note that a referral to law enforcement does not relieve a school district of its responsibility to investigate the complaint as a matter of sex discrimination. ***

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an

adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

***Note: Pursuant to Education Code 231.5, the district's policy must contain information on where to obtain a specific procedure for reporting incidents of sexual harassment and pursuing available remedies. In addition, 34 CFR 106.8 requires a district to adopt and publish a complaint procedure providing for a prompt and equitable resolution of student complaints alleging sexual harassment. To avoid confusion that may arise from having a multiplicity of complaint processes for resolving a variety of student complaints, it is recommended that districts use the UCP to investigate and resolve sexual harassment complaints involving students. See AR 1312.3 - Uniform Complaint Procedures for details of these procedures. ***

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

(cf. 1312.3 - Uniform Complaint Procedures)

***Note: Government Code 12950.1 requires any district with 50 or more employees to provide two hours of sexual harassment training and education to supervisory employees once every two years. See AR 4119.11/4219.11/4319.11 - Sexual Harassment. In addition, in its April 2011 Dear Colleague Letter: Sexual Violence, OCR underlies the importance of training in preventing and responding to sexual harassment and encourages districts to provide training to all segments of the school community. ***

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance

***Note: In its April 2011 Dear Colleague Letter: Sexual Violence, OCR acknowledges that, where sexual harassment or violence occurs in the context of other possible rule violations, students may be reluctant to report sexual harassment or violence. For example, a student who is sexually harassed while he/she is away from school without permission may be reluctant to file a complaint if he/she believes that he/she may be disciplined for the violation. As such, item #4 below clarifies that any other rule violation will be addressed separately from the sexual harassment complaint in order to encourage students to report the harassment. ***

3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

***Note: In its April 2011 Dear Colleague Letter: Sexual Violence, OCR restates the requirement that a district's procedure for investigating sexual harassment complaints must be widely disseminated and be written in language appropriate to the age of the school's students. Examples include having copies of the procedure available throughout the school, publishing the procedure in the student handbook, and identifying individuals who can explain the procedure. ***

6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

Disciplinary Actions

***Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. Education Code 48900.2 also requires the sexual harassment, when considered from the perspective of a reasonable person of the same gender as the alleged victim, to be sufficiently severe or pervasive as to have a negative impact upon the alleged victim's academic performance or to create an intimidating, hostile, or offensive educational environment for the alleged victim. Under OCR's 2001 Revised Sexual Harassment Guidance interpreting Title IX, a hostile environment is created when the conduct is sufficiently serious that it denies or limits a student's ability to participate in or benefit from the school's program based on sex. OCR considers the conduct from both the subjective perspective of the individual who was harassed and from the perspective of a reasonable person with the same characteristics as the alleged victim. Districts should also note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process. ***

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 - Dismissal)
(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

WEB SITES

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

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

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

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Sexual Harassment

SIERRA VISTA JUNIOR HIGH SCHOOL will not tolerate sexual harassment by anyone participating in any SIERRA VISTA JUNIOR HIGH SCHOOL program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any SIERRA VISTA JUNIOR HIGH SCHOOL participant. SIERRA VISTA JUNIOR HIGH SCHOOL shall take all complaints of sexual harassment seriously, investigate and address identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, take reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. To the extent possible, complaints shall be kept confidential. For situations of harassment or suspected harassment involving SIERRA VISTA JUNIOR HIGH SCHOOL staff, Superintendent Policy on Personnel is applicable.

Notice of SIERRA VISTA JUNIOR HIGH SCHOOL Policy

1. Each SIERRA VISTA JUNIOR HIGH SCHOOL site will inform SIERRA VISTA JUNIOR HIGH SCHOOL Participants of this Sexual Harassment Policy along with the name, title, address and phone number of the Principal or designee

2. This Notice will include a statement of policy, definitions, how to file a complaint, confidentiality of any investigations into complaints, SIERRA VISTA JUNIOR HIGH SCHOOL's policy against

retaliation for complaints, and the disciplinary consequences of substantiated claims of harassment and false claims

3. Notices of the Sexual Harassment Policy will be included in the Annual Notice to all students and parents, which students and parents shall receive at the beginning of the year or upon enrollment.

Complaint Procedure for Victims of Sexual Harassment

1. SIERRA VISTA JUNIOR HIGH SCHOOL encourages any student who believes s/he is the target of sexual harassment or who believes s/he has witnessed sexual harassment while participating in any SIERRA VISTA JUNIOR HIGH SCHOOL program or activity to report the incident as soon as possible to a Principal or designee.

2. The staff member will then contact the Principal or designee regarding the reported incident immediately or as soon as practicably possible, no later than 48 hours after the student's report and make a written note that the report was forwarded to the Principal or designee.

3. Confidentiality

a. All complaints and investigations regarding sexual harassment will be held confidential to the extent possible.

b. Retaliation for complaints of harassment by complainants or witnesses is prohibited.

Investigations of Complaints of Sexual Harassment

1. SIERRA VISTA JUNIOR HIGH SCHOOL will treat complaints of sexual harassment seriously. Upon receiving a complaint of sexual harassment, the SIERRA VISTA JUNIOR HIGH SCHOOL staff person shall provide the student with a copy of this policy and the regulations implementing this policy. The school Principal or other administrator shall conduct an investigation of the allegations.

2. The investigator will notify the parents of the complainants and the Alleged Harasser, if they are students, of the reported incident, the school's intent to investigate and the potential consequences if the complaint is substantiated.

3. The investigator will conduct a private, confidential interview with the Alleged Harasser to get the Alleged Harasser's response to the allegations.

