



MetroED

Metropolitan Education District

760 Hillsdale Avenue

San Jose, CA 95136

Phone: 408-723-6400

www.MetroED.net

2023 – 2024
Comprehensive School
Safety Plan (CSSP)

-SB 187 compliant-

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SB 187: School Safety Plan

Introduction

Individual schools in districts over 2,500 students must adopt a comprehensive school safety plan by March 1, 2000, and must review and update the plan by March 1 of every year thereafter. (Amended Ed. Codes 35294.1 & 35294.6)

Beginning July 1, 2000, each individual school must report on the status of its school safety plan, including a description of its key elements in the school accountability report card, and must continue to do so every July thereafter (Amended Ed. Code 35294.6)

The following guideline may be utilized to support the annual review and evaluation of the individual school safety plan. This guide will also provide a time line and related administrative tasks to provide a process to ensure compliance with the requirements of Senate Bill 187, Comprehensive School Safety Plan.

The guideline/checklist has been organized into two parts:

1. An assessment by the School Safety Planning Committee of the School Site Council, the School Site Council or equivalent of the school climate in relation to the current status of school crime committed on campus and at school related functions. Based on this assessment, safety goals will be set for the upcoming school year.
2. The annual review and evaluation of the school comprehensive safety plan which is certified by the members of the School Safety Planning Committee, the School Site Council President, and the school Principal before being presented to the Board of Trustees for final review and adoption. This review includes the following mandated components of Senate Bill 187:
 - Child Abuse reporting procedures
 - Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
 - Procedures to notify teachers and counselors of dangerous students
 - Sexual Harassment Policy
 - Safe ingress and egress to and from school
 - Rules and procedures on school discipline in order to create a safe and orderly environment conducive to learning
 - Dress Code

- Routine and emergency disaster procedures including natural disasters, human created disasters or power outages.

IMPLEMENTATION OF PLAN

The written plan will be distributed to all departments and will be made available to all staff, students, parents, and the community to review in the main offices and on the district's website at www.MetroED.net.

School Safety Planning Committee

The District's safety committee shall be composed of the following members: the Director or designee, the SVAE principal, one teacher who is a representative of the recognized certificated employee organization; one parent/guardian whose child attends the school; one classified employee who is a representative of the recognized classified employee organization; other members if desired.
(Ed Code 35294.1)

Local law enforcement have been consulted (Ed. Code 39294.1) Other local agencies, such as health care and emergency services, may be consulted if desired. (Ed Code 39294.2)

The 2023-2024 MetroED Safety Committee:

Superintendent	Alyssa Lynch
CBO	Dorothy Reconose
Chair	Kim Timoteo
Co-Chair/HR Representative	Lisa Ketchum
Secretary	Gabriela Luna
CO/HR Representative (Alternate)	Susan Nakahira
CSEA Representative	Rosalie Ruiz
Parent Representative	Nadine Gonzales
SO rSVAE Representative (Alternate)	Rezana Vrapı
SVAE/Evening Representative	Lars Gundtvedt
SVAE Representative	Maliheh Vafai
SVAE Representative	Leyna Le
SVCTE Representative	Jeff Arnett
SVCTE Representative	Nick Laskowski
SVCTE Student Representative	Ariel Talarico
SVCTE Teacher Representative	Elizabeth Belaski
SVCTE Teacher Representative	Luz Maria Gamboa
SVCTE Teacher Representative	Nathan Chukes
SVCTE Teacher Representative	Tamie Garcia

Vacant/Needed:
SJPD Representative

**Metropolitan Education District
Comprehensive School Safety Plan Signature Page
2023 - 2024**

The undersigned members of the MetroED Safety Planning Committee certify that the requirements for the SB 187 Safety Plan have been met.

Chair, MetroED Safety Committee

Director of Human Relations and Communications

SVCTE Principal or designee

SVAE Director or designee

CSEA Representative

CTA Representative

AFT Representative

Law Enforcement Representative

Other Emergency Responder

Parent Representative

Annual Safety Goals

The MetroED Safety Committee identifies safety-related goals for the school year and discusses the strategies and/or programs that will be used to meet those goals. The objective is to provide meaningful goals in order to improve the campus climate.

The goals are reported, with the Safety Plan, to the MetroED Governing Board and are shared with the school staff and community.

1. Parking lot flow and safety: Enforce proper usage of Student Drop Off/Pick Up lane
2. Evacuation procedures: Set annual training date for Division Leaders and assigned backups
3. Emergency Response Teams training: Set annual training date
4. Lockdown procedures: Set annual "Run, Hide and Defend" training date
5. CPR/First Aid Training for employees: Set annual training dates
 - a. Include Triage training for employees in CPR/First Aid training
6. Door Security: Work with Principals to reinforce Closed-Doors Policy
7. Review classrooms and offices for emergency exit signage
8. Communication Procedures: Handling emergencies on campus
9. Mass emergency communications: Infinite Campus, new app ICS4S
10. Update Safety Data Sheets Information: Get updated SDS information from personnel on all products used in classrooms, offices and labs/shops

Goals Assessment

Progress on annual safety plan goals is assessed each year at the Safety Committee's last meeting in May.

Mandated Policies and Procedures

The School Safety Planning Committee has reviewed the site safety plan and made necessary updates and revision. The safety plan must include the following components: (Ed Code 35294.2)

- Child abuse reporting consistent with Penal Code 11164.
- Policies pursuant to Educational Code 48915 and other school-designated serious acts which would lead to suspension, expulsion or mandatory expulsion recommendations.
- Procedures to notify teachers and counselors (amended Welfare and Institutions Code 827) of dangerous students pursuant to Education Code 49079.
- A sexual harassment policy pursuant to Education Code 212.6.
- Procedures for safe entrance and exit of students, parents/guardians and employees to and from the school
- The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5 (5411-discipline) in order to create a safe and orderly environment conducive to learning at school.
- If the school has adopted a dress code prohibiting students from wearing “gang related apparel,” the provisions of that dress code.
- Routine and Emergency Disaster Procedures that include:
 - Emergency and Disaster Preparedness Plan (BP 3516)
 - Use of School Facilities
 - Fire Drills, Lockdown Drills
 - Bomb Threats
 - Earthquake Emergency Procedure System
 - Transportation Safety and Emergencies
 - Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

As the team reviews the following mandated components, critical questions to review include:

- What is the policy or procedure?
- How are staff, students and/or parents notified that this policy exists?
- How are staff, students and/or parents notified relative to a specific incident?
- What staff/student training(s) have been completed, are needed

Child Abuse Prevention & Reporting

Students AR 5141.4

Definitions

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

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

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, assistant principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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; athletic coaches, administrators, and directors; administrators and employees of a licensed child 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 their 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 employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

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

Any district employee who reasonably believes to have observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

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

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

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

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

Reporting Procedures

1. Initial Telephone Report

In cases of an immediate emergency, always call 911 for law enforcement intervention. Where the situation is not an emergency needing the police, 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)

**Child Protective Services of Santa Clara County
1725 Technology Drive
San Jose CA 95110
(408) 299-2070**

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

2. Written Report

Within 36 hours of 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 California Department of Justice form (SS 8572). (Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office, the employee intranet, or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

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

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

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

3. Internal Reporting

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

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee. The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

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

Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code 44691)

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

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

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (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. (Education Code 48906)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

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

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

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their

confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

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

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

The Superintendent or designee also shall notify all employees that:

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

Regulation
approved: 9 / 8/21

Metropolitan Education District
San Jose, CA

Megan's Law Notification

The administration shall receive Megan's Law Sex Offender Information from local law enforcement. That information shall be communicated to the public so that the information can be used to protect students and families. Megan's Law provides the public with photographs and descriptive information on serious or high-risk sex offenders residing in California who have been convicted of committing sex crimes and are required to register.

Weapons and Dangerous Instruments Policies

Students BP 5131.7

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

A student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

The director/principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151)

Possession of Pepper Spray

Students age 16 or older may legally possess tear gas or tear gas weapons such as

pepper spray for the purpose of self-defense. However, such students shall be subject to suspension and/or expulsion if they use such items inappropriately or for any purpose other than self-defense.

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

Legal Reference:

EDUCATION CODE

35291 Governing board to prescribe rules for discipline of the schools

48900 Grounds for suspension/expulsion

48902 Notification of law enforcement authorities

49330-49335 Injurious objects

PENAL CODE

245 Assault with deadly weapon

417.4 Imitation firearm; drawing or exhibiting

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school

653k Switchblade knife

16100-17350 Definitions

22810-23025 Tear gas weapon (pepper spray)

25200-25225 Firearms, access to children

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act, especially:

7151 Gun-Free Schools Act

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004

WEB SITES

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

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

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

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

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

Students AR 5131.7

Prohibited weapons and dangerous instruments include, but are not limited to:
(Education Code 48915, 49330; Penal Code 626.10, 16100-17350, 30310)

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Ammunition or reloaded ammunition
3. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade
4. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
5. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun
6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
7. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use their own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

1. Confiscate the object and deliver it to the director/principal immediately

2. Immediately notify the director/principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the director/principal

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

The director/principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

Regulation
approved: 6-13-12

Metropolitan Education District
San Jose, CA

Suspension and Expulsion Policies

SUSPENSION AND EXPULSION/DUE PROCESS; BP/AR 5144.1

Students BP 5144.1

SUSPENSION AND EXPULSION/DUE PROCESS

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

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
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.

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)

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.

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

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

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

Authority to Expel

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

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

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

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

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

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

A vote to expel a student shall be taken in an open session of a Board meeting.

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

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

Due Process

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

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt
54950-54963 Ralph M. Brown Act
HEALTH AND SAFETY CODE
11014.5 Drug paraphernalia
11053-11058 Standards and schedules
LABOR CODE
230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child
PENAL CODE
31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness
WELFARE AND INSTITUTIONS CODE
729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearm
UNITED STATES CODE, TITLE 20
1415(K) Placement in alternative educational setting
7961 Gun-free schools
UNITED STATES CODE, TITLE 42
11432-11435 Education of homeless children and youths
COURT DECISIONS
T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

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

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

ATTORNEY GENERAL OPINIONS

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

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

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

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

Management Resources:

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

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

WEB SITES

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

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

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

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

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

U.S. Department of Education, Office of Safe and Healthy Students:

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

Policy

adopted: September 12, 2018

METROPOLITAN EDUCATION DISTRICT

San Jose, California

Students AR 5144.1

SUSPENSION AND EXPULSION/DUE PROCESS

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

11. Knowingly received stolen school property or private property (Education Code 48900(l))

12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

1. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

2. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

3. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

4. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

5. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4

and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

6. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
7. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged

in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall

ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for

not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

A Silicon Valley Adult Education (SVAE) adult student may be dropped from the program for not following the rules. For a variety of reasons, SVAE does not offer suspensions for rule violations. Students are dropped from the program. When a student is dropped for a rule violation, they are flagged in the system.

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against him/her, and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in

person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

Silicon Valley Adult Education (SVAE) adult students may have a student advocate

with them during a meeting with the SVAE Principal or Administrator.

Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the

expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

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

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education

Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing

7. The opportunity to confront and question all witnesses who testify at the hearing

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the

parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no

finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

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

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and

recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

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

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to

the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension

and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the

possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying re-admittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the

student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

Regulation METROPOLITAN EDUCATION DISTRICT
approved: July 30, 2018 San Jose, California

Staff Notification of Dangerous Students

A. Notification to Teacher Regarding Violent or Dangerous Student

Education Code 49079 requires that the District notifies bargaining unit members of students who have engaged in, or are reasonably suspected of engaging in certain suspendable or expellable acts listed in education code section 48900, 48900.2, 48900.3, 48900.4, and 48900.7 (see attached exhibit).

“An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.” (Education Code 49079)

The site administrator shall notify a teacher in writing via email and/or a memo when any of their students has committed an offense under Education 49079 within five days of the District being notified of the offense. The site administrator will complete a *Dangerous Student Notification Form* each time a teacher is notified. The information is required under Education Code 49079 to remain confidential from other students.

Substitutes will also have access to a list of students with suspendable offenses provided that the regular teacher has left the roster for the substitute.

Students qualifying as a dangerous student under Education Code 49079 will be flagged in the student information system. Any staff member trying to register the student in the future will see the flag and stop the registration process pending review by site administrator.

B. Staff Training

Staff will be trained annually by their supervisors on how to handle dangerous students.

C. Procedures

When confronted by a student that has been dropped from the program but wishes to argue, makes threats, use vulgar, obscene, or loud language, or act in other than a calm manner, a staff member should respond in the following manner:

- If a student refuses to leave, state: “If you do not leave now, you are trespassing. I will call security to escort you off the campus and call the police, if necessary.” Then, call for security personnel. Security guard is available between 7:30 AM and 4:00 PM via a district radio on channel #2 or between 4:01 PM and 9:30 PM on channel #4.
- If you have contacted the student by phone and they respond with anger, threats, or vulgar language, calmly state the following: “You are no longer a student and have no business on campus. If you come to school, you will be trespassing and will be asked to leave. If you refuse, security will escort you off campus and the police will be notified.
- Inform day and evening security personnel and administrators when a student is no longer a student or is no longer allowed on campus. Circulate a photo and description of the ex-student to security and all offices on campus.



