

# Loomis Union School District

## Comprehensive School Safety Plan

**2018 - 2019**

### H. Clarke Powers Elementary School

CDE Code: 31-66845-6117824

Cara Kopecky, Principal

**Plan Developed By**

Cara Kopecky  
Laurie Balsano  
Kevin Keith  
Leesa Baltzley  
Susan Slavik  
Leigh Amistadi  
Stacey Thomas  
Sarah Tavernetti  
Stephanie Konkoff

**Title**

Principal  
IB Coordinator  
School Resource Officer, Placer County Sheriff  
Administrative Assistant  
Co-President, PTC  
Parent  
School Clerk  
Teacher  
Teacher

**Loomis Union School District**  
**Comprehensive Safe School Plan 2018-2019**

**H. Clarke Powers Elementary School**

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**Comprehensive School Safety Plan 2018-2019**

**Membership**

H. Clarke Powers Elementary School

	Principal or designee	Classified Employees	Classroom Teacher	Parent	Law Enforcement	Other School Staff	Community Representative	Student	Other (Specify) Consultant
Cara Kopecky	X								
Laurie Balsano						X			
Leigh Amistadi				X					
Susan Slavik				X					
Sarah Tavernetti			X						
Stephanie Konkoff			X						
Leesa Baltzley		X				X	X		
Kevin Keith					X				
Stacey Thomas		X							

## **School Mission Statement**

**Mission:**

H. Clarke Powers is committed to working with our community and our students to create internationally-minded lifelong learners through rigorous academic standards.

**Vision:**

To support students in reaching their full potential, our staff embraces all students through a shared responsibility in an engaging, caring, and collaborative environment.

**Core Values:**

As a school community, we will exhibit compassion, respect, integrity, and responsibility in our everyday lives. We will strive to foster independence, commitment to learning, and global decision making for years to come. We will respect our differences and celebrate our strengths and achievements.

## **District Mission Statement**

The mission of the Loomis Union School District is to provide outstanding educational instruction so that each of our students is enabled to reach their full potential.

## Comprehensive Safe School Plan 2017 – 2018 Student Data Summary

### Assessing the Current Status of School Discipline

#### Suspensions

Year	Students	Suspensions	Suspension Rate	Expulsions	Expulsion Rate
2014 - 2015	479	25	5.2%	0	0.0
2015 - 2016	479	20	4.2%	0	0.0
2016 - 2017	506	22	4.3%	0	0.0
2017 - 2018	523	20	3.8%	0	0.0

#### Conclusions from Data:

- The data suggests that Powers suspension rate fluctuates each year, but the variances are not statistically significant. Overall, our suspension rate is decreasing.
- The data suggests that Powers expulsion rate is not statistically significant but that four students were expelled for the same incident, same determination, same year.
- It appears as though Powers is in a growing enrollment pattern.

#### Parent, Teacher, and Student Input:

It is recommended by parents, teachers, and students that HCP remain consistent with its discipline plan, openly communicate with teacher, parents, and students about expectations, and continually reflect on its practices using the IB Action Cycle of Choose - Act - Reflect.

Areas of focus for 2017-18:

Safety and well being of all students with fair and consistent intervention for all students.

**Comprehensive Safe School Plan 2018-2019**  
**Ensuring a Safe and Orderly Environment**  
**Component I: People and Programs**

H. Clarke Powers Elementary School

**Component I: People and Programs**

**Goal #1:**

To ensure all Kodiaks are aware and commit to our schoolwide essential agreements: Be kind, be safe, be respectful, and do your job

**Objectives:**

1. HCP Handbook posted on school's website. This shall be completed by August of each school year
2. Distribute/make available on HCP website electronically HCP Handbook and review contents with teachers annually
3. Review for all students the basic principles of our Essential Agreements
4. As a class, students commit to their essential agreements, which follow our schoolwide agreements

**Programs Included:**

HCP Website familiarity for staff, students, parents  
 Weekly Kodiak Pipeline communication from school  
 Classroom Essential Agreements