4. The investigator will notify the complainant and his/her parent or legal guardian of the investigation's progress.

5. No more than 30 school days after receiving the complaint, the Principal or other administrator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Principal shall notify the student who complained and explain the reasons for the extension. The Principal or designee will write a report for each complaint, to be completed within three days of the completion of the investigation. This report will include:

a. A description of the incident

b. The claims

c. The Alleged Harasser's response

- d. The results of the investigation's fact-finding
- e. Conclusions based on the factual findings
- f. Recommendations for disciplinary action or other reasonable, age-appropriate, specific corrective actions to end the harassment, eliminate the hostile environment, or future harassment (see Part V below)

6. SIERRA VISTA JUNIOR HIGH SCHOOL will maintain records of all sexual harassment investigations. These records shall be kept confidential and may be used for tracking purposes or to substantiate claims of repeated harassment or retaliation.

Consequences

If a complaint of sexual harassment is substantiated, the site administrator or designee shall determine reasonable, age-appropriate, specific corrective actions to end the harassment, eliminate the hostile environment, or eliminate future harassment. If a student, the Harasser may be suspended up to five days or expelled involuntarily release to student's district of residence. Retaliation for reporting harassment is also grounds for suspension or involuntary release to student's district of residence.

1. Appeal of determination of harassment. The student charged with harassment may appeal the decision of a suspension or involuntary release to student's district of residence in accordance with Board policy 7430, Suspensions & Expulsions. For lesser corrective actions, the student may request a conference between the student, his/her parent or guardian, and the site Principal.

2. Unsubstantiated complaints

- a. If an investigation does not support the complaint, the complainant and the Alleged Harasser will be notified. No disciplinary action may be taken but counseling may be offered to both parties.
- b. If an investigation determines that the sexual harassment claim was false and the complainant made the claim knowing it was false, the complainant is subject to discipline, including suspension or involuntary release to student's district of residence
- c. If the complainant is dissatisfied with the determination of unsubstantiation he or she complainant may invoke an appeal of this determination by following the County Board Policy, at whichever step the complainant feels appropriate.

The County Board is committed to maintaining an educational environment that is free from harassment and discrimination. The County Board prohibits sexual harassment of students by other students, employees, or other persons, at school or at school-sponsored or school related activities. The County Board also prohibits retaliatory behavior or action against persons who complain, testify, assist, or otherwise participate in SIERRA VISTA JUNIOR HIGH SCHOOL complaint processes.

Instruction/Information

The County Superintendent or designee will ensure that all SIERRA VISTA JUNIOR HIGH SCHOOL students receive age appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about SIERRA VISTA JUNIOR HIGH SCHOOL's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

Any Student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it to the school Principal or designee.

The County Superintendent or designee will ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the County Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

Disciplinary Actions

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For SIERRA VISTA JUNIOR HIGH SCHOOL, disciplinary action may include suspension and/or involuntary release to student's district of residence, provided that, in imposing

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

The County Superintendent or designee will maintain a record of all reported cases of sexual harassment to enable SIERRA VISTA JUNIOR HIGH SCHOOL to monitor, address, and prevent repetitive harassing behavior in the schools.

AR5145.7

Definitions

1. Complainant: the person(s) subject to sexual harassment.
2. Alleged Harasser: person(s) identified as sexually harassing the Target.
3. SIERRA VISTA JUNIOR HIGH SCHOOL Participant: includes students, employees of SIERRA VISTA JUNIOR HIGH SCHOOL, guests and other individuals involved in SIERRA VISTA JUNIOR HIGH SCHOOL programs and activities.
4. Unwelcome: unwanted and inappropriate.
5. Program: any program sponsored by SIERRA VISTA JUNIOR HIGH SCHOOL.

6. Activity: any activity sponsored by SIERRA VISTA JUNIOR HIGH SCHOOL.

7. Sexual harassment: unwelcome attention of a sexual nature that interferes with the educational performance, learning environment and/or full participation in a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity by any individual. Sexual harassment may, for example, come in physical (including but not limited to pinching, touching, patting, or blocking movements), visual (including but not limited to posters, cartoons, sketches, gestures or other visual displays of a clearly sexual nature), or verbal (including but not limited to spoken or written comments of a clearly sexual nature) forms and may be used to intimidate or to coerce.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions:
(Education Code 212.5; 5 CCR 4916)

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

Examples of types of conduct that are prohibited at the SIERRA VISTA JUNIOR HIGH SCHOOL and that may constitute sexual harassment include, but are not limited to:

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, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way

9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual Assault, sexual battery, or sexual coercion

School-Level Complaint Process/Grievance Procedure

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the Principal or designee. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to Labor Relations.

2. Initiation of Investigation: The Principal or other administrator shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. SIERRA VISTA JUNIOR HIGH SCHOOL shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Principal shall describe SIERRA VISTA JUNIOR HIGH SCHOOL's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit SIERRA VISTA JUNIOR HIGH SCHOOL's ability to investigate.

4. Investigation Process: The Principal or other administrator shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Principal or other administrator shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Principal or other administrator also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a

student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and SIERRA VISTA JUNIOR HIGH SCHOOL legal counsel or SIERRA VISTA JUNIOR HIGH SCHOOL's Risk Management Office.

5. Interim Measures: The Principal or other administrator shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.

6. Optional Mediation: In cases of student-to-student harassment, when the student who complained and the alleged harasser agree, the Principal or other administrator may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.

7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Principal may take into account:

- a. Statements made by the persons identified above
- b. The details and consistency of each person's account
- c. Evidence of any past instances of harassment by the alleged harasser
- d. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Principal may take into consideration:

- a. How the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
- d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
- e. Other incidents at the school involving different students

8. Written Report on Findings and Follow-Up: No more than 30 school days after receiving the complaint, the Principal or other administrator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. A summary report shall be presented to the student who complained, the person

accused, the parents/guardians of the student who complained and the student who was accused, and the County Superintendent or designee.

In addition, the Principal or designee shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Principal shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

Enforcement of SIERRA VISTA JUNIOR HIGH SCHOOL Policy

The County Superintendent or designee will take appropriate actions to reinforce SIERRA VISTA JUNIOR HIGH SCHOOL's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
3. Disseminating and/or summarizing SIERRA VISTA JUNIOR HIGH SCHOOL's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community
5. Taking appropriate disciplinary action.