CONFIDENTIAL

METROPOLITAN EDUCATION DISTRICT

Dangerous Student Notification Form

Student Name:		ID#:	
Class:			
Known Offense Details			
Date of Offense			
Date District was Notified of Offense			
Who at District was First Notified			
How was District Notified (i.e. mail, phone, etc.)			
Brief Description			
SIGNATURES ON DATE TEACHER WAS NOTIFIED			
Teacher		Date	
Site Administrator		Date	

Education Code 49079 requires that the District notifies bargaining unit members of students who have engaged in, or are reasonably suspected of engaging in certain suspendable or expellable acts listed in education code section 48900, 48900.2, 48900.3, 48900.4, and 48900.7.

Information on dangerous students is required under Education Code 49079 to remain confidential from other students.

Distribution to: SVAE Director or SVCTE Principal, Teacher notified, Student file, SVCTE Assistant Principal

Exhibit: California Education Code 48900-48900.7

48900. A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person. (2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) Disrupted school activities or otherwise willfully defied the valid authority of

supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) "Electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

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

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion

be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. (Amended by Stats. 2011, Ch. 732, Sec. 6.)

48900.1 (a) The governing board of each school district may adopt a policy authorizing teachers to require the parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for reasons specified in subdivision (i) or (k) of Section 48900, to attend a portion of a school day in the classroom of his or her child or ward. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.

(b) The policy shall be adopted pursuant to the procedures set forth in Sections 35291 and 35291.5. Parents and guardians shall be notified of this policy prior to its implementation. A teacher shall apply any policy adopted pursuant to this section uniformly to all pupils within the classroom.

The adopted policy shall include the procedures that the district will follow to accomplish the following:

(1) Ensure that parents or guardians who attend school for the purposes of this section meet with the school administrator or his or her designee after completing the classroom visitation and before leaving the school site.

(2) Contact parents or guardians who do not respond to the request to attend school pursuant to this section.

(c) If a teacher imposes the procedure pursuant to subdivision (a), the principal shall send a written notice to the parent or guardian stating that attendance by the parent or guardian is pursuant to law. This section shall apply only to a parent or guardian who is actually living with the pupil.

(d) A parent or guardian who has received a written notice pursuant to subdivision (c) shall attend class as specified in the written notice. The notice may specify that the attendance of the parent or guardian be on the day the pupil is scheduled to return to class, or within a reasonable period of time thereafter, as established by the policy of the board adopted pursuant to subdivision (a). (Amended by Stats. 2004, Ch. 895, Sec. 9.)

Reference:

Education Code 35291

Education Code 35291.5

Education Code 48900

Education Code 48910

48900.2. In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil

has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (Added by Stats. 1992, Ch. 909, Sec. 2.)

48900.3. In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233. (Amended by Stats. 1999, Ch. 646, Sec. 25.)

48900.4. In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Amended by Stats. 2002, Ch. 643, Sec. 2.)

48900.5 (a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

(b) Other means of correction include, but are not limited to, the following:

(1) A conference between school personnel, the pupil's parent or guardian, and the pupil.

(2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.

(3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.

(4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. SEC. 794(a)).

(5) Enrollment in a program for teaching prosocial behavior or anger management.

(6) Participation in a restorative justice program.

(7) A positive behavior support approach with tiered interventions that occur during the school day on campus.

(8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.

(9) Any of the alternatives described in Section 48900.6. (Amended by Stats. 2012, Ch. 425, Sec. 3.)

48900.6 As part of or instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, the superintendent of schools, or the governing board may require a pupil to perform community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's nonschool hours. For the purposes of this section, "community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending expulsion, pursuant to Section 48915. However, this section applies if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action. (Amended by Stats. 2000, Ch. 225, Sec. 1.)

48900.7. a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

Sexual Harassment Policy

All Personnel

BP 4119.11

4219.11

SEXUAL HARASSMENT

4319.11

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass their supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX prohibition against discrimination

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy

adopted: September 12, 2018

METROPOLITAN EDUCATION DISTRICT

San Jose, California

All Personnel

AR 4119.11

4219.11

SEXUAL HARASSMENT

4319.11

The following administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

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, regardless of whether the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.

2. Submission to or rejection of the conduct is used as the basis for an employment

decision affecting the individual.

3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

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

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms for conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34CFR 106.30, 106.44)

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors

2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects

3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Title IX Coordinator/Compliance Officer

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 – Nondiscrimination in Employment. The Title IX Coordinator may be contacted at:

Director of Human Relations
760 Hillsdale Avenue, Building 6
San Jose, CA 95136
(408) 723-6569

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically

thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliations. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR11024)

1. Information and practical guidance regarding federal and state laws ~~on~~ concerning the prohibition, prevention, and correction of sexual harassment.
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies for preventing harassment in the workplace
5. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which they becomes aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training, modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. -Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed
12. Information, including practical examples, of harassment based on gender identify, gender expression, and sexual orientation
13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and moral, and that a single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education (34CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the Title IX Coordinator. (34CFR 106.8)

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations,

procedures, and standards of conduct are posted (Education Code 231.5)

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (Education Code 231.5)

3. 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)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with Art 4119.12/4219.2/4319.12 – Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 – Nondiscrimination in Empowerment

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the

sexual harassment, prevent recurrence, and address any continuing effects.

Regulation
approved: September 12, 2021

METROPOLITAN EDUCATION DISTRICT
San Jose, California

Students BP 5145.3

NONDISCRIMINATION/HARASSMENT

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
432 Student record
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Prohibition of discrimination based on age
COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

California Office of the Attorney General: <http://oag.ca.gov>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

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

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

Policy
adopted: June 27, 2018

METROPOLITAN EDUCATION DISTRICT
San Jose, California

Students AR 5145.3

NONDISCRIMINATION/HARASSMENT

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Director of Human Relations
760 Hillsdale Ave, Building 6
San Jose, CA 95136
408-723-6569

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's website and other prominent locations and providing easy access to them through district-supported communications.
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyber bullying, included Jing a section on social media bullying that includes all the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's website in a manner that is easily accessible to parent/guardians and students (Education Code 2234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's website in a manner that is easily accessible to parent/guardians and students (Education Code 234.6)
4. Post in a prominent location on the district websites in manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.5, 221.61, 234.6)
 - a. The name and contact information of the district's Title IX coordinator, including the phone number and email address
 - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
 - c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the

complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website.

5. Post a link to statewide CDE-complied resources, including community-based organizations that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when

providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students.

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

Process for Initiating and Responding to Complaints

Students who feels that ~~he/she~~ they have been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an

incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of their gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with the female and male bodies.

Nonbinary student means a student whose gender identify falls outside the traditional conception of strictly either female or male, regardless of whether the student identifies as transgender was born with intersex traits, uses gender-neutral pronouns, or uses gender, genderqueer, pangender, gender-nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with their gender identity
2. Disciplining or disparaging a student or excluding them from participating in activities for behavior or appearance that is consistent with their gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to their gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of their gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement

of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's intersex, Nonbinary, transgender or gender-nonconforming status is their private information. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

The district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to their status as a an intersex, nonbinary, transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to their parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of their gender identity and begin to treat the student consistent with their gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, their parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and

activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to their status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting their educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with their gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with their gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. **Student Records:** Upon each student's enrollment, the district is required to maintain a mandatory permanent student records (official record) that includes the student's gender and legal name.

A student's legal name as entered on the mandatory student record required pursuant to 5 CCR432 shall only be changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5CCR432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with their gender identity, without the necessity of a court order or a change to their official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with their gender identity, subject to any dress code adopted on a school site.

Regulation
approved: April 13, 2022

METROPOLITAN EDUCATION DISTRICT
San Jose, California

Discipline

A. Statement of Rules and Procedures On School Discipline

Education Code 44807:

"Every teacher in the public schools shall hold Pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning."

B. Notification to Students and Parents

Education Code 35291:

- a. Parents and students shall be notified of the District and school site rules pertaining to student discipline at the beginning of the first semester, and at the time of enrollment for students who enroll thereafter.
- b. The discipline policy shall be reviewed annually with input from the Discipline Team, site administrators, campus security, staff, students, and parents.

Students AR 5144

DISCIPLINE

Site-Level Rules

Site-level rules shall be consistent with state law and Board policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

5. For junior high and high schools, students enrolled in the school

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and parents/guardians
2. Referral of the student to the school counselor or other school support service personnel for case management and counseling
3. Convening of a study team, guidance team, resource panel, or other intervention related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan
5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for

others, make responsible decisions, establish positive relationships, and handle challenging situations capably

9. Participation in a program that is sensitive to the traumas, experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

11. Recess restriction as provided in the section below entitled "Recess Restriction"

12. Detention after school hours as provided in the section below entitled "Detention After School"

13. Community service as provided in the section below entitled "Community Service"

14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

15. Reassignment to an alternative educational environment

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation.

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

Recess Restriction

Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. The student's teacher shall inform the principal of any recess restrictions imposed.

Detention After School

Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable. (5 CCR307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may require a student to perform community service during non-school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145. 6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

Regulation
approved: January 15, 2020

METROPOLITAN EDUCATION DISTRICT
San Jose, California

Students E 5144

DISCIPLINE

MetroED Student Behavior Policy and Disciplinary Action

For minor and major behaviors outlined by Ed Code 48900 and the SVCTE student/parent handbook, site administrators will engage in progressive discipline which may lead to and/or include suspension, expulsion, and/or disenrollment from the program.

For severe violations, such as:

1. Possessing, selling or furnishing any firearm, knife, explosive, or other dangerous object.
2. Committing or attempting to commit robbery or extortion (including theft of school property).
3. Destruction of school or private property (including school bus).
4. Arson of school or private property.
5. Committing or attempting to commit sexual assault or sexual battery or any form of sexual misconduct or harassment.
6. Possessing, using, selling or furnishing any illegal drug or drug paraphernalia, or being under the influence of any controlled substance, alcoholic beverage or other intoxicant.

More immediate responses may be enacted, including such actions as law enforcement contact, suspension, expulsion, and/or disenrollment from program.

Exhibit
version: May 10, 2006; 3/10/10

METROPOLITAN EDUCATION DISTRICT
San Jose, California

Dress Code

BP 5132:

DRESS AND GROOMING

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

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

Gang-Related Apparel

The director, 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 proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the

school's comprehensive safety plan. (Education Code 35183)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

EDUCATION CODE

212.1 Nondiscrimination based on race or ethnicity

220 Nondiscrimination

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

COURT DECISIONS

Jacobs v. Clark County School District (2008) 26 F. 3d 419

Harper v. Poway Unified School District (2006) 445 App. 3d 166

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

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

Policy METROPOLITAN EDUCATION DISTRICT

adopted: June 10, 2020 San Jose, California

DRESS AND GROOMING

In cooperation with teachers, students and parents/guardians, the director or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and administrative regulations. These school dress codes shall be regularly reviewed. Refer to dress code specifics listed in student handbook.

Each school shall allow students to wear weather protective and sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5) Head coverings allowed at school may also include religious headgear (burka, etc).

Career Technical Education (CTE) courses may require the use of certain uniforms.

Silicon Valley Career Technical Education Center (SVCTE) will provide high school students with uniforms, at no cost to the student, when a uniform is required for the specific SVCTE class in which the student is enrolled.

High school students may elect to purchase their own uniforms, in which case the uniform is the student's property. Those uniforms must still meet the approved standards for the specific SVCTE class in which the student is enrolled.

Adult students in SVCTE OR Silicon Valley Adult Education (SVAE) classes are responsible for providing their own uniforms.

All uniforms must be worn in accordance with the requirements of the class.

If specifically authorized by the Education Code, students may be required to provide their own safety related articles.

For classes that qualify as community service classes and are part of an internship program, if the internship provider - not SVCTE/SVAE - requires uniforms, then such uniforms are the responsibility of the student.

SVCTE/SVAE students may wear hats in class if they have a doctor's note that indicates head coverings are a necessary medical requirement.

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 director, 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 school wide uniform is required, the director, 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 director or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The director or designee shall also repeat this notification at the end of the school year so that parents/guardians are reminded before school clothes are likely to be purchased.

The Superintendent or designee shall 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)

Regulation approved: 4/17/13

Daily Ingress/Egress

Procedures for Safe Ingress and Egress

Beyond planning for daily ingress/egress routes and emergency evacuation routes, schools must plan for assisting students, staff and visitors with disabilities. Under the Americans with Disabilities Act of 1990, individuals who are deaf/hard of hearing, blind/partially sighted, mobility impaired and/or cognitively/emotionally impaired must be assisted.