**Goal #2:**

Goal #2: To increase the number of student recognition opportunities

**Objectives:**

1. Continue Kodiak of the Month recognition program based on the Learner Profile
2. Communicate existing and develop new recognition programs to staff, students, and families
3. Recognize students at school, on Powers website, HCP Social Media, and in the Loomis News

**Programs Included:**

Student leadership, Kodiak Service Projects, Spirit wear, Monthly classroom spirit activities, Kodiak of the Month, Learning celebrations, Caring Kodiaks for new students

## Component I: People and Programs

### Goal #1:

To ensure all Kodiaks are aware and commit to our schoolwide essential agreements: Be kind, be safe, be respectful, and do your job

### H. Clarke Powers Elementary School

<b>Who will take the lead</b>	Principal and Staff
<b>Completion date and budget</b>	June 2019 \$500
<b>Resources needed</b>	Website, Handbook, Awards for students
<b>How we will monitor and evaluate</b>	Classroom Essential Agreement documents, Office referrals

### Goal #2:

Goal #2: To increase the number of student recognition opportunities

<b>Who will take the lead</b>	Principal and IB Coordinator
<b>Completion date and budget</b>	June 2019 \$500
<b>Resources needed</b>	Awards for students, staff to support leadership program,
<b>How we will monitor and evaluate</b>	Staff, Parent, Student on site and periodic interest surveys through PTC

**Comprehensive Safe School Plan 2018-2019**  
**Ensuring a Safe and Orderly Environment**  
**Component II: Place**

H. Clarke Powers Elementary School

**Component 2: Place**

**Goal #1:**

To provide a safe physical environment for students, staff and community members

**Objectives:**

1. Conduct monthly walk-throughs of the campus to identify campus/facility safety concerns
2. Submit work orders through custodial staff and/or district facilities maintenance/operations
3. Review process for submitting site work orders with the staff
4. Monthly review and necessary maintenance to ensure proper functioning of school security cameras

**Programs Included:**

Work order process (site and district), CalWorks maintenance request system, school security cameras

**Goal #2:**

To provide a safe school environment through school processes, procedures and routines

**Objectives:**

1. Conduct annual walk-through with School Resource Officer and Fire Department to review/update school processes, procedures, routines and facilities' concerns
2. Partner with local law enforcement to promote safety awareness for students and families through programs, presentations, and assemblies
3. Update evacuation maps, class roster, evacuation backpacks, and classroom emergency supply kits annually
4. Conduct monthly drills (fire, shelter in place, earthquake) and provide feedback to staff
5. Review and update school processes annually with staff/community to ensure safe practices (supervision, child abuse reporting, emergency health care plans, check-in/check-out procedures, traffic plan, etc.)

**Programs Included:**

Emergency drills, school resource officer, Social media awareness/cyber-bullying assemblies, Back-To-School Night, weekly newsletters



## Component II: Place

### Goal #1:

To provide a safe physical environment for students, staff and community members

### H. Clarke Powers Elementary School

<b>Who will take the lead</b>	Principal
<b>Completion date and budget</b>	Ongoing
<b>Resources needed</b>	Web based access, security cameras for the site to be monitored on an ongoing basis
<b>How we will monitor and evaluate</b>	Survey HCP community via PTC meetings and review footage for safe school

### Goal #2:

To provide a safe school environment through school processes, procedures and routines

<b>Who will take the lead</b>	Principal, Staff
<b>Completion date and budget</b>	Ongoing
<b>Resources needed</b>	Staff development time for training provided by LUSD
<b>How we will monitor and evaluate</b>	Teacher survey and feedback from training