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Notifications

A copy of SIERRA VISTA JUNIOR HIGH SCHOOL's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

School-wide Dress Code prohibiting gang-related apparel

SIERRA VISTA JUNIOR HIGH SCHOOL Dress Code Policy

BP5132

Dress and Grooming

In cooperation with teachers, students, parents/guardians, host districts, the principal or designee shall establish school rules governing student dress and grooming that are consistent with the host district's dress and grooming policies, law, County Board policy and administrative regulations. These school dress codes shall be regularly reviewed.

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the County Superintendent or designee for approval. The County Superintendent or designee will approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia that are crude, vulgar, profane or sexually suggestive, that bear drug, alcohol or tobacco company advertising, promotions and likenesses, or that advocate racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fishnet fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
5. Gym shorts may not be worn in classes other than physical education.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

Uniforms

In schools where a schoolwide uniform is required, the principal, staff and parents/guardians of the individual school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

The County Superintendent or designee will establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

The County Superintendent or designee may establish a method for recycling or exchanging uniforms as students grow out of them.

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. (Education Code 35183)

Student Dress

The County Board authorizes each school site to adopt schoolwide student dress codes in an effort to ensure the safety of students, facilitate and maintain an effective learning environment, and enhance respectful behavior and school ownership. All William S. Hart Union High School District school sites adopting dress codes will incorporate the following:

A. Involve parents, principals, school staff, law enforcement, community members, and students, where age-appropriate, in determining what articles of clothing will be included in the dress code.

B. Provide notice to parents and students, included in the Annual Notice, of the following:

1. Dress code requirements.

2. Economic assistance for families in need, including the names, titles, addresses and phone numbers of designated dress code contact people at the school site and the superintendent's office and any closets or donation systems available.

3. Any disciplinary action for failing to follow the dress code.

4. The complaint procedure available for any complaints.

C. Protect students' other rights of expression. Using the "substantial interference with education" standard, students should be allowed to wear, for example, buttons, pins, badges or religious clothing provided that these articles do not cover or replace dress code articles.

D. Establish a progressive discipline structure for violations of the dress code. For example, consequences for not following the dress code may include: first time, one-hour detention; second time, parent contact and two-hour detention; third time, parent conference; fourth time, parent contact, all-day in school detention; fifth time, parent conference, suspension.

E. Establish and maintain a complaint procedure that is fair, consistent, and well-known throughout the school community.

F. Students will comply with the dress code of their host school site.

Student Uniforms

The County Board authorizes each school site to adopt student uniform codes in an effort to ensure the safety of students, facilitate and maintain an effective learning environment, and enhance school spirit and ownership. All SIERRA VISTA JUNIOR HIGH SCHOOL school sites adopting uniform codes shall incorporate the following:

A. Involve parents, principals, school staff, law enforcement, community members, and students, where age-appropriate, in determining what articles of clothing will be included in the uniform.

B. Protect students' other rights of expression. Using the "substantial interference with education" standard, students should be allowed to wear, for example, buttons, pins, badges or religious clothing provided that these articles do not cover or replace uniform articles. The uniform should not include any political or religious messages or slogans.

C. Provide assistance for low-income families by:

1. Providing the name, title, address and phone number of the designated uniform contact person at each school site and the superintendent's office in a notice to all parents at least once each semester;

2. Setting up a "closet" for hand-me-downs and/or a community donation system where community members may donate money or clothing;

3. Creating a year-round telephone message line with information about the above resources and contacts.

D. Give notice to all students and parents of the consequences of noncompliance. For example, a student who has not opted out and has had full opportunities for economic assistance but does not wear the school uniform may face in-school detention and a call to his/her parents. A second infraction may result in a parent conference and/or sending the student home to change into the uniform.

E. Establish and maintain a complaint procedure that is fair, consistent and well-known throughout the school community.

F. Notify parents and students, at least six months in advance of implementation, of the uniform requirement, opt-out provision, economic assistance, disciplinary measures for noncompliance if the student has not opted out or faced economic hardship in complying with the uniform code, and the complaint procedure for any complaints. This notice could be included as part of the Annual Notification.

G. As appropriate, students will follow the Uniform Code of their host school.

H. Treat uniforms as one part of an overall safety program.

Procedures for Safe Ingress and Egress from School
Sierra Vista Junior High School SEMS Plan

Procedures to Ensure a Safe and Orderly Environment

SIERRA VISTA JUNIOR HIGH SCHOOL is a positive, caring, nurturing, and supportive school. Using the Capturing Kids Hearts philosophy, positive relationships are established amongst students and staff, and with students. Affirmations, Social Contracts, meaningful interactions, Good Things are used to encourage students to be successful and feel accepted.

FACTORS

1. *The Social Climate-People and Programs (Component 1):*
 - Refer to page 80, Safe Schools –A Planning Guide for Action
 - Create a caring and connected school climate-How do you make Students and Staff believe that the school is a caring community?
 - a. Involve parents - Site Council, Parent Advisory Committee
 - b. Recognize and build on the cultural richness of SIERRA VISTA JUNIOR HIGH SCHOOL community
 - c. Provide training so staff can meet the unique needs of the student body - Capturing Kids Hearts training, training on diversity, etc.
 - d. Set high academic and behavior goals - CKH and training on Common Core Standards, etc.
 - e. Improve curriculum and teaching practices - Professional Development practice in Our Sphere of Influence, Common Core Standards, implementation of Project Lead, etc.
 - f. Include health and resiliency curriculum
 - g. Address multiple learning styles
 - h. Promote caring, supportive relationships with students - Capturing Kids Hearts, numerous school-wide activities through ASB, etc.
 - i. Provide opportunities for student to have meaningful participation in school and community service - Community service by groups such as Heart to Heart, Power Latina Girls, activities via ASB, Sports Talk, etc.
 - j. Emphasize critical thinking and respect
 - k. Communicate clear discipline standards
 - l. Communicate procedures to report and deal with threats - Safe School Ambassadors, ASB, SIVICS Club
 - m. Empower students to take responsibility for safety - Safe School Ambassadors, Anti-bullying Program
 - n. Train staff on bullying prevention and tolerance - Anti-bullying presentations by Counselors, Anti-bullying Program, Teen Truth assembly, etc.
 - o. Provide training for student and staff on dangers of drugs and alcohol
 - p. Counseling services are provided for any student needing to see a mental health specialist. SIERRA VISTA JUNIOR HIGH SCHOOL has three counselors, one who holds a Marriage and Family Counseling degree, a Bullying expert counselor, and a diversity counselor. In addition, we have a school psychologist and psychology and counseling interns to assist. There is an internal referral system for School Based Counseling and DIS counseling for those students with IEP's. Mental health care of pupils who have witnessed a violent act at any time, related to school activity is provided on an "as needed" basis.
Addendum to EC 32281.1 effective January 1, 2015
 - q. We collaborate with our School Resource Officer, Special Victims Unit officers, and work via our Mental Health programs counselors with expertise in sexual abuse and sex trafficking prevention education. EC 49380 effective January 1, 2015