During ordinary operations, all vehicles entering the MetroED campus enter through gate one (located at the northwest corner of the campus) and leave through gate three (the north east corner of the campus).

SVCTE

Silicon Valley Career Technical Education (SVCTE) has a closed campus during class session hours. Full class sessions are from 7:30 AM —10:30 AM, 12:45 PM - 3:45 PM Monday through Friday, and 4:15 PM – 6:15 PM Tuesdays through Thursdays.

A closed campus for SVCTE means that once registered students are on campus, they must stay on campus for the full duration of their class time unless they have permission to leave. Students who wish to leave must get permission from the registration office before doing so. Students may not exit the campus to take breaks or to smoke during class sessions.

At the beginning of each session there are SVCTE school administrators and a security guard posted at the bus circle area at the front of the campus to welcome students and to prevent egress from the campus. Once the warning bells ring all students must move to their designated class where they will be under the supervision of their teacher for the remainder of the day (AM or PM session).

At no time during the school day should students be out on the campus without their teacher or without a pass stating where they are coming from and where they are going. Teachers may issue a green pass which is an “on campus” pass that can be used to go to the office as needed. Only the registration office may issue an orange “off campus” pass to leave campus.

SVCTE students driving to the school may park their vehicles (at no charge) in the west or south parking lots.

SVCTE students may not loiter after their school session on the school grounds or parking lots. The security guard and school administrators monitor the parking lots and campus before, during, and after the school day to ensure all students go to their class or home high school.

Students may also choose to ride a bus from their home high school to SVCTE.

Buses will pick up students at the designated time at their home high school; busses will enter through gate one, make an immediate left into the bus circle to drop off the students. The busses will pick up students from the bus circle at the end of each session to return them to their schools. Busses leave through their own gate “gate 2” to avoid traffic congestion at the end of each session.

Once students enter or are dropped off by a bus on this campus, they may not leave campus without checking out at the registration office. The registration office is responsible to make home contact for all minors before giving a pass to release a student.

SVAE

During ordinary operations, all vehicles entering the MetroED campus enter through Gate 1 and leave through Gate 3.

SVAE adult students have been advised that our SVCTE campus has been designated as a high school campus. The SVCTE campus is closed between the hours of 7:30 AM –10:30 AM and 12:45 PM —3:45 PM.

SVAE morning class hours run from 8:45 AM - 11:45 AM, and in summer 9:00 AM - 11:30 AM; evening class hours are from 5:30 PM or 6:00 PM - 9:00 PM. The Silicon Valley Regional Testing Center’s hours are from 9:00 AM – 3:00 PM.

Students may walk across the SVCTE campus if they take public transportation.

There is no smoking on or near the campus. Smokers must move beyond the freeway overpass in order to smoke. No students, staff, visitors, nor those dropping off or picking up students may smoke on school premises, even in closed cars.

Badges must be worn by students and staff on the premises at all times. Student replacement badges are \$3.00 and must be paid for at the time they are picked up.

All visitors to SVAE must check in at Room 1 and be given a visitor’s badge. No visitor will be told where to find a student. If a student wants to meet with a visitor, the student will come to the office.

The back gate (Gate 4) is closed to all traffic and will only be opened in a campus emergency.

The campus speed limit is 5 MPH. There is no designated parking for adult students, although most adult students park in the south parking lots, close to their classrooms.

B. Planning

It is recommended that schools identify the location of potential evacuation sites based on the potential circumstances that may cause movement/relocation of the school population in the event of an emergency.

On-Campus Evacuation/Assembly Location

- Location is not being published in this public format

Off-Campus Evacuation/Assembly Location

Determine if there is a facility close to your school that can potentially house your staff and student body. Provide the addresses of at least two off-campus locations that have agreed to provide an assembly area for your school population:

Primary Off-Site Evacuation/Assembly Location

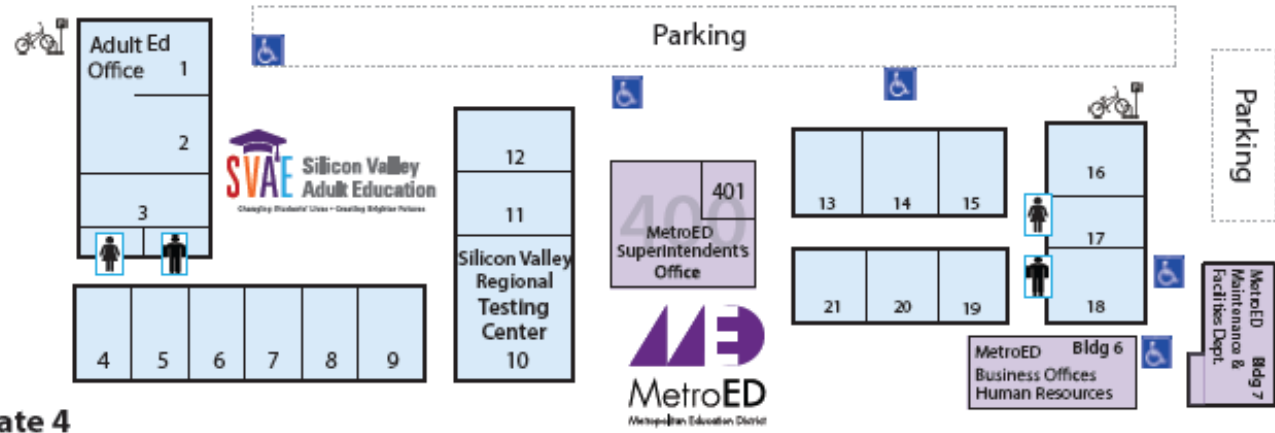
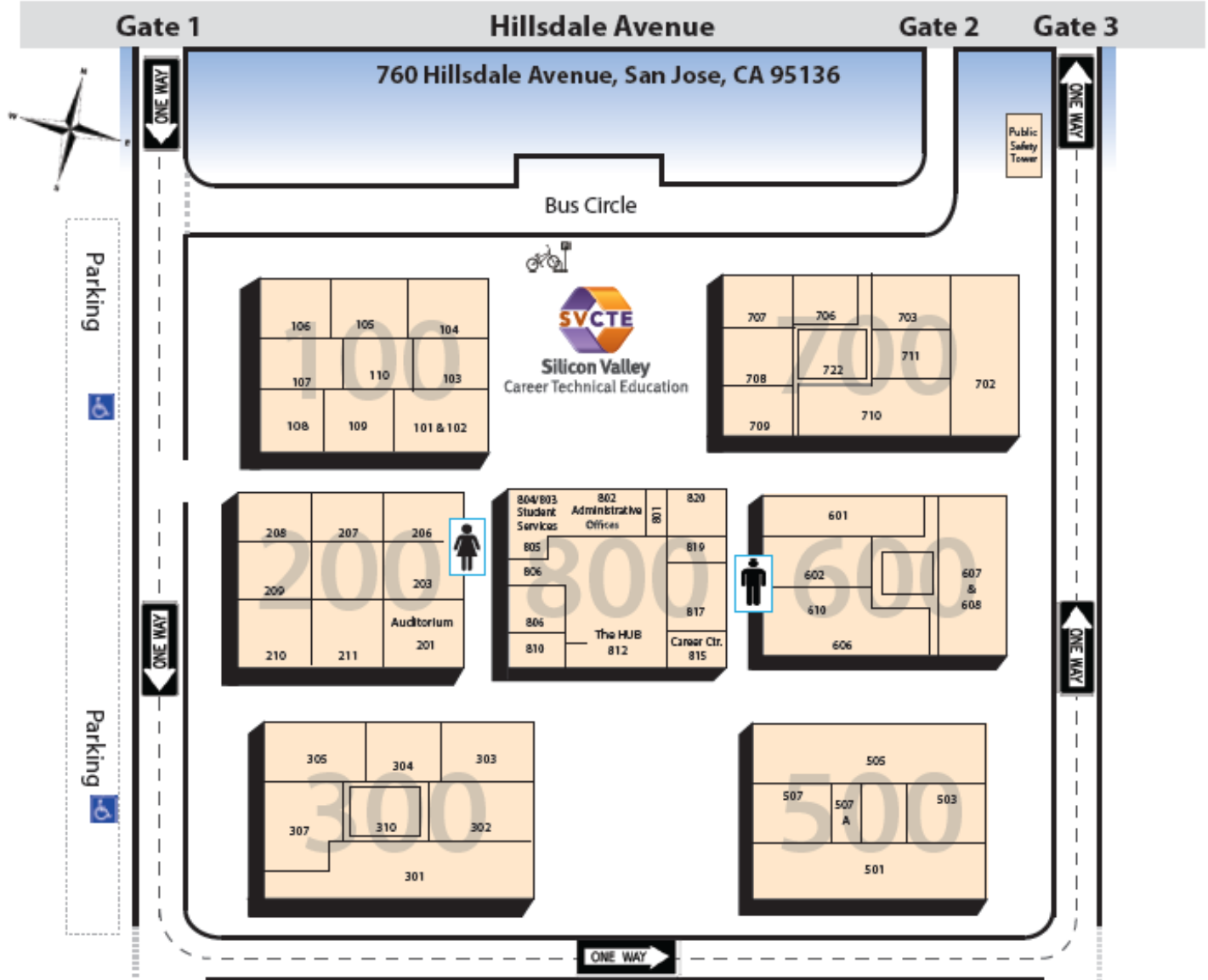
- Location is not being published in this public format.

Secondary Off-Site Evacuation/Assembly Location

- Location is not being published in this public format.

In the event of an airborne chemical or biological release, it is safest for students and staff to remain indoors at the school site. Follow the “Shelter-in-Place” procedures.

Daily Ingress/Egress



Gate 4

= Handicap Parking = Bicycle Parking

Daily Ingress/Egress Map
Updated Feb 2022

Emergency Procedures: Evening Programs

Administration:

- During an evening campus-wide emergency, the *Adult Ed Coordinator/Assistant Principal or designee* will be in charge of emergency response.
- Should it be necessary to implement district-wide coordination, the *Superintendent or designee* will notify those in charge of the revised coordinating responsibilities.

General Guidelines:

In an emergency situation in which classes are noticeably interrupted:

- Teachers and administrators will do everything possible to ensure the safety of their students.
- Teachers will take roll and assess the status of their class and its members--and report to their administrator.
- The administrator in charge will determine whether or not to dismiss classes and students.
- Adult students may be dismissed.
- Any high school age students on campus for after-school events or activities must be kept on campus until they can be released to their parents or guardians.
- Teachers and other staff members may be released or retained by the administrator in charge.
- All staff members may be required to stay on site in an emergency situation as needed.

Routine and Emergency Disaster Procedures: Drills

Earthquake Drills

The earthquake emergency procedure system shall include, but not be limited to, all of the following:

A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff.

A drop procedure. As used in this article, "drop procedure" means an activity whereby each student and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

Protective measures to be taken before, during, and following an earthquake.

A program to ensure that the students and that both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(Code of Regulations, Section 35297)

Whenever an earthquake alarm is sounded, all students, teachers and other employees shall immediately begin Duck, Cover and Hold procedures:

- DUCK, or DROP down on the floor.
- Take COVER under a sturdy desk, table or other furniture with backs to the windows. Protect head and neck with arms.
- HOLD onto the furniture and be prepared to move with it.
- Stay in this position for at least one minute or, in a real situation, until shaking stops.

Evacuation: An Evacuation should NEVER be automatic. There may be more danger outside the building than there is inside. If administrative directions are not forthcoming, the teacher will be responsible for assessing the situation and determining if an evacuation is required.

Pre-determined evacuation areas should be in open areas, without overhead hazards and removed from potential danger spots (covered walkways, large gas mains, chain linked fences [electric shock potential]).

Make it clear that a post-earthquake route differs from a fire evacuation route, and that appropriate non-hazardous alternate routes may be needed.

Practice evacuation using alternate routes to the assembly areas. Close all room doors upon exit.

Students are to remain with their teacher in the evacuation area. Teachers shall take their roll books, take roll once in the evacuation area and be prepared to identify missing students to administrators and/first responders.

The principal or designee shall keep a copy of each drill conducted on the Emergency Drill Report form and file a copy with the Superintendent/designee.

Standards for a Successful Earthquake Drill:

Immediately after the earthquake alarm sounds, all students, teachers and other employees shall:

- DUCK, or DROP down on the floor.
- Take COVER under a sturdy desk, table or other furniture with backs to the windows. Protect head and neck with arms.
- HOLD onto the furniture and be prepared to move with it.

Evacuations shall occur when directed over the District radios and/or phone speakers by the Incident Commander. When evacuations are included as part of the drill, close all doors upon exiting, appropriate non-hazardous alternate routes, avoiding building overhangs, electrical wires, large trees, covered walkways, etc, shall be utilized by staff and students in order to reach the designated evacuation areas.

Teachers have taken roll once in the evacuation area. Any missing students are immediately reported according to the Incident Command instructions.