**Comprehensive Safe School Plan 2018-2019  
Public Hearing & Approval**

H. Clarke Powers Elementary School

<p>Method for Communicating Plan and Notifying Public: Ed Code 32288</p>	<p>Date of Public Hearing: <u>November 2018</u></p> <p>Site of Public Hearing: <u>LUSD Tech Center</u></p> <p>The School Site Council or School Safety Planning Committee shall notify, in writing, the following persons and entities, if available, of the public meeting:</p> <ul style="list-style-type: none"> <li>• Representative of the local school employee organization</li> <li>• A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs</li> <li>• A representative of each teacher organization at the school site</li> <li>• A representative of the student body government</li> <li>• All persons who have indicated they want to be notified</li> </ul>
	<p>The School Site Council or School Safety Planning Committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:</p> <ul style="list-style-type: none"> <li>• A representative of the local churches</li> <li>• Local civic leaders</li> <li>• Local business organizations</li> <li>• In order to ensure compliance with this article, each School District or County Office of Education shall annually notify the State Department of Education by October 15th of any schools that have not complied with California Education Code 32281</li> </ul>

Site Council Approval	Name: Laurie Balsano <i>Laurie Balsano</i>	Date: October 2018
School Board Approval	Name:	Date:

At the request of local law enforcement agencies, portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed. Therefore, it has been removed from the publicly published version of the safety plan.

**SECTION B**

**Disaster Procedures and Crisis Response**

**Including adaptations for students with disabilities**

## **Appendix – B: Adopted Board Policies**

Child Abuse Reporting Policy: BP 5141.4  
Suspensions and Expulsion Policy: BP 5144.1  
Employee Security: BP 4158, BP 4258, and BP 4358  
Sexual Harassment Policy: BP 5145.7  
Dress Code Policy: BP 5132  
Discipline: BP 5144

## **Loomis Union SD**

Board Policy  
BP 5141.4  
Students

### **Child Abuse Reporting Policy**

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

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

(cf. 1020 - Youth Services)  
(cf. 5141.6 - School Health Services)  
(cf. 6164.2 - Guidance/Counseling Services)

#### **Child Abuse Prevention**

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

(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6143 - Courses of Study)

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

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

#### **Child Abuse Reporting**

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 5145.7 - Sexual Harassment)

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

(cf. 0450 - Comprehensive Safety Plan)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

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

Legal Reference:

EDUCATION CODE

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

PENAL CODE

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

WELFARE AND INSTITUTIONS CODE

- 15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

- 4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

- 11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

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

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

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

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

Policy LOOMIS UNION SCHOOL DISTRICT

adopted: October 7, 1993 Loomis, California

revised: August 6, 2015 Loomis, California

**Loomis Union SD**

Board Policy  
BP 5144.1  
Students

**Suspension and Expulsion Policy**

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

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

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

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

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

(cf. 5112.5 - Open/Closed Campus)

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

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

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

**Appropriate Use of Suspension Authority**

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

(cf. 1020 - Youth Services)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 6164.5 - Student Success Teams)

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



No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher. (Education Code 48910)

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### On-Campus Suspension

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

#### Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

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

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

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in a public session.

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

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

#### Due Process

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

(cf. 5119 - Students Expelled from Other Districts)

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

#### Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect. Including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. (Education Code 48900.8 and 48916.1)

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

#### Legal Reference:

##### EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

##### CIVIL CODE

47 Privileged communication

48.8 Defamation liability

##### CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

##### GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

##### HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

Comprehensive School Safety Plan

LABOR CODE

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

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

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

626.9 Gun-Free School Zone Act of 1995

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

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

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

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

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

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

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

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

ATTORNEY GENERAL OPINIONS

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

Comprehensive School Safety Plan

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

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

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

Management Resources:

#### CSBA PUBLICATIONS

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

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

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

#### WEB SITES

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

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

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/about/offices/list/osdfs>

Policy LOOMIS UNION SCHOOL DISTRICT

adopted: July 1, 1999 Loomis, California

revised: May 1, 2014

revised: May 5, 2016

## **Loomis Union SD**

### Board Policy

BP 4158, 4258, 4358

### **Personnel**

## **Employee Security**

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. The Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.

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

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

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, and crisis resolution.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee also shall ensure that employees are informed, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom.