- r. We participate in the “Text-a- Tip” program for those students who wish to remain anonymous or that have instant need of assistance.
- s. Students and families receive Connect Ed messages at any time that SIERRA VISTA JUNIOR HIGH SCHOOL community needs to be informed of an event or a situation that affects the student body.
- t. An 8th grade Awards Ceremony is held at the end of the spring semester to recognize student achievements. Honor Roll, CJSF, Attendance awards. An academic assembly program is being developed to celebrate academic, attendance, and personal accomplishments of students.

2. The Physical Environment-place:

SIERRA VISTA JUNIOR HIGH SCHOOL has created a physical environment that communicates respect for learning and for individuals and safety

How does your school site:

- a. Teachers are encouraged to display their Social Contracts, display students work, and maintain classrooms as pleasant places to learn; grounds and facilities are maintained with safety and aesthetics in mind.
- b. SIERRA VISTA JUNIOR HIGH SCHOOL is an important part of the community and used by community organizations for sports, church services, and community gatherings.
- c. Share information about student crime and truancy with law enforcement and with our school site council and district
- d. Campus supervisors, teachers, counselors, and administrators supervise throughout the day to help keep our campus safe
- e. Loitering is not allowed on the SIERRA VISTA JUNIOR HIGH SCHOOL campus
- f. Campus supervisors, teachers, counselors, and administrators supervise throughout the day to help keep our campus safe
- g. Eating area and healthy food provided as per state code
- h. SIERRA VISTA Junior High School maintains clean and safe restrooms
- i. Adequate lighting is provided in all areas
- j. Provide student with current textbooks and materials including a second set of textbooks to be kept at home
- k. Maintain a variety of sports facilities and equipment including a weight room
- l. Provide a well-stocked library accessible to students before, during, and after school on most days
- m. Procedures for security including lock down plan are communicated to school community via Connect Ed, emails, Binder Reminder, Student Handbook, etc.
- n. Deal with vandalism as soon as it is seen.
- o. Inventory, Identify and store valuable property
- p. Provide training for security personnel and staff
- q. Engage students and the community in campus beautification projects
- r. Promote school wide awareness and policy about a non-tolerance of drugs and weapons and about the dangers of weapons and drugs on campus

Component One: People and Programs

SIERRA VISTA will provide the educational environment where students, parents, staff, and community members shall effectively communicate in a manner that is respectful to all cultural, racial, and religious backgrounds.

By the end of the school year 2014-2015, 90% of the staff will be trained in Capturing Kids Hearts.

Component Two: Place

SIERRA VISTA Junior High School will create a physical environment that communicates respect for learning and individuals. All students and staff members are provided with a safe teaching and learning environment with an efficient campus supervisor program. Gates are kept locked during the day and all visitors are required to sign in. A new, safer traffic pattern for dropping off and picking up students has been implemented with the collaboration of the city of Santa Clarita.

Rules and Procedures on School Discipline

SIERRA VISTA JUNIOR HIGH SCHOOL DISCIPLINE PLAN

Hate Crime Policies and Procedures

The William S. Hart Board Policy on Hate Crimes is as follows:

BP 5145.9

Students

Note: The following optional policy is for use by districts in the implementation of a prevention strategy for hate-motivated incidents and should be modified to reflect district practice. Elements of this policy will also likely be integrated into existing school plans, such as school safety and staff development plans, as well as any policies developed by the district regarding school climate (see BP 5137 - Positive School Climate) and nondiscrimination (see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment).

Note: In its publication entitled Hate-Motivated Behavior in Schools, the California Department of Education defines "hate-motivated behavior" as an act, or attempted act, motivated by hostility towards a victim's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. Some "hate-motivated behavior," including an assault, bomb threat, destruction of property, graffiti, and certain types of vandalism, may also be crimes under state or federal law.

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

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

Note: Local law enforcement agencies and human rights commissions have established countywide hate crimes networks aimed at responding to and preventing hate crimes. The California Association of Human Relations Organizations conducts activities designed to protect human and civil rights through networks of collaborations that reduce community tension and build intergroup relationships.

The following optional paragraph should be revised to reflect district practice.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations between Other Governmental Agencies and the Schools)
- (cf. 1700 - Relations between Private Industry and the Schools)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 5148.3 - Preschool/Early Childhood Education)
- (cf. 6020 - Parent Involvement)

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

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

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

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

Grievance Procedures

Note: School-level grievance procedures for investigation of sexual harassment complaints are detailed in AR 5145.7 - Sexual Harassment. The following paragraph provides for the application of those procedures to the investigation of complaints regarding hate-motivated behavior. Districts that wish to use other procedures should modify the following paragraph accordingly.