Upon receiving instructions to do so, students and staff return to their appropriate classroom and the teacher takes roll once more. Missing students are reported to the attendance office

Fire Drills

Principals shall hold fire drills at least once a month in all elementary and middle schools and at least twice each school year at all high schools.

(Code of Regulations, Title 5, Section 550)

1. All staff should look, listen, and smell for danger prior to evacuating buildings. This will protect everyone in case of a threat on campus.
2. Whenever the fire alarm is sounded, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ascertain that no student remains in the building.
3. Staff shall ensure that all doors and windows are shut after evacuation.
4. Designated evacuation routes shall be posted in each room. Teachers shall be prepared to select alternate exits and direct their classes to these exits in the event the designated evacuation route is blocked/hazardous.
5. Evacuation areas will be established away from fire lanes.
6. Students are to remain with their teacher in the evacuation area. Teachers shall take their rosters, take roll once in the evacuation area and be prepared to identify missing students through the Incident Command System.
7. The principal or designee shall keep a copy of each drill conducted on the Emergency Drill Report form and file a copy with the Superintendent/designee.

Standards for a Successful Fire Drill:

1. The Fire Alarm can be heard by all staff and students.
2. Orderly evacuation begins immediately and is completed within **5** minutes of the initial alarm, with minimal congestion.
3. Classroom and office doors are closed on the way out to evacuation.
4. Teachers and students are staged in an orderly fashion away from fire lanes.
5. Teachers have taken roll once in the evacuation area. Any missing students are immediately reported through the Incident Command System.

6. Upon instructions to return to normal operations received through Incident Command Division Leaders, students and staff return to their appropriate classroom and the teacher takes roll once more. Missing students are reported to the attendance office.

Lockdown “Run, Hide, Defend” Drills

Conducting a Lockdown Drill initially involves more pre-planning and organization than conducting other drills. Middle and high schools should conduct an annual drill, which should take no longer than 40 minutes and impact class time by 20 minutes.

There are a number of steps that are recommended in the Lockdown Training in order to successfully conduct your drill. They involve:

1. Conduct a staff meeting. Review expectations and standards in terms of:
 - a. Locking doors
 - b. Covering windows
 - c. Turning off lights
 - d. Building interior barricades (No barricading doors needed for emergency exit.)
 - e. Reviewing classroom and all clear procedures
 - f. Reviewing off site assembly locations.
2. Send a follow-up reminder memo to your staff
3. Organize your assessment team. This also provides an excellent opportunity for your Critical Response Team to work together with police participants in the drill.
4. Conduct the assessment.
5. Complete follow-up tasks.

Remember, you are setting the tone for the importance of safety for students and staff on your campus.

Emergency Incident Log (ICS 214) – MetroEd

Drill or Emergency Date: _____ Time start: _____ Time end: _____

My name: _____ Location: _____

Incident (ICS) role: _____

Time	Notable Activities

More pages are included. This log is page # _____ of _____ total pages from me.

Signature: _____ Please provide me a copy of this log:

Emergency Evacuation Routes and Procedures

Our emergency evacuation maps are not being published in this public format.
For any questions, please contact the site.

Our emergency evacuation maps are not being published in this public format.
For any questions, please contact the site.

Routine and Emergency Disaster Procedures: Overview

The Basic Plan

The Basic Plan addresses the Metropolitan Education District's responsibilities in emergencies associated with natural disaster, human-caused emergencies and technological incidents. It provides a framework for coordination of response and recovery efforts within the District in coordination and with local, State, and Federal agencies. The Plan establishes an emergency organization to direct and control operations at all sites during a period of emergency by assigning responsibilities to specific personnel. The Basic Plan:

- Conforms to the Federally mandated National Incident Management System (NIMS), State mandated Standardized Emergency Management System (SEMS) and effectively restructures emergency response at all levels in compliance with the Incident Command System (ICS).
- Establishes response policies and procedures, providing Metropolitan Education District clear guidance for planning purposes.
- Describes and details procedural steps necessary to protect lives and property.
- Outlines coordination requirements.
- Provides a basis for unified training and response exercises to ensure compliance.

Requirements

The Plan meets the requirements of Santa Clara County's policies on Emergency Response and Planning, the Standardized Emergency Management System (SEMS) Operational Area Response, and defines the primary and support roles of the District and individual schools in after-incident damage assessment and reporting requirements.

Objectives

- Protect the safety and welfare of students, employees and staff.
- Provide for a safe and coordinated response to emergencies.
- Protect the District's facilities and properties.
- Enable the District to restore normal conditions with minimal confusion in the shortest time possible.
- Provide for interface and coordination between sites and the District Emergency Operations Center (EOC).
- Provide for interface and coordination between sites and the County or city EOC in which they reside.
- Provide for the orderly conversion of pre-designated District sites to American Red Cross shelters, when necessary.

Schools are required by both federal statute and state regulation to be available for shelters following a disaster. The American Red Cross (ARC) has access to schools in damaged areas to set up their mass care facilities, and local governments have a right to use schools for the same purposes. This requires close cooperation between school officials and ARC or local government representatives, and should be planned and arranged for in advance.

Authorities and References

State of California

California Emergency Services Act (Chapter 7, Division 1, Title 2, California Government Code).

The Act provides the basic authorities for conducting emergency operations following a proclamation of Local Emergency, State of Emergency, or State of War Emergency by the Governor and/or appropriate local authorities, consistent with the provisions of this Act.

California Government Code, Section 3100, Title 1, Division 4, Chapter 4.

States that public employees are disaster service workers, subject to such disaster service activities as may be assigned to them by their superiors or by law. The term "public employees" includes all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed.

The law applies to public school employees in the following cases:

- When a local emergency is proclaimed.
- When a state of emergency is proclaimed.
- When a federal disaster declaration is made.

The law has two ramifications for School District employees:

1. It is likely that public school employees are pressed into service as Disaster Service Workers by their superiors, and may be asked to do jobs other than their usual duties for periods exceeding their normal working hours.
2. When pressed into disaster service, employees' Workers' Compensation Coverage becomes the responsibility of state government (OES), but their overtime pay is paid by the school. These circumstances apply only when a local or state emergency is declared.

States that (the Governor's Office of Emergency Services has stated) inadequately trained school staff render school officials potentially liable for acts committed or omitted by school staff acting within the scope of their training during or after a disaster. (Sub Sections 835-840.6).

It requires that school districts be prepared to respond to emergencies using SEMS. (Section 8607, the Petris Bill).

California Civil Code, Chapter 9, Section 1799.102

It provides for "Good Samaritan Liability" for those providing emergency care at the scene of an emergency. ("No person, who, in good faith and not for compensation, renders emergency care at the scene of an emergency, shall be liable for any civil damages resulting from any act or omission. The scene of an emergency shall not include emergency departments and other places where medical care is usually offered.")

California Education Code, Sections 35295-35297 (The Katz Act), Section 40041, 40042.

Requires that a school site disaster plan outline roles, responsibilities, and procedures for students and staff. It also requires that the school site emergency management organizational structure comply with SEMS, Title 19 Section 2400, and be ready for implementation at all times.

California Emergency Plan

Promulgated by the Governor, and published in accordance with the California Emergency Services Act, it provides overall statewide authorities and responsibilities, and describes the functions and operations of government at all levels during extraordinary emergencies, including wartime. Section 8568 of the Act states, in part, that "...the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof." Therefore, local emergency plans are considered extensions of the California Emergency Plan.

Definitions: Incidents, Emergencies, Disasters

Incident

An *incident* is an occurrence or event, either human-caused or caused by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources.

Incidents may result in extreme peril to the safety of persons and property and may lead to, or create conditions of disaster. Incidents may also be rapidly mitigated without loss or damage. Although they may not meet disaster level definition, larger incidents may call for managers to proclaim a "Local Emergency".

Incidents are usually a single event that may be small or large. They occur in a defined geographical area and require local resources or, sometimes, mutual aid. There is usually one to a few agencies involved in dealing with an ordinary threat to life and property and to a limited population. Usually a local emergency is not declared and the jurisdictional EOC is not activated. Incidents are usually of short duration, measured in hours or, at most, a few days. Primary command decisions are made at the scene along with strategy, tactics, and resource management decisions

Emergency

The term *emergency* is used in several ways. It is a condition of disaster or of extreme peril to the safety of persons and property. In this context, an emergency and an incident could mean the same thing, although an emergency could have more than one incident associated with it.

Emergency is also used in Standardized Emergency Management System (SEMS) terminology to describe agencies or facilities, e.g., Emergency Response Agency, Emergency Operations Center, etc.

Emergency also defines a conditional state such as a proclamation of "Local Emergency". The California Emergency Services Act, of which SEMS is a part, describes three states of emergency:

- State of War Emergency
- State of Emergency
- State of Local Emergency

Disaster

A *disaster* is defined as a sudden calamitous emergency event bringing great damage, loss, or destruction. Disasters may occur with little or no advance warning, e.g., an earthquake or a flash flood, or they may develop from one or more incidents, e.g., a major wildfire or hazardous materials discharge.

Disasters are either single or multiple events that have many separate incidents associated with them. The resource demand goes beyond local capabilities and extensive mutual aid and support are needed. There are many agencies and jurisdictions involved including multiple layers of government. There is usually an extraordinary threat to life and property affecting a generally widespread population and geographical area. A disaster's effects last over a substantial period of time (days to weeks) and local government will proclaim a Local Emergency. Emergency Operations Centers are activated to provide centralized overall coordination of jurisdictional assets, departments and incident support functions. Initial recovery coordination is also a responsibility of the EOCs.

Earthquake Overview

Major Earthquake Threat Summary

Earthquakes are sudden releases of strain energy stored in the earth's bedrock. The great majority of earthquakes are not dangerous to life or property either because they occur in sparsely populated areas or because they are small earthquakes that release relatively small amounts of energy. However, where urban areas are located in regions of high seismicity, damaging earthquakes are expectable, if not predictable, events. Every occupant and developer in Santa Clara County assumes seismic risk because the County is within an area of high seismicity. More than ten severe earthquakes have impacted San Francisco Bay Region during historic times.

The major effects of earthquakes are ground shaking and ground failure. Severe earthquakes are characteristically accompanied by surface faulting. Flooding may be triggered by dam or levee failure resulting from an earthquake, or by seismically induced settlement or subsidence. All of these geologic effects are capable of causing property damage and, more importantly, risks to life and safety of persons.

A fault is a fracture in the earth's crust along which rocks on opposite sides have moved relative to each other. Active faults have high probability of future movement. Fault displacement involves forces so great that the only means of limiting damage to man-made structures is to avoid the traces of active faults. Any movement beneath a structure, even on the order of an inch or two, could have catastrophic effects on the structure and its service lines.

The overall energy release of an earthquake is its most important characteristic. Other important attributes include an earthquake's duration, its related number of significant stress cycles, and its accelerations.

Earthquake Size		Descriptions
Descriptive Title	Richter Magnitude	Intensity Effects
Minor Earthquake	1 to 3.9	Only observed instrumentally or felt only near the epicenter.
Small Earthquake	4 to 5.9	Surface fault movement is small or does not occur. Felt at distances of up to 20 or 30 miles from the epicenter. May cause damage.
Moderate Earthquake	6 to 6.9	Moderate to severe earthquake range; fault rupture probable.
Major Earthquake	7 to 7.9	Landslides, liquefaction and ground failure triggered by shock waves.
Great Earthquake	8 to 8+	Damage extends over a broad area, depending on magnitude and other factors.

Levels of Response

Response Levels are used to describe the type of event:

The area(s) affected, the extent of coordination or assistance needed, and the degree of participation expected from the School District. Response Levels are closely tied to Emergency Proclamations issued by the head of local government.

Response Level 0 - Readiness & Routine Phase

On-going routine response by the School District to daily emergencies or incidents. Stand-by and alert procedures issued in advance of an anticipated or planned event.

Response Level 3 - Local Emergency

A minor to moderate incident in which local resources are adequate and available. This level of emergency response occurs when an emergency incident, e.g., gas leak, sewer back-up, assaults, bomb threat, toxic spill, medical emergency, shooting, etc., occurs. A Level 3 response requires School/Site Coordinators to implement guidelines in the Emergency Standard Operating Procedures and interact with public agencies.