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

(cf. 5141 - Health Care and Emergencies)

### Use of Pepper Spray

Employees may not carry or possess pepper spray on school property or at school activities. On a case-by-case basis, however, the Superintendent or designee may allow an employee to possess pepper spray that meets the requirements of Penal Code 12403.7 when justified by unusual dangerous circumstances. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

(cf. 4118 - Suspension/Disciplinary Action)

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

### Reporting of Injurious Objects

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

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

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students

48201 Transfer of student records

48900-48926 Suspension or expulsion

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

49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240-246.3 Assault and battery, including:

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

243.3 Battery against school bus drivers

243.6 Battery against school employee includes board member

245.5 Assault with deadly weapon; school employee includes board member

290 Registration of sex offenders

601 Trespass by person making credible threat

626-626.11 School crimes

646.9 Stalking

12403.7 Weapons approved for self defense

WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

COURT DECISIONS

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Management Resources:

WEB SITES

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

Comprehensive School Safety Plan

California Department of Education, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/ls/ss>  
Policy LOOMIS UNION SCHOOL DISTRICT  
adopted: November 5, 1998 Loomis, California  
revised: August 6, 2015 Loomis, California

## Loomis Union SD

### Board Policy

## Sexual Harassment Policy

BP 5145.7

Students

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students



6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

#### Complaint Process and Disciplinary Actions

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5144 - Discipline)

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

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

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

(cf. 4117.7 - Employment Status Report)

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

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

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

#### Record-Keeping

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

(cf. 3580 - District Records)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

##### CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

##### GOVERNMENT CODE

12950.1 Sexual harassment training

##### CODE OF REGULATIONS, TITLE 5

Comprehensive School Safety Plan

4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  
UNITED STATES CODE, TITLE 20  
1221 Application of laws  
1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX, discrimination  
UNITED STATES CODE, TITLE 42  
1983 Civil action for deprivation of rights  
2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended  
CODE OF FEDERAL REGULATIONS, TITLE 34  
99.1-99.67 Family Educational Rights and Privacy  
106.1-106.71 Nondiscrimination on the basis of sex in education programs  
COURT DECISIONS  
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130  
Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736  
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629  
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274  
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473  
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014  
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
Dear Colleague Letter: Transgender Students, May 2016  
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016  
Dear Colleague Letter: Title IX Coordinators, April 2015  
Questions and Answers on Title IX and Sexual Violence, April 2014  
Dear Colleague Letter: Sexual Violence, April 4, 2011  
Sexual Harassment: It's Not Academic, September 2008  
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>  
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy LOOMIS UNION SCHOOL DISTRICT  
adopted: August 5, 2004 Loomis, California  
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revised: January 19, 2017

**Loomis Union SD**

Board Policy  
BP 5132  
Students

**Dress Code Policy**

Purpose

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Particular clothing, accessories and hairstyles have caused significant disruption of school activities in district schools. Therefore, the Board seeks to prohibit the wearing of items and hairstyles that contribute to disruption of the educational process, and/or create an unsafe learning environment for students. The administration is authorized to create and maintain regulations which carry out the Board's intent.

(cf. 4119.22 - Dress and Grooming)  
(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

Notification

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

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

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 5136 - Gangs)

Legal Reference:

EDUCATION CODE

- 32281 School safety plans
- 35183 School dress codes; uniforms
- 35183.5 Sun-protective clothing
- 48907 Student exercise of free expression
- 49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

- 302 Pupils to be neat and clean on entering school

COURT DECISIONS

- Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993) 827 F.Supp. 1459
- Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251
- Hartzell v. Connell, (1984) 35 Cal. 3d 899

Policy LOOMIS UNION SCHOOL DISTRICT  
adopted: July 1, 1999 Loomis, California  
revised: August 12, 2010

## Loomis Union SD

Board Policy  
BP 5144  
Students

### Discipline

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)

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

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)

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

353 Detention after school

#### 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

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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>

Policy LOOMIS UNION SCHOOL DISTRICT

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