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

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 5131- Conduct)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 5145.7 - Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

- (cf. 3515.3 - District Police/Security Department)

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

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

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 School safety plans
48900.3 Suspension for hate violence
48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

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

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

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

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

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

SIERRA VISTA JUNIOR HIGH SCHOOL

BP 5145.3(a)

NONDISCRIMINATION/HARASSMENT

The County Board desires to ensure equal opportunities for all students in admission and access to SIERRA VISTA JUNIOR HIGH SCHOOL's educational programs, guidance and counseling programs, athletic programs, testing procedures, and other activities. SIERRA VISTA JUNIOR HIGH SCHOOL programs and activities shall be free from discrimination, including harassment, with respect to a student's race, color, ancestry, national origin, ethnic group identification, citizenship and immigration status, age, religion, marital or parental status, physical or mental disability, sex, sexual

orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. These terms are defined by state or federal statute.

The County Board prohibits discrimination, intimidation, or harassment of any student by any employee, student, or other person in SIERRA VISTA JUNIOR HIGH SCHOOL. Prohibited harassment includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.

School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision. In Juvenile Court Schools, the County Office shall work with County Probation Department on practices and procedures for incarcerated students.

The Principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination or harassment in violation of law, County Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or involuntary release to student's district of residence.

Grievance Procedures

Any student who feels that he/she has been subjected to discrimination or harassment should immediately contact the Principal, administrators or designee. Any student or school employee who observes an incident of discrimination or harassment should report the incident to the Principal, administrator or designee whether or not the victim files a complaint.

Upon receiving a complaint of discrimination or harassment, the Principal or other administrator or designee shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

The County Superintendent or designee will ensure that the student handbook clearly describes SIERRA VISTA JUNIOR HIGH SCHOOL's nondiscrimination policy, procedures for filing a complaint regarding discrimination or harassment, and the resources that are available to students who feel that they have been the victim of discrimination or harassment. SIERRA VISTA JUNIOR HIGH SCHOOL's policy may also be posted on the SIERRA VISTA JUNIOR HIGH SCHOOL or school website or any other location that is easily accessible to students.

AR5145.3

General Provisions

1. Definitions

- a. SIERRA VISTA JUNIOR HIGH SCHOOL participant: any individual involved in SIERRA VISTA JUNIOR HIGH SCHOOL programs or activities. This includes employees, students, contractors, vendors, guests and volunteers.

b. SIERRA VISTA JUNIOR HIGH SCHOOL staff member: any SIERRA VISTA JUNIOR HIGH SCHOOL employee.

c. Principal or designee: supervisor or site administrator, or the person designated to investigate or coordinate the investigation of concerns or complaints in an objective, consistent and thorough manner.

d. Complaint: a statement regarding how a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity is run or how a SIERRA VISTA JUNIOR HIGH SCHOOL participant was treated while involved in a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity. A complaint alleges a violation of state or federal laws or regulations. Complaints point to specific misconduct, or behavior or practices that violate law.

(1) Examples of complaints based on discriminatory behavior:

(a) Sexual harassment, assault, battery

(b) Harassment: includes unwelcome verbal, visual or physical contact that, when directed at any person, would be considered inherently likely to provoke an extremely negative or intimidating reaction. Such contact includes, but is not limited to; those terms or actions widely recognized as negative or derogatory references to race, ethnicity, religion, gender, sexual orientation, disability and other characteristics uniquely a part of the individual or group. "Harassment" occurs when these words or conduct create a hostile or intimidating environment that prevents the target of harassment from being able to pursue educational goals or to participate fully in SIERRA VISTA JUNIOR HIGH SCHOOL programs or activities.

(c) Denial of educational opportunities

(d) Abuse or neglect

(e) Inaccurate student records

(2) In accordance with the Uniform Complaint Procedure, SIERRA VISTA JUNIOR HIGH SCHOOL will assist in referring certain complaints to specified agencies.

e. Concern: a statement regarding how a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity is run or how a SIERRA VISTA JUNIOR HIGH SCHOOL participant was treated while involved in a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity. A concern is a constructive suggestion for a problem that is not necessarily a violation of state or federal laws or regulations. If a participant is unclear whether s/he has a concern or a complaint, the participant should make a statement. Concerns may be resolved informally.

f. Target: SIERRA VISTA JUNIOR HIGH SCHOOL participant who is the target of discriminatory behavior.

g. PCQ: Person whose conduct is in question; person whose behavior is allegedly discriminatory.

Notice of SIERRA VISTA JUNIOR HIGH SCHOOL Policy

1. Each SIERRA VISTA JUNIOR HIGH SCHOOL site shall provide notice of this Nondiscrimination Policy along with the name, title, address and phone number of the person in charge of handling complaints and investigations.
2. This notice shall also include a statement of policy, definitions and the potential disciplinary consequences of substantiated complaints. See below.
3. Notice of the Nondiscrimination Policy, will also be included in the Annual Notification provided upon enrollment to all students and parents.
4. Notice may also be provided by:
 - a. Publication in local newspapers, newsletters or magazines operated by SIERRA VISTA JUNIOR HIGH SCHOOL or the site.
 - b. Distribution with other written communications to SIERRA VISTA JUNIOR HIGH SCHOOL participants and their parents.
 - c. Incorporation in mandatory Health Education classes.
 - d. Workshops conducted by sites to inform participants, including parents where feasible, of the Nondiscrimination Policy grounds and procedures.

Procedure for Filing a Concern or Complaint

1. SIERRA VISTA JUNIOR HIGH SCHOOL encourages any student who has a concern or complaint about alleged discrimination in how a SIERRA VISTA JUNIOR HIGH SCHOOL program or activity is run to report the concern/complaint to a SIERRA VISTA JUNIOR HIGH SCHOOL Principal or administrator.
2. The SIERRA VISTA JUNIOR HIGH SCHOOL staff member will then contact the Principal or administrator regarding the reported incident immediately or as soon as practically possible, but no later than forty-eight (48) hours after the student's report. The SIERRA VISTA JUNIOR HIGH SCHOOL staff member will make a written note that the report was forwarded to the Principal or administrator.
3. A student who wishes to resolve a concern or complaint with SIERRA VISTA JUNIOR HIGH SCHOOL should make this report to a SIERRA VISTA JUNIOR HIGH SCHOOL staff member as soon as possible but no later than one hundred eighty (180) calendar days of the incident causing the concern or complaint.
 - a. Complainants are encouraged to keep a written log of incidents. This log should include, where possible, the items listed below, in subsection 5 of this Part.
 - b. Any witness of misconduct is encouraged to report the misconduct and to support the complainant in reporting the misconduct.