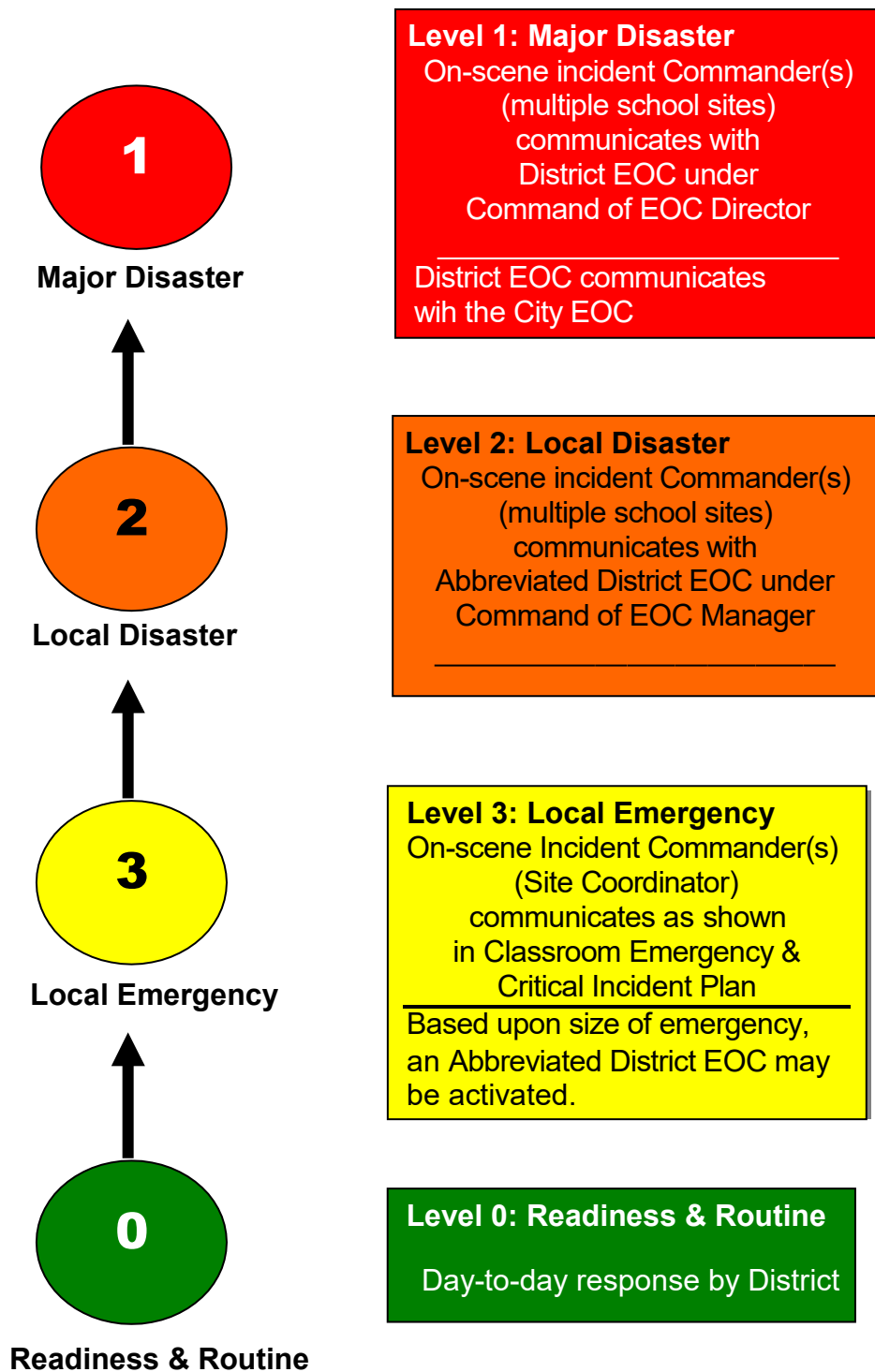
Response Level 2 - Local Disaster

A moderate to severe emergency in which resources are not adequate and mutual aid may be required on a regional, even statewide basis with coordination with local police and fire departments of the affected are working in concert with Metropolitan Education District to respond. The affected Cities and the County of Santa Clara will proclaim a local emergency. Then, the State of California may declare a state of emergency.

Response Level 1 - Major Disaster

Resources in or near the impacted areas are overwhelmed and extensive State and Federal resources are required. The cities and the County of Santa Clara will proclaim a local emergency. Then, the State of California will declare a State of Emergency. A Presidential Declaration of an Emergency or Major Disaster is requested by the State. Examples of major disasters are the Loma Prieta Earthquake of 1989 or the Oakland Hills Firestorm of 1991. When local jurisdictions declare a State of Emergency, the district board can declare the same.

Response Level Diagram



Emergency Phases

Some emergencies will be preceded by a build-up or warning period, providing sufficient time to warn the population and implement mitigation measures designated to reduce loss of life and property damage. Other emergencies occur with little or no advance warning, thus requiring immediate activation of the emergency operations plan and commitment of resources. All employees must be prepared to respond promptly and effectively to any foreseeable emergency, including the provision and use of mutual aid.

Emergency management activities during peacetime and national security emergencies are often associated with the phases indicated below. However, not every disaster necessarily includes all indicated phases.

Prevention/Mitigation Phase

Prevention/Mitigation is perhaps the most important phase of emergency management. However, it is often the least used and generally the most cost effective. Mitigation is often thought of as taking actions to strengthen facilities, abatement of nearby hazards, and reducing the potential damage either to structures or their contents, while prevention is taking steps to avoid potential problems. Both of these elements require education of parents, students and teachers.

While it is not possible to totally eliminate either the destructive force of a potential disaster or its effects, doing what can be done to minimize the effects may create a safer environment that will result in lower response costs, and fewer casualties.

Preparedness Phase

The preparedness phase involves activities taken in advance of an emergency. These activities develop operational capabilities and responses to a disaster. Those identified in this plan as having either a primary or support mission relative to response and recovery review Standard Operating Procedures (SOPs) or checklists detailing personnel assignments, policies, notification procedures, and resource lists. Personnel are acquainted with these SOPs and checklists and periodically are trained in activation and execution.

Response Phase

Pre-Impact: Recognition of the approach of a potential disaster where actions are taken to save lives and protect property. Warning systems may be activated and resources may be mobilized, EOCs may be activated and evacuation may begin.

Immediate Impact: Emphasis is placed on saving lives, controlling the situation, and minimizing the effects of the disaster. Incident Command Posts and EOCs may be activated, and emergency instructions may be issued.

Sustained: As the emergency continues, assistance is provided to victims of the disaster and efforts are made to reduce secondary damage. Response support facilities may be established. The resource requirements continually change to meet the needs of the incident.

Recovery Phase

Recovery is taking all actions necessary to restore the area to pre-event conditions or better, if possible. Therefore, mitigation for future hazards plays an important part in the recovery phase for many emergencies. There is no clear time separation between response and recovery. In fact, planning for recovery should be a part of the response phase.

First Things First

Preparing your school for emergencies starts with staff preparedness. The backbone of school planning is dependent on the staff's willingness to stay at school during a major community emergency. Personal preparedness makes this much easier.

Each staff member needs

To prepare their family and home for earthquakes and other emergencies

- A 72-hour supply kit for the home
- A Car Kit, including comfortable clothes/shoes and medications
- To develop a plan to reunite with their family
- A neighborhood preparedness program

Preparedness Brochures are available from the local chapter of the American Red Cross, Santa Clara County Office of Emergency Services, school district website, www.redcross.org, www.prepare.org or www.ready.gov.

If the disaster occurs during school time, Emergency Management recommends the child stay at school until the parent or a trusted friend (see Emergency Cards) picks up the child. We have no idea, especially in an earthquake, how impacted our neighborhoods may be.

This means the school staff will need to stay with the students. You can only do this if you are prepared at home! You must feel that your family can activate your **Family Plan** without you.

Disaster Service Worker Status: California Government Code Section 3100 declares that public employees are disaster services workers, subject to such disaster service activities as may be assigned to them by their superiors or by law. The term public employees include all persons employed by the state or any county, city, city & county, state agency or public district, excluding aliens legally employed. This law applies to public school employees in the following cases:

- When a local emergency has been proclaimed,
- When a state of emergency has been proclaimed, or
- When a federal disaster declaration has been made.

District and Parent Responsibilities for Students

DISTRICT RESPONSIBILITY

If the superintendent declares a district emergency during the school day, the following procedures will be followed:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL HIGH SCHOOL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AT AN ALTERNATE SAFE SITE UNDER THE SUPERVISION OF THE SCHOOL DIRECTOR OR OTHER PERSONNEL ASSIGNED BY THE PRINCIPAL.

1. Until regular dismissal time and released only then if it is considered safe,
OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on district records.
 - a. If students are on their way to school, they will be brought to school if bussed, or they should proceed to school if walking.
 - b. If students are on their way home from school, they are to continue home.

During a Declared Emergency, those students who have not been picked up by their parents or other authorized person may be taken by district personnel to another site where consolidated care facilities can be provided. This information will be given to the media stations and posted at the site to keep parents informed.

PARENT RESPONSIBILITY

Parents and legal guardians of students will be provided with a Student Health/Emergency Form each year. In case of a declared emergency, students will be released **ONLY** to persons designated on this form. Parents are responsible for ensuring that information on the Student Health/Enrollment Form is current at all times.

Parents are asked to share with the schools the responsibility for informing students of what they should do in case of a severe earthquake or other major emergency. Parents need to give specific directions to each student to follow the policy outlined above and to follow the directions of school personnel.

School authorities will do everything possible to care for each student while he/she is under district supervision.

It is critical that students do not have directions from parents that are contrary to the district's stated policy on retention at school and authorized release in case of a severe emergency.

Emergency Response Procedures

Basic Actions

Most emergency responses are covered by the following Basic Actions:

A. Action: STAND BY

Action: STAND BY consists of bringing students into the classroom or holding them in the classroom pending further instruction.

B. Action: LEAVE BUILDING

ACTION: LEAVE BUILDING consists of the orderly movement of students and staff from inside the school building to outside areas of safety or planned evacuation site.

Action: LEAVE BUILDING is appropriate for—but not limited to—the following emergencies:

- a. Fire
- b. Peacetime Bomb Threat
- c. Chemical Accident
- d. Explosion or Threat of an Explosion
- e. Following an Earthquake
- f. Other similar occurrences that might make the building uninhabitable
- g. At the onset of a Code Red/Lockdown Alert, when teacher/supervisor has ascertained that leaving is the best option.

C. Action: TAKE COVER

Action: TAKE COVER consists of bringing/keeping students indoors if possible and sheltering in place as appropriate to the situation.

If outdoors, Action: TAKE COVER consists of hiding behind any solid object (large tree, engine block of car, cement wall), in the event a sniper attack, armed intruder, rabid animal, or moving immediately to a location which is upwind and uphill in the event of a chemical or biological threat

Action TAKE COVER is appropriate for, but not limited to, the following:

- a. Severe Windstorm (short warning)

- b. Biological or Chemical Threat
- c. Sniper Attack
- d. Rabid Animal on School Grounds

D. Action: DROP

WARNING: The warning for this type of emergency is the beginning of the disaster itself.

Action: DROP consists of:

- a. Inside school buildings
 - Immediately **TAKE COVER** under desks or tables and turn away from all windows
 - Remain in a sheltered position for at least 60 seconds silent and listening to/or for instructions
- b. Outside of School Buildings
 - Earthquake: move away from buildings
 - Take a protective position, if possible
- c. Explosion/Nuclear Attack:
 - Take protective position, **OR**,
 - Get behind any solid object (ditch, curb, tree, etc.); lie prone with head away from light or blast; cover head, face, and as much of the skin surface as possible; close eyes, and cover ears with forearms.

E. ACTION: DIRECTED MAINTENANCE

No school personnel/students are allowed to enter a school facility until inspected by and authorized by appropriate school personnel: Maintenance and School Administrators, and if applicable, Police, Fire, or City Inspectors.

In the event that drinking water is unsafe, water valves will be turned off and the drinking fountains sealed.

Water, gas, and electrical shut-off valves will be shut-off for each applicable building under the joint authorization of the administration and facilities manager.

F. ACTION: DIRECTED TRANSPORTATION

WARNING: Under certain disaster conditions, authorized officials may attempt to move an entire community, or portion thereof, from an area of danger to another area of safety.

Action: **DIRECTED TRANSPORTATION** consists of loading students and staff into school buses, cars and other means of transportation, and taking them from a danger area to a designated safety area.

Action: **DIRECTED TRANSPORTATION** is considered appropriate only when directed by the Superintendent or designee, Site Administrator, Police, Fire, or OES. It may be appropriate for, but not limited to, movement away from:

- a. Fire
- b. Chemical & Biological Gas Alert
- c. Flood
- d. Fallout Area
- e. Blast Area
- f. Chemical & Biological Gas Alert
- g. Specific Man-Made Emergency (shooting, fire, etc.)

G. ACTION: GO HOME

Action: **GO HOME** consists of:

- a. Dismissal of all classes
- b. Return of students to their homes by the most expeditious route/means.

Action: **GO HOME** is to be considered only if there is time for students to go safely to their homes and if buses or other transportation are available for students who live at a distance from the school. Notification of parents by radio broadcast, local television, ALERT website, phone distribution lists, or other means will be requested.

H. ACTION: CONVERT SCHOOL

Action: **CONVERT SCHOOL** to a Red Cross emergency facility will be initiated by City officials.

Earthquake (DROP, COVER, and HOLD)

Earthquake procedures in the classroom or office

At the first indication of ground movement, you should **DROP** to the ground. It will soon be impossible to stand upright during the earthquake. Getting to the ground will prevent being thrown to the ground.

You should seek protective **COVER** under or near desks, tables, or chairs in a kneeling or sitting position.

You should **HOLD** onto the table or chair legs. Holding onto the legs will prevent it from moving away from you during the quake. Protect your eyes from flying glass and debris with your arm covering your eyes.

You should remain in the DROP position until ground movement ends. Be prepared to DROP, COVER and HOLD during aftershocks.

After ground movement ends, check for injuries and safely evacuate the building. Move to a safe, open area, away from power lines and other overhead hazards.

Earthquake procedures in other parts of the building

At the first indication of ground movement, you should DROP to the ground.

Take COVER under any available desk, table, or bench. If in a hallway, drop next to an inside wall in a kneeling position and cover the back of the neck with your hands.

After ground movement ends, check for injuries and safely evacuate the building. Move to a safe, open area, away from power lines and other overhead hazards.

Earthquake procedures while outside

At the first indication of ground movement, move away from overhead hazards such as power lines, trees, and buildings. DROP to the ground and COVER the back of the neck with your hands. Be aware of aftershocks. Do not enter buildings until it is determined safe to do so.

If walking to or from school, DO NOT RUN. Stay in the open. If the student is going to school, continue to the school. If going home, the student should continue to home.

While in a vehicle or school bus, pull over to the side of the road and stop. If on a bridge, overpass, or under power lines, continue on until the vehicle is away from the overhead dangers. Wait until the ground movement stops and check for injuries. Be aware of aftershocks, downed wires, or roads blocked by debris. The Bus Driver is legally responsible for the welfare of student riders.

Fire

All classrooms and offices shall have an Emergency Exit sign and Evacuation Chart posted in a prominent location.

Fire Within A School Building:

In the event that a fire is detected within a school building, use the following procedures:

- a. The Principal/Director or Designee will:
 - Order an evacuation if the fire alarm doesn't work
 - Call 9-1-1
 - Notify the superintendent
- b. Teachers will supervise the evacuation of the classrooms to the designated areas according to the Emergency Exit Plan posted in every classroom and office.
- c. Teachers will close all doors upon evacuating.
- d. Teachers will take their roll books to the evacuation site and take roll. Teachers will report any missing student(s) to their Team Supervisor/Administrator.
- e. The maintenance staff or designee shall assist by shutting off gas valves, electricity, etc., or other if necessary for evacuating, putting out the fire, etc.
- f. The maintenance staff or designee shall open necessary gates for fire truck and other emergency vehicle access when appropriate. The Head Custodian or designee will also keep access entrances open for emergency vehicles.
- g. Notify students and staff when it is safe to return to the school site under the direction of the Fire Department and in consultation with the Superintendent or designee.

Fire Near School

- a. The Director/Principal or designee shall:
 - Determine the need to execute an evacuation if nearby fire poses an immediate threat to the students or the building.
 - Notify the Fire Department by calling 911.
 - Notify the Superintendent's office.

- Notify students and staff when it is safe to return to the school site under the direction of the Fire Department and in consultation with the Superintendent or designee.

Power Outage / Rolling Blackouts

IT IS THE DISTRICT'S INTENT THAT SCHOOLS WILL REMAIN OPEN DURING A POWER OUTAGE.

There are several stages of alerts that are being broadcast over the radio:

- STAGE 1 EMERGENCY indicates that the operating reserves in the real-time market are forecasted to be less than the California Independent System Operator (CAISO) Minimum Operating Reserves criteria.
- STAGE 2 EMERGENCY indicates that the operating reserves in the real-time market are forecasted to be less than five (5) percent.
- STAGE 3 EMERGENCY indicates that the operating reserves in the real-time market are forecasted to be less than 1.5 percent.

If the district is notified of a STAGE 3 EMERGENCY, possible-affected sites will be contacted as soon as practicable. Once notified, turn off PCs, monitors, printers, copiers, and lights when not in use or not needed. If you cannot turn off the whole computer, turn off the monitor and the printer. Shut off lights in unoccupied rooms. In spite of everyone's best effort to communicate, it is possible that an outage will occur with no notice to the district. To keep abreast of the daily situation, listen to 740AM (KCBS) radio station as you are driving into work for the status of the day.

PREPARING FOR AN OUTAGE

- Update each student's emergency card.
- Determine availability of portable lighting at site, i.e. flashlights & batteries.
- Find out that when power is lost, do emergency lights go on and do the "Exit" signs remain lit?
- Clear away materials and boxes from hallways and pathways.
- Check school district's PG&E Block list to determine in which PG&E block your site is located. As a note, Block 50's power will not be interrupted.
- Ask your teachers to have alternative teaching methods and plans to be used at STAGE 3 only.
- Conduct a survey of your site for the classrooms and offices with no windows and prepare relocation plans.

- Plan alternative communication methods that suit your site, such as runners, cell phones, or radios.
- Develop a site plan such as a buddy system or chaperone, for restrooms or any other necessary leave during this period.
- Have flashlights & replacement batteries available for the restrooms and other locations with no windows.
- Ask your staff and students to have seasonal warm clothing available.
- Use surge protectors for all computer equipment, major appliances and electronic devices.
- If you have electric smoke detectors, use a battery-powered smoke detector as a backup.

DURING AN OUTAGE

- CONTACT MAINTENANCE & OPERATIONS IMMEDIATELY IF YOUR SITE IS EXPERIENCING A BLACKOUT.**
- According to SBC (Telephone Company), phones connected directly to a phone jack will be operable. Phones that require power from an electrical outlet will not work.
- If an outage lasts more than 30 minutes, have pre-designated people walk through the campus and check on the status of individuals in each building.
- Use a buddy system when going to the restrooms.
- DO NOT USE** barbeques, Coleman-type stoves, hibachis and other outdoor-cooking devices indoors.
- DO NOT USE** candles or gas lanterns.
- Turn off PCs, monitors, printers, copiers, major appliances and lights when not in use or not needed. If you cannot turn off the whole computer, turn off the monitor and the printer.
- Shut off lights in unoccupied rooms.

The rolling outages should not last more than two hours and, with some preparation, business can be conducted as close to normal as possible.

If a power outage is prolonged, the principal should contact the Superintendent for directions (release students/staff, evacuation to another site, etc.).

Shelter-in-Place:

Shelter in Place may be directed should there be a danger in the community that could present a danger to the school community or a situation at the school that could harm students or staff if they are outdoors. Incidents could include gas leaks, chemical spills, mountain lions or a predator in the neighborhood.

When instructed or when an alerting system triggers a Shelter in Place:

- ❑ **SHELTER.** Go inside the nearest building or classroom and remain there. Lock the door. You are looking for enclosed protection from the outside. Teachers should quickly check halls and get students into classrooms. Teachers will keep all students in the classroom until the emergency is resolved or directed to evacuate by the Principal and/or Public Safety Responders.
- ❑ **SHUT.** Close all doors and windows. The tighter and more complete the seal the better. Close as many windows and doors between the outside and your shelter-in-place room as possible.
- ❑ **LISTEN.** Remain quiet to hear critical instructions from school officials.
 - If there is no direction, continue instructional/work activities until the situation resolves or you directed to do otherwise.

ADDITIONAL STEPS FOR TEACHERS AND STAFF IF APPROPRIATE:

- ❑ **Advise students to cover mouth and nose with a damp cloth or handkerchief to protect from any airborne hazards.**
- ❑ **A school official (or student if no official present) should close all vents and turn off ventilation systems.** *The goal is to keep inside air in and outside air out. Air conditioners and heating systems bring outside air in.*
- ❑ **Turn off all motors and fans.** *Still, non-moving air is best. Turn off anything that creates wind, generates extra heat, or could generate sparks.*
- ❑ Advise students to remain sheltered until the “all-clear” signal is given by a school or local police department.

Bomb Threat

Most likely, threats of a bomb or other explosive device will be received by telephone.

THE PERSON RECEIVING THE BOMB THREAT WILL:

- Attempt to gain as much information as possible when the threat is received. Do not hang up on the caller.
- Use the "**bomb threat checklist**" form (attached) as a guide to collect the information needed. Don't be bashful about asking direct, specific questions about the threat. Keep the caller on the phone as long as possible. If the threat is received by phone, attempt to gain more information.

The most important information is:

- When will the bomb explode and where is the bomb located?**
- Immediately after receiving the bomb threat, the person receiving the call will verbally notify the building administrator of the threat received. Complete the "bomb threat checklist" form (attached).
- Turn off cellular phones and/or walkie-talkie radios (transmits radio waves-- could trigger a bomb).

SITE ADMINISTRATOR WILL (IF NECESSARY):

- Call 9-1-1. Give the following information:
 - ✓ Your name
 - ✓ Your call-back phone number
 - ✓ Exact street location with the nearest cross street
 - ✓ Nature of incident
- Number and location of people involved and/or injured
- Notify Superintendent's Office (408-723-6464).
- Evacuate all buildings using fire drill procedures. Director/principal must have Superintendent's permission to evacuate the entire site.
- Implement a systematic inspection of the facilities to determine if everyone is out.

- Fire Department or Police Officers shall organize a search team to check for suspicious objects; a bomb can be disguised to look like any common object. Site employees should be ready to assist as needed.
- Maintain an open telephone line for communications.
- Secure all exits to prevent re-entry to buildings during the search period.
- Be certain people stay clear of all buildings; a bomb(s) may be planted against an outside wall. The blast will be directed in large part away from the building.
- Re-occupy buildings only when proper authorities give clearance.

BOMB THREAT REPORT FORM
Metropolitan Education District

School:	Time Call Received:	Call Taken By:
Date:	Time Caller Hung Up:	Title:
	Caller ID Info (*69)	

Questions to Ask:	Exact Wording of Threat: “								
	“								
1. When will the bomb explode?	Caller's Voice: (circle all that apply)				Caller's Language: (circle all that apply)		Background Sounds: (circle all that apply)		
2. Where is the bomb right now?	Calm	Nasal	Deep Breathing	Cracking Voice	Well Spoken	Educated	Street Noises	Crockery	
3. What does it look like?	Angry	Stutter	Disguised	Accent	Foul	Message Taped?	Voices	PA System	
4. What kind of bomb is it?	Excited	Lisp	Serious	Used Slang	Message Read?	Young (child)	Music	House Noises	
5. What will cause it to explode?	Slow	Raspy	Incoherent	Joking	Young (adult)	Middle Aged	Motor	Office	
6. Did you place the bomb?	Rapid	Deep	Slurred	Distinct	Old		Factory	Machinery	
7. Why?	Soft	Ragged	Clearing Throat	Normal	Caller Demographics (Circle One)		Animal Noises	Clear	
8. How did the bomb get in the school?	Loud	Laughter	Crying	Frightened	Male	Female	Unknown	Static	Local
9. Where are you calling from?	If voice is familiar, who did it sound like?				Approximate Age:		Long Distance	Cell Phone	
10. What is your name, address, phone?	Other Observations:								

Intruder on Campus

The campus intruder is defined as a non-student or a student on suspension who loiters or creates disturbances on school property. Those identified as visitors will have obtained a visitor pass from the office. Intruders are committing the crime of Criminal Trespass. Dangerous and/or concealed weapons are forbidden on school premises unless carried by law enforcement officers.

Low Level:

- Have the person(s) under suspicion kept under constant covert surveillance.
- Approach and greet the intruder in a polite and non-threatening manner.
- Identify yourself as a school official.
- Ask the intruder for identification.
- Ask them what their purpose is for being on campus.
- Advise intruder of the trespass laws.
- Ask the intruder to quietly leave the campus or invite him/her to accompany you to the office.
- If the intruder refuses to respond to your requests, inform him/her of your intention to summon law enforcement officers.
- If the intruder gives no indication of voluntarily leaving the premises, notify Police and Administration.

Hostage Situation

Staff and students should sit quietly if the situation is in their presence. TRY to remain calm. Staff should set the example if the armed intruder is in their presence by doing anything possible for the staff member and students to survive. If gun fire starts, staff and students should seek cover or begin rapid movement procedures.

- ❑ **Do not engage in a conversation or try to persuade the intruder to leave your classroom or school.** Remember, you are in an illogical situation so any logical argument may go unheard. The intruder is probably aware of the potential danger that he/she would be facing if he/she left the classroom. The intruder may perceive himself/ herself as being sane.
- ❑ If the intruder speaks to you or to your students, then answer him or her. **Do not provoke him or her.** Don't try to take matters into your own hands. Students should be told not to whisper to one-another, laugh, or to make fun of the intruder. Remember, the intruder is disturbed and probably mentally ill, and more than likely paranoid. Any whispering or laughter may be perceived by the intruder as directed at him or her.
- ❑ Students should be taught to respond on their own when threatened. Incidents can occur which leave no time for signals. If students are outside unable to find access a room, they should, depending on the situation, initiate Action "**TAKE COVER**" position or run in a zig-zag fashion to the staging areas and **STAY CALM.**
- ❑ If and when possible, call Administration and/or 9-1-1.

Lockdown:

The Lockdown bells are sounded if there is a sniper, armed intruder or active shooter on campus. Staff members have a very limited amount of time in which to commit to a course of action. Immediately assess both the situation and the surrounding environment and respond to the situation based upon the Lockdown Training and drills. This is also true for your students who may need to become resources for substitutes or who are alone when an event occurs.

Remember, the Lockdown response is a partnership with local law enforcement.

Immediate actions should include:

- Students and staff go into classrooms/buildings or run to off-site evacuation areas.
- LOCKDOWN includes building internal barricades where necessary (i.e. portable classrooms), closing blinds/covering windows and turning off/dimming lights.
- Notify administration
- Call 9-1-1 if you know the location of the shooter, the description or identity of the shooter or if you need medical direction for a victim.
- Administration notifies the Superintendent

Intermediate activities:

- Take roll
- Conduct anxiety-reducing activities

Evacuation:

- Prepare students and yourself for a quick evacuation
- Follow directions of law enforcement when they arrive

Poisoning, Chemical Spills, Hazardous Materials

POISONING:

If a student ingests a poisonous substance:

- Call Poison Control Center Link Line 1-800-222-1222. Take appropriate first aid measures.
- Call parents.

Following any emergency, notify the District Superintendents' Office

CHEMICAL SPILL ON SITE:

The following are guidelines for Chemical Spills:

- Evacuate the immediate area of personnel
- Determine whether to initiate Shelter In Place Protocol
- Secure the area (block points of entry)
- Identify the chemical and follow the procedures for that particular chemical.
- Notify the Superintendent's Office.

CHEMICAL SPILL OFF SITE INVOLVING DISTRICT EQUIPMENT/PROPERTY

- Notify the Superintendent's Office with the following information:
 - ✓ Date, time, and exact location of the release or threatened release
 - ✓ Name and telephone number of person reporting
 - ✓ Type of chemical involved and the estimated quantity
 - ✓ Description of potential hazards presented by the spill
 - ✓ Document time and date notification made
 - ✓ Other emergency personnel responding (Highway Patrol, CALTRANS, etc.)
- Locate a fire extinguisher and have present, should the need arise

- ❑ Place reflective triangles or traffic cones if in street or highway. DO NOT LIGHT FLARES!
- ❑ If spill response equipment is available use it to take the necessary measures to prevent the spill from spreading.

Reporting Chemical Spills

Once an emergency spill response has been completed, the person reporting the initial spill must complete a SPILL RESPONSE EVALUATION. The incident must be reported to the Superintendent WITHIN 24 HOURS OF THE SPILL.

Spill Clean Up

Chemical Spills may not be cleaned up by school personnel. Call the District Office at 408-723-6464. The cleanup will be coordinated through a designated contractor.

HAZARDOUS SUBSTANCES

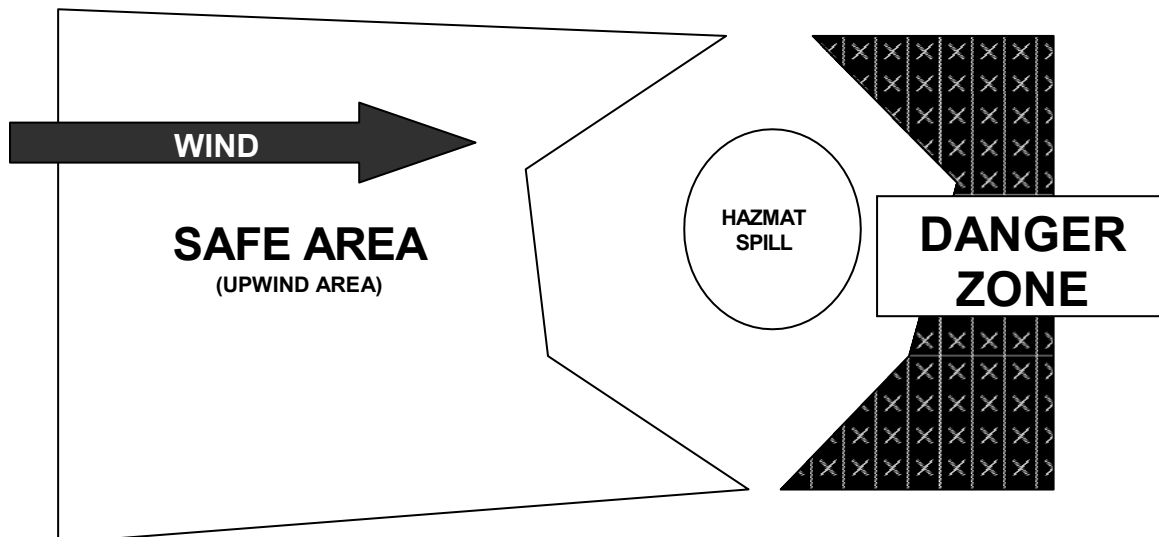
Hazardous Substances include the following, but are not limited to the following:

Gasoline	Lacquer Thinner
Solvents	Paint
Motor Oil	Agricultural Spray
Diesel Fuel	Paint Thinner
Kerosene	Stain
Anti-Freeze	Brake Fluid
Airborne Gases/Fumes	

Always call for assistance and:

- Extinguish all ignition sources
- Shut off main emergency switch to fuel pump, if appropriate
- Move appropriate fire extinguishing equipment to area
- If possible, contain the spill to prevent further contamination
- Move people/personnel away or evacuate from contamination area

If the spill is too great to handle, contact Facilities at 408-723-4272 or 408-723-6424.



Staff and students will evacuate the area immediately, if appropriate. **Move uphill, upwind, upstream if possible.**

VEHICLE FUEL SPILL

When a spill has occurred, the first thing to do is to keep the situation from worsening. Follow these steps:

- Shut off emergency switch
- Avoid skin contact
- Isolate the spill from people and vehicles by blocking all points of entry
- Stop and evaluate any hazards
- Prevent discharge into storm drains. Divert the flow by sealing off areas with absorbents. Prevent runoff. Use absorbent "socks" or "booms" to contain the spill
- Identify the source, estimated quantity spilled and stop further release(s) - IF IT CAN BE DONE SAFELY
- Take care of any injured
- Notify the District Office.
- If the spill is unmanageable, contact the Fire Department by calling 9-1-1

If, after attempted containment, the release still poses either a present or a potential threat, notify the California Office of Emergency Services at 1-800-852-7550 and local emergency assistance organizations (fire, police, etc.). Give the following information:

- Date, time, and exact location of the release
- Name and telephone number of persons reporting the release
- The type of fuel spilled and the estimated quantity
- Description of potential hazards presented by the fuel spill
- Document the time and date notification was made and the information provided.
- A written report to the appropriate office of the California Department of Health Services is required within 15 days after the incident. Contact the District for assistance with this report.

In an Emergency Building Evacuation all employees will:

- Upon emergency alert, secure work area and depart/report to assigned area.
- Perform duties as pre-assigned by the Principal/Director in cooperation with emergency services personnel.
- DO NOT re-enter the building without permission or request of emergency service authorities.
- Remain in the general assembly areas and calm students if not assigned another duty.
- When signaled to re-enter safe areas of the school, quickly do so.
- Upon safe re-entry, report anything amiss to the Operations Chief.

In an Emergency Building Evacuation teachers will also:

- Upon alert, assemble students for evacuation using designated routes and account for all students.
- Secure room.
- If possible, leave a note on the door advising where the class evacuated to if other than the standard assembly area.
- Upon arrival at the assembly area, account for all students.
- Secure medical treatment for injured students.
- Report any students missing or left behind because of serious injuries.
- Stay with and calm students.
- If signaled to re-enter school, assure students do so quickly and calmly. Account for all students.
- Check room and report anything amiss to the Operations Chief.
- Debrief students to calm fears about the evacuation.

Emergency Campus Evacuation

If it is necessary to evacuate the entire campus offsite, the Principal/Director, designee or Superintendent will:

- Cooperate with emergency authorities in enlisting students/staff with cars to help transport evacuees.
- Direct the evacuation, assure all students/staff are accounted for as they depart and arrive.

Medical Emergencies

A medical emergency is a response procedure for an incident involving any person or persons injured or experiencing urgent health issues on the Hillsdale campus. The procedure is supplementary to calling 911

Any staff member may initiate a Medical Emergency by using: notifying supervisors:

- SVCTE staff should radio for admin on radio Ch. 2 or call x1401
- SVAE staff should radio for admin on radio Ch. 4 or call x4500
- Building 400, Building 6, or Building 7 staff should notify supervisors

Quickly agree who will dial 911 if needed. Call immediately if needed.

When reporting a medical emergency:

- **Name of caller**
- **Location of incident**
- **That there is a Medical Emergency**

Admin or supervisors will:

- respond to the scene or assign staff to the scene as needed
- notify Superintendent's Office if 911 will be called or for significant events
- assign staff to bring AED to scene
- assign staff to direct emergency vehicles
- assign staff to supervise and/or release students as needed

Any time a Medical Emergency is called, an AED will be sent to the site of the Medical Emergency. AEDs are located:

- In room 803, the Student Services Office (North end of campus)
- In room 708, the Fire Science/First Responder classroom (North end of Campus)
- M&O, Facilities (South end of campus)
- SVAE room 1, Adult Ed's main office (South end of campus)
- SVAE room 18, Medical Assisting classroom (South end of campus)
- SO, Superintendent's Office (South end of campus)

Medically trained staff responding to the Medical Emergency situation will

- Attend to the victim, assess vital signs, coordinate AED implementation, and provide appropriate medical services until relieved by 911 respondents.
- Complete the AED Use report form which is included in the AED case
- File the AED Use report with campus Administration.

Following a Medical Emergency, all responding staff must complete an Incident Log. An Injury report may also be completed to report the nature of the injury if relevant. All logs and reports should be turned in to supervisors before leaving the work site.

You should always wear latex or rubber gloves to prevent contact with bodily fluids.

See Board Policy [4119.42](#): Exposure Control Plan For Bloodborne Pathogens
Adopted: 02/16/2011

As part of its commitment to provide a safe and healthful work environment, the Governing Board recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

Rescue Breathing (Not CPR Rescue Breathes)

- When an adult, child, or infant has a pulse but is not breathing effectively, rescuers should give breaths without chest compressions.
- Pinch the nose closed.
- Give two slow breathes into the mouth.
- Breathe into an adult once every five seconds, and for children or infants breathe gently once every three seconds.
- If you are doing the procedure correctly, you should see the chest rise and fall.

CPR Chest Compressions/Rescue Breathes

- Be sure the scene is safe
- Check the adult, child, or infant for responsiveness and breathing
- Make sure 911 has been called
- IF** the patient is unresponsive and not breathing, provide 30 chest compressions deep and fast
- Provide 2 rescue breaths.
- Repeat the compression and breath cycle until an Automated External Defibrillator (AED) is available or Emergency Personnel (EMS) arrives

To Stop Bleeding

- Apply direct pressure to the wound.
- Maintain the pressure until the bleeding stops.
- If bleeding is from an arm or leg, and if the limb is not broken, elevate it above the level of the heart.
- If limb appears to be broken, minimize any movement, but take what measures are necessary to stop the bleeding.

Treatment for Shock

- Do whatever is necessary to keep the person's body temperature as close to normal as possible.
- Attempt to rule out a broken neck or back.
- If no back or neck injury is present, slightly elevate the person's legs.

Choking

- Stand behind the person.
- Place the thumb side of one of your fists against the person's abdomen, just above the navel and well below the end of the breastbone.
- Grasp your fist with your other hand, give an abdominal thrust.
- Repeat until the object comes out.
- If required, begin rescue breathing.

Triage Guidelines

Triage is defined as *the sorting of patients into categories of priority for care based on injuries and medical emergencies*. This process is used at the scene of multiple-victim disasters and emergencies when there are more victims than there are rescuers trained in emergency care.

Incidents that involve large numbers of casualties, and have a delay in the response time of emergency medical services, require a special form of triage. The modified triage system that is in most common use is the S.T.A.R.T. (**S**imple **T**riage **A**nd **R**apid **T**reatment) Plan. In this plan, patients are triaged into very broad categories that are based on the need for treatment and the chances of survival under the circumstances of the disaster. These categories are listed below:

TRIAGE Priorities
Highest Priority - RED TAG
1. Airway and breathing difficulties
2. Cardiac arrest
3. Uncontrolled or suspected severe bleeding
4. Severe head injuries
5. Severe medical problems
6. Open chest or abdominal wounds
7. Severe shock
Second Priority - YELLOW TAG
1. Burns
2. Major multiple fractures
3. Back injuries with or without spinal cord damage
Third Priority - GREEN TAG
1. Fractures or other injuries of a minor nature
Lowest Priority - BLACK
2. Obviously mortal wounds where death appears reasonably certain
3. Obviously deceased

S.T.A.R.T. Plan Triage Checklist

This method allows rapid identification of those patients who are at greatest risk for early death and the provision for basic life-saving stabilization techniques.