(1) A witness who personally observed the incident should tell the complainant that the witness will report the misconduct.

(2) If a complainant confides in another SIERRA VISTA JUNIOR HIGH SCHOOL participant that s/he believes s/he has complaint or concern, the SIERRA VISTA JUNIOR HIGH SCHOOL participant is encouraged to support the complainant in reporting the misconduct to the school.

c. The complainant or witness may, if s/he chooses, request that a friend, adult advisor from the school or parent be present when the complainant or witness reports the complaint.

d. The complainant or witness should write down and provide the principal or administrator with the following information regarding the incident:

(1) When the misconduct occurred

(2) Who was involved (as a complainant, as a PCQ, as a witness?)

(3) Where the incident occurred

(4) What Happened?

(5) How the complainants responded to the incident

(6) Any related incidents (for example, similar conduct or similar people involved)

(7) Any other information regarding the incident that may help the investigation.

e. If the complainant feels safe, s/he is encouraged to communicate to the PCQ, in person or by letter, that the conduct is both unwelcome and must stop immediately. This often helps PCQs recognize that their conduct is unacceptable and causes them to stop.

(1) The complainant is not required to take this step.

(2) If the complainant prefers, a friend or counselor may assist the complainant in addressing the PCQ. The complainant should keep a written record of his/her conversation(s) with the PCQ.

(3) If the complainant chooses to write a letter, s/he should keep a copy of the letter, signed, and make a copy for the principal.

4. Confidentiality

a. Confidentiality regarding the complaint and investigation will be maintained to the extent possible.

(1) If child abuse or abuse of a dependent adult is reported, teachers and school administrators are mandatory reporters and must report the incident to child protective services or law enforcement.

(2) If the misconduct is physical, the conduct may be assault, battery, or sexual assault or battery. Assault and battery, including sexual assault and battery, are crimes and must be immediately reported to law enforcement.

(3) The parent/guardian of the complainant should also be notified.

b. If a student specifically requests confidentiality of his/her name from the PCQ, the school should grant this request to the extent possible.

(1) If the PCQ faces potential criminal charges or cannot otherwise identify the incident in question, the school will disclose the complainant's name to the PCQ to protect the PCQ's due process rights and to enable the investigation to move forward.

(2) If the school will disclose the complainant's name to the PCQ, the school shall notify the complainant of the disclosure.

c. Retaliation for complaints of misconduct by complainants or witnesses is prohibited.

(1) If any retaliation for reporting the incident occurs, such as increased misconduct or additional denials of educational benefits, the complainant or witness should report these incidents to the principal

(2) If retaliation is substantiated or proven, the retaliator is subject to involuntary release to student's district of residence

(2) If retaliation is substantiated, or proven, and if the retaliator is SIERRA VISTA JUNIOR HIGH SCHOOL staff, the retaliator is subject to disciplinary measures under Personnel Policies.

Investigations of Complaints

1. SIERRA VISTA JUNIOR HIGH SCHOOL treats student complaints seriously.

a. The principal or other administrator will initiate an investigation into the incident within forty-eight (48) hours of a complaint.

b. The principal or other administrator will conduct a thorough investigation into the facts of the incident to be completed within thirty (30) calendar days of a complaint.

c. The principal will notify the parents of the complainant and the PCQ, if the PCQ is a student, of the reported incident, the school's intent to investigate, and the potential consequences if the complaint is substantiated.

d. Fact-finding for the investigation will be objective and will focus on the following factors:

(1) The age of the complainant(s).

(2) The age of the person(s) whose misconduct is in the complaint (Note: children from kindergarten through grade 3 are not subject to discipline for sexual harassment, hate

violence or harassment/threats/ intimidation but other age-appropriate measures may be taken).

(3) The nature of the misconduct (for example, questionable restriction from programs, unwelcome physical contact, property damage, threats, repeated comments, pictures or writings that are racially explicit and/or degrading).

(4) The number of related incidents.

(5) The location of the incidents.

(6) The identity, number and relationships of the individuals involved (for example, misconduct by a teacher who is “off duty” may have greater impact on a complainant than similar behavior by another student; a group of students’ misconduct toward one complainant might be more severe than one student’s misconduct toward one complainant).

(7) Statements of any witnesses to the incident, in writing, signed and dated by the witness(es)

(8) Any prior substantiated complaints

(9) Any other facts the investigator finds relevant (for example, a history of negative behaviors, such as teasing by the PCQ or repeated inappropriate comments by a teacher, leading up to the misconduct)

e. The investigator will also conduct a private, confidential interview with the PCQ to get the PCQ’s response to the allegations.

f. The principal or other administrator will notify the complainant and his/her parent/guardian of the investigation’s progress.

(1) Unless a crime or potential criminal act is involved, the complainant may request the investigation to stop at any time. Where SIERRA VISTA JUNIOR HIGH SCHOOL is required by law to continue, or where sufficient information has been gathered to show a problem, SIERRA VISTA JUNIOR HIGH SCHOOL shall move forward with appropriate corrective action without the complainant’s participation.

(2) If the complainant is a minor, the complainant’s parent/guardian must be consulted if the complainant requests the investigation to stop. A conference between the complainant, parent/guardian, and school administrator, point person and/or investigator should be held to discuss the decision.

g. The investigator has up to thirty (30) calendar days to investigate a complaint. The investigator will write a report for each complaint, to be completed and given to the site principal within three (3) school days of the completion of the investigation. This report will include:

(1) A description of the incident

- (2) The complainant's claims
- (3) The PCQ's response
- (4) The results of the investigation's fact-finding:
 - (a) The results should include all investigated facts and evidence from the factors listed above.
 - (b) The investigator should include all documents relevant to the complaint and investigation.
 - (c) These facts and evidence will be summarized objectively.
- (5) Conclusions based on the factual findings
 - (a) The facts will be reviewed impartially.
 - (b) The investigator will prepare a conclusion for each of the complainant's claims.
 - (c) Conclusions will be directly tied to the underlying facts supporting them.
 - (d) Conclusions will clearly state whether or not misconduct occurred.
- (6) Recommendations for disciplinary action, see Part V below, or other reasonable, age-appropriate, specific corrective actions to end the discrimination or harassment, eliminate the hostile environment, or eliminate future discrimination or harassment.

2. SIERRA VISTA JUNIOR HIGH SCHOOL will maintain records of all investigations into misconduct claims.

- a. These records will be confidential.
- b. These records may be used for tracking of complaints in order to improve procedures. If used as part of a study or database, all names of parties will be removed to protect the privacy of the parties.
- c. These records may be used to substantiate claims of repeated misconduct or retaliation for reporting misconduct.

Consequences

1. The site administrator will notify the complainant, the PCQ, and their parents or legal guardians of the determination of the complaint, including consequences, within two school days of the investigator's report to the site administrator.
2. Counseling services should be offered to both the complainant and the PCQ.

3. In less severe cases, with notice to the complainant and his/her parent or guardian, the principal or County Superintendent may determine that other consequences are more appropriate. These include:

- a. A written warning
- b. A formal written apology from the PCQ to the complainant
- c. Transfer of the PCQ to another school class or program from a class s/he shares with the complainant, which may require an IEP review if the PCQ is a Special Education student
- d. Detention
- e. Community service

4. Appeal of determination of misconduct

- a. If the complaint of misconduct is substantiated and the principal or County Superintendent determines that an involuntary release to student's district of residence is appropriate, the student charged with misconduct has the opportunity to appeal this decision.
- b. For lesser disciplinary actions, the student charged with misconduct may request a conference between the student, his/her parent or guardian and the site principal.

(1) The charged student has five (5) school days from the day s/he learns of disciplinary action to request this conference.

(2) The school will hold this conference within five (5) calendar days of the request. The complainant and his/her parent or guardian will be notified of this conference. They may also attend or provide a written statement of their concerns.

5. Unsubstantiated complaints

- a. If an investigation does not support the complaint, the complainant and the PCQ will be notified. No disciplinary action may be taken but counseling may be offered to both parties.
- b. If an investigation determines that the misconduct claim was false and the complainant made the claim knowing it was false, the complainant is subject to discipline including suspension or involuntary release to student's district of residence.
- c. In the event that the complainant is dissatisfied with the determination of an unsubstantiated complaint, the Target may invoke the appeal process from the complaint policy, County Board policy 7380, at whichever step the complainant feels appropriate.
- d. In addition, for complaints of discrimination, the complainant may file a complaint at any time with the Office for Civil Rights. SIERRA VISTA JUNIOR HIGH SCHOOL staff shall assist the Target by providing contact information.

6. If the PCQ is a SIERRA VISTA JUNIOR HIGH SCHOOL staff member, refer to Personnel policies regarding employee discipline.

7. If the PCQ is a contractor or vendor, refer to Business policies regarding any available corrective measures.

Bullying Prevention Policies and Procedures

William S. Hart UHSD Bullying Prevention Policy

Wm. S. Hart Union High School District believes that all students and staff have a right to a safe and healthy school environment. Wm. S. Hart UHSD considers bullying or any behavior that infringes on the safety of any other person as a serious matter that will be investigated and be subject to subsequent disciplinary action.

A student shall not intimidate or harass another person through words or actions for any reason including race, religion, or sexual orientation such that the actions substantially interfere with a student's educational experience, create an intimidating or threatening educational environment, or disrupt the orderly operation of the school and/or the overall educational environment.

Young people are continuously developing their social skills and often experience conflicts with one another. Every conflict between students is not an incident of bullying. Bullying is defined as aggressive behavior that involves the following factors:

1. The behavior must be intended to cause harm.
2. There must be a real or perceived imbalance of physical or psychological power between those involved.
3. The behavior must be repeated over time and include the use of hurtful words and/or acts.

Bullying behaviors may include, but are not necessarily limited to, the following:

- Verbal - Hurtful name-calling, teasing, gossiping, making threats, making rude noises or spreading hurtful rumors.
- Nonverbal - Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- Physical - Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, biting, spitting or destroying property.
- Emotional/Psychological - Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure or rating or ranking personal characteristics.
- Cyber Bullying - Any bullying, harassment or intimidation when such is accomplished utilizing electronic communication media or electronic signaling devices. Such media includes, but shall not be limited to, e-mail messages, text messages, instant messages, social networking sites, and internet based video sites and postings of blogs.

If any such activity as described above is engaged in on campus; during school sponsored activities including any sports, extra-curricular, or school related activities; or utilizing school provided technology, the individual(s) shall be subject to discipline pursuant to the school's disciplinary policy.

Wm. S. Hart UHSD reserves the right to regulate, review, investigate and discipline students for bullying harassment, intimidation and/or cyber-bullying or any other disciplinary violations when such activities threaten violence against another student, are related to school activities, or otherwise disrupt the learning environment or orderly conduct of the school, school business or school activities.

William S. Hart UHSD expects students and staff to immediately report incidents of bullying to the Principal, Assistant Principal or other campus authority. Students may also request that their name be kept in confidence to the extent allowed by law. Staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying will be promptly investigated and resolved in accordance with school policy.

To prevent bullying on campus, William S. Hart UHSD will provide training in bullying prevention and intervention strategies to staff and students. William S. Hart UHSD may provide students with instruction in the classroom or other school settings that promotes communication, social skills and assertiveness skills.