Initial contact

- Identify self, and direct all patients who can walk to gather and remain in a safe place. Tag these people **GREEN**
- Begin evaluating the non-ambulatory patients where they are lying.

Assess respiration (normal, rapid, absent)

- If absent, open airway to see if breathing begins
- If not breathing, tag **BLACK** (dead) DO NOT PERFORM C P R
- If patient needs assistance to maintain open airway, or respiratory rate is greater than 30 per minute, tag **RED** (attempt to use a bystander to hold airway open)
- If respiration is normal, go to next step

Assess perfusion (pulse, bleeding)

- Use the capillary refill test to check radial (wrist) pulse
- If capillary refill test is greater than 2 seconds, or radial pulse is absent, tag **RED**
- If capillary refill is less than 2 seconds, or radial pulse is present, go to next step.
- Any life threatening bleeding should be controlled at this time, and if possible, raise patient's legs to treat for shock (attempt to use a bystander to hold pressure/bleeding control)

Assess Mental Status (commands, movement)

- Use simple commands/tasks to assess
- If patient cannot follow simple commands, tag **RED**
- If patient can follow simple commands, they will be tagged **YELLOW** or **GREEN**
- This will depend on other conditions, where their injuries will determine the priority of **YELLOW** versus **GREEN** (i.e. multiple fractures would require a higher level of treatment than superficial lacerations)

Suicide

The publications of many organizations and governmental agencies contain advice for people who are faced with suicidal people. That advice is summarized below.

Do's

- Listen to what the person is saying and take her/his suicidal threat seriously. Many times a person may be looking for just that assurance.
- Observe the person's nonverbal behavior. In children and adolescents, facial expressions, body language, and other concrete signs often are more telling than what the person says.
- Ask whether the person is really thinking about suicide. If the answer is "YES," ask how she/he plans to do it and what steps have already been taken. This will convince the person of your attention and let you know how serious the threat is.
- GET HELP by contacting an appropriate Crisis Response Team member. Never attempt to handle a potential suicide by yourself.
- STAY with the person. Take the person to a CRT member and stay with that person for a while. The person has placed trust in you, so you must help transfer that trust to the other person.

Don'ts

- Don't leave the person alone for even a minute.
- Don't act shocked or be sworn to secrecy.
- Don't underestimate or brush aside a suicide threat ("You won't really do it; you're not the type"), or to shock or challenge the person ("Go ahead. Do it"). The person may already feel rejected and unnoticed, and you should not add to the burden.
- Don't let the person convince you that the crisis is over. The most dangerous time is precisely when the person seems to be feeling better. Sometimes, after a suicide method has been selected, the person may appear happy and relaxed. You should, therefore, stay involved until you get help.
- Don't take too much upon yourself. Your responsibility to the person in a crisis is limited to listening, being supportive, and getting her/him to a trained professional. Under no circumstances should you attempt to counsel the person.

Mass Casualty

In the event of a Mass Casualty Incident (MCI):

- Determine what the problem is and **call 9-1-1** for local emergency services. **Note:** A casualty is a victim of an accident or disaster.
- Identify the problem and give the school address.
- Site administrators decide whether or not to activate the School Site Disaster Medical Team protocols (See School Site Disaster Plan).
- Determine if problem will continue or if it is over.
- Notify Superintendent's Office (408-723-6464).
- School representative will meet Incident Command Officer (Fire Department or Police Official) who will determine exact nature of incident.
- Site administrators/First Responders will implement Mass Casualty Tracking Protocols as appropriate to the situation.
- Keep calm, reassure students and others.
- Fire Department will notify appropriate agencies for additional help.
- Crisis Team will convene.
- Contact Superintendent to determine need to send students home

Mass Casualty

PATIENT TRACKING SHEET

Page _____

HOSPITALS:

LGH – LOSGATOS

STH – SANTA TERESA

ECH – EL CAMINO

OCH – O’CONNOR

SUH - STANFORD

GSH – GOOD SAMARITAN

SJH - SAN JOSE

VMC – VALLEY MED

KSC – KAISER SANTA CLARA

SLH – STE. LOUISE

Other

PARAMEDIC TAG #	VICTIM NAME	STUDENT ID #	TIME OF DEPARTURE	Hospital

Signed _____

Date _____

Bio Terrorism

Anthrax Threat

How to identify suspicious letters or packages

Some characteristics of suspicious letters or packages include the following:

- ✓ Excessive postage
- ✓ Handwritten or poorly typed addresses
- ✓ Incorrect titles
- ✓ Title, but no name
- ✓ Misspellings of common words
- ✓ Oily stains, discolorations or odors
- ✓ No return address
- ✓ Excessive weight
- ✓ Lopsided or uneven envelope
- ✓ Protruding wires or aluminum foil
- ✓ Excessive security material such as masking tape, string, etc.
- ✓ Visual distractions
- ✓ Ticking sound
- ✓ Marked with restrictive endorsements, such as “Personal” or “Confidential.”
- ✓ Shows a city or state in the postmark that does not match the return address.

Suspicious unopened letter or package marked with threatening message such as “Anthrax”

- Do not shake or empty the contents of any suspicious envelope or package.
- Place the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.
- If you do not have any container, then cover the envelope or package with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover.
- Then leave the room and close the door, or section off the area to prevent others from entering.

- Wash your hands with soap and water to prevent spreading any powder to your face.
- If you are at home, report the incident to the local police. If you are at work, report the incident to the local police and your site administrator.
- List all people who were in the room or area when this suspicious letter or package was recognized. Give the list to both the local public health authorities and law enforcement officials for follow-up investigations and advice.

Envelope with powder or powder spills out onto a surface

- Do not try to clean up the powder. Cover the spilled contents immediately with anything and do not remove this cover.
- Leave the room and close the door or section off the area to prevent others from entering.
- Wash your hands with soap and water to prevent spreading any powder to your face.
- If you are at home, CALL 9-1-1 to report the incident. If you are at work, CALL 9-1-1 and your site administrator to report the incident.
- Remove heavily contaminated clothing as soon as possible and place in a plastic bag, or some other container that can be sealed. The clothing bag should be given to the emergency responders for proper disposal.
- Shower with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- If possible, list all people who were in the room or area, especially those who had actual contact with the powder. Give the list to both the local police and public health authorities so that proper instructions can be given for medical follow-up and further investigation.

Possible room contamination by aerosol

(Examples: small devices triggered warning that air handling systems is contaminated, or warning that a biological agent is released in a public space.)

- Turn off local fans or ventilation units in the area.
- Leave the area immediately.
- Close the door or section off the area to prevent others from entering.
- Move upwind, uphill, upstream.**
- If you are at home, report the incident to the local police. If you are at work, report the incident to the local police and your site administrator.
- Shut down air handling systems in the building if possible.
- If possible, list all people who were in the room or area, especially those who had actual contact with the powder. Give the list to both the local police and public health authorities so that proper instructions can be given for medical follow-up and further investigation.

DO NOT PANIC!

Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. In order for this to happen, the organism must be rubbed into abraded skin, swallowed, or inhaled as a fine, aerosolized mist. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another person.

For anthrax to be effective as a covert agent, it must be aerosolized into very small particles. This is difficult to do, and requires a great deal of technical skill and special equipment. If these small particles are inhaled, life-threatening lung infection can occur, but prompt recognition and treatment are effective.

Botulism

Botulism infection is extremely rare, with fewer than 200 cases report in the U.S. each year. There are two forms of botulism which are associated with a terrorist act:

Foodbourne Botulism

The bacterium is ingested with the contaminated food source.

Symptoms begin within 6 hours to 2 weeks, but most commonly between 12 to 36 hours after eating contaminated foods.

Double or blurred vision, drooping eyelids, slurred speech, difficulty swallowing, dry mouth, and a descending muscle weakness that effects the shoulders first, then upper arms, lower arms, thighs, calves, etc.

These symptoms may be preceded by gastrointestinal disorder such as abdominal cramps, nausea, vomiting, and diarrhea. Paralysis of the respiratory muscles will cause death unless the person is assisted by mechanical ventilation. Botulism toxin can occur naturally in undercooked food, but the frequency of this is extremely rare.

Inhalational Botulism

Inhalation botulism results from the inhalation of the aerosolized toxin. A small amount of aerosolized toxin released into the wind can have a devastating effect on the surrounding population. Notwithstanding, inhalational botulism could be inflicted upon a more limited number of victims by introducing a contaminated object into an enclosed area such as inside of a building. The symptoms are indistinguishable from those of foodborne botulism, except that the gastrointestinal signs sometimes associated with foodborne botulism may not occur.

Botulism cannot be transmitted from one person to another. There is no vaccine for botulism treatment at this time. However, treatment consists of passive immunization with equine anti-toxins and supportive patient care.

Smallpox

Smallpox infection results from the variola virus. The disease was once worldwide in scope. Before people were vaccinated, almost everyone contracted the disease. The virus was effectively eradicated from the world in the late 1970's, and the World Health Organization recommended governments cease routine vaccinations in 1980.

Vaccination has proven effective in preventing the disease in exposed persons if administered within 4 days of exposure.

Smallpox is a highly contagious infectious disease that has a mortality rate of about 30%. Since the discontinuation of vaccination in the early 1980's, virtually no one is protected against the disease today. The U.S. government is currently working to address the need for vaccinations. There is no proven treatment should infection occur

Immunization & Mass Prophylaxis Pandemic & Bio-Terrorism

This Bio-Terrorism Support Plan (Plan) provides basic steps to guide designated Santa Clara County Public Health Department, City of San Jose, and Metropolitan Education District officials in establishing middle and high schools as immunization centers (mass prophylaxis centers) contingent upon a Memorandum of Understanding being signed.

This Plan is a living document subject to periodic revisions when needed.

In the event of a bio-terrorism outbreak and based upon the Metropolitan Medical Response Plan, local officials will have determined which areas within the city to be quarantined, hot and cold zones. A quarantined area is defined as a specified area where isolation is enforced. A hot zone is defined as a contaminated area. A cold zone is an unaffected area.

Once the situation has been assessed and Public Health identifies the need to open an immunization center (mass prophylaxis center), then Public Health will contact the city. Subsequently, the City will contact the school district emergency contact to begin the process of coordinating the opening of an immunization center (mass prophylaxis center).

Preparedness Steps

The following provides guidelines for school district management in preparing, in advance, issues that need to be addressed during non-emergency times to ensure school district and school site readiness.

- 1) Statement of Agreement signed by Santa Clara County Public Health Department, City and school district
- 2) Examine the Public Health Department's Liability Coverage for using school district sites as mass prophylaxis centers.
- 3) Establish that the City will provide security for the school district site
- 4) Define how long the Immunization center (mass prophylaxis center) can be open and what type of furnishings are needed for the center.
- 5) Ensure a manager is provided by the Public Health Department to oversee center operations
- 6) Identify the need to train site personnel in administering inoculations and agree upon how these individuals will be compensated for their time by the Public Health Department

7) Establish who will be responsible for clean up

Public Health Department contacts City OES who then initiates contact with appropriate School district authorized contact (see emergency contact list for school district)

1) Superintendent's Office: 408-723-6464

2) Facilities: 408-723-4272

The City OES informs Police Department that authorization has been given to open the appropriate site(s). Only gymnasiums will be utilized. The school district official then follows the guidelines shown below:

1) Authorized school official contact will inform Superintendent or designee of the opening of the school site(s) as an immunization center (mass prophylaxis center).

2) If school is not in session or if mass prophylaxis center opening occurs after hours, school site personnel or authorized City Police Department will be present to actually unlock the site for Public Health Department

3) Contact director/principal of the school site being converted into an immunization center (mass prophylaxis center)

4) Prior to turning school site over to the Public Health Department as an mass prophylaxis center, school site personnel will:

- Perform a site check to record current condition of the area to be used as an immunization center (mass prophylaxis center)
- Inventory useable materials within the center's designated area (see Site Inventory form in this section), i.e. toilet tissues, paper towels, soap
- Ensure all other areas of the school site are not accessible to mass prophylaxis center personnel or public

5) MetroED site personnel will unlock the school site upon arrival of Public Health Department and their staff

Closing the Center

Upon closing of the center, the Public Health Department ensures the site is secure and center manager has tracked school supplies and materials used.

1) School site personnel compares supplies and materials used, physical property loss and damages

2) Both Public Health Department City and school site personnel inspect shelter site for

- Material and supplies used
 - Property loss
 - Property damage
- 3)** When inspection is completed, school site personnel gives Business Services Department a report of materials used and property damaged/loss (photograph)
- 4) Business Services**
- Gives property loss/damage to Risk Management to determine cost of property loss and repair costs
 - Formalizes letter Public Health Department to file a claim covering loss and material usage

EMERGENCY BIN INVENTORY

The lead of the MetroED's Logistics emergency response team along with MetroED's Facilities Support Specialist and Facilities Manager are responsible for keeping the inventory of the MetroED emergency bin up-to-date. The shipping container (bin) is located next to Building 7 (East Side of building) at the back of the campus. A smaller