SIERRA VISTA JUNIOR HIGH SCHOOL

BP 5131.2(a)

BULLYING

The County 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. The County Superintendent will establish student safety as a high priority and will 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 is an act of bullying committed through the transmission of a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. *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, County Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

To the extent possible, SIERRA VISTA JUNIOR HIGH SCHOOL 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 SIERRA VISTA JUNIOR HIGH SCHOOL and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

SIERRA VISTA JUNIOR HIGH SCHOOL will 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.

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

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

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the County Superintendent or designee will 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 County Superintendent or designee will notify the parents/guardians of victims and perpetrators. The County Superintendent or designee 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 County Superintendent or designee will investigate and document the activity and will 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 County Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

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 involuntary transfer back to the district of residence, in accordance with SIERRA VISTA JUNIOR HIGH SCHOOL policies and regulations.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff, or to threaten SIERRA VISTA JUNIOR HIGH SCHOOL property, the investigation shall include documentation of the activity, identification of the source, and specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

Students shall be encouraged to save and print any 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.

Any student who engages in cyberbullying 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 in accordance with SIERRA VISTA JUNIOR HIGH SCHOOL policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the County Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

APPENDIX

Lockdown Drill Protocol

A lockdown situation exists when the school needs students and staff in a secured area as quickly as possible. A violent intruder on campus, news of a potential threat to the school, hazardous material on campus, or a fugitive on the run are all examples of events that may necessitate the need for a campus lockdown.

Each campus follows the protocols published by the Federal Bureau of Investigation when conducting a lockdown drill. Based on the specific situation, students will determine the appropriate action which may be to run, hide, or fight. Students and staff receive annual training prior to a lockdown drill and drills are conducted bi-annually. Families will be notified in advance of a lockdown drill.

Administration in conjunction with law enforcement will be in complete command of the drills.

Threat Assessment Team

Carolyn Hoffman
Courtney Iacenda
Matt Hinze
Dep. Luis Cabrera
Michelle Peña
Cassidy Thomas
Kathy Blum
Angela Knolls
Justine Saunders
Melissa Roth

Lead Administrator
A-K Administrator
L-Z Administrator
School Resource Officer
School Psychologist
ERICs Counselor

A-Gn Counselor
Go-N Counselor
P-Z Counselor

Tactical Response Plan

Soft Lockdown

- Lockdown perimeter; Limit movement
- Staff will be informed through email

Shelter-In-Place

- Lockdown perimeter/Lock doors
- Continue business as usual
- Students/Staff should not be outside classroom
- Staff will be informed through email/PA

Hard Lockdown

- Lock your door; close your blinds; turn off your lights
- Direct students to take a defensible position away from windows
- Teacher take attendance
- Email missing students to Laura AND Maddie.
- DO NOT allow students to leave the room.
- **Direct students to remain quiet and not use their cellphones to prevent detection by the intruder.**

Hard Lockdown during brunch, lunch, and passing period before or after school

- Students are to enter the nearest room, building, gym, MPR, etc.
- Lock your door; close your blinds; turn off your lights
- Direct students to take a defensible position away from windows
- DO NOT allow students to leave the room.
- **Direct students to remain quiet and not use their cellphones to prevent detection by the intruder.**

In all Lockdown scenarios, Law Enforcement or School Resource Deputy will be contacted immediately. SRO or Law Enforcement will be met by designee at the entrance to the school to provide intelligence regarding the situation.

William S. Hart Union High School District Crisis Communication Guidelines for Handling Media

The William S. Hart Union School District recognizes the importance of the release of accurate and timely information in any emergency situation involving our schools, staff or students. Such emergencies will be of immediate significance to our parents and members of our community and will be of significant interest to the news media.

Our primary objective is to work as quickly and cooperatively as possible to supply timely information to the media on the crisis and its impact on students, teachers or staff members. Information will be released provided it does not jeopardize the emergency response activities, or conflict with federal privacy laws, the well-being of our students or employees, or the concerns of their families.

During an emergency, the media will not be allowed on campus. The media will be assigned to a designated temporarily staged media center outside the site of the emergency that will allow full access to the site by emergency response teams.

During a crisis, the Public Relations Officer will reach out to all SCV based media outlets. All incoming media calls will be referred to the PR Officer, allowing the emergency response team at the site to give full attention to relief efforts. The PR Officer is the assigned media spokesperson. The District will work as quickly as possible to provide accurate information to the media through written releases, direct interviews or phone calls, and news briefings held at the temporary Media Center set up at the site. Media requests for individual interviews with site administrators or District Office administrators will be arranged through the PR Officer. The media may interview students and parents when they are off campus.

Circumstances will be assessed and determination will be made if a press conference will be scheduled that may include District and site administrators, law enforcement and first responders.

All available and appropriate communication vehicles will be utilized, but are not limited to: On-site interviews and phone conversations, written news briefings distributed or via email, social networking sites, website alerts, eNotify alerts.

Information on the emergency will be released as it is available and limited to confirmed facts and general summary relating to progress of the last briefing. Significant changes will be reported as soon as they have been confirmed and assessed with regard to their impact on the emergency. Every effort will be made to release all news to ensure timely, consistent distribution to members of the media.

All information will be “on the record” and there will be no “unidentified sources” for information relating to the emergency. Any source of information is to be identified by name to ensure that the information can be verified if there is a question about its accuracy. The District will assess rumors, speculation or unverified information that has not been provided by a reputable, identifiable source, prior to providing a response to media queries.

The PR Officer will work closely with Public Information Officers representing law enforcement agencies, City of Santa Clarita and any other affected community partners. Information regarding criminal charges will be referred to the appropriate law enforcement agency and any information regarding anyone hospitalized as a result of the emergency, will be referred to a hospital spokesperson.

The PR Officer will handle follow up inquiries from the media the day after (and ongoing) regarding updates on the incident.

Public Relations Officer: Dave Caldwell, 661.259.0033, revised Jan. 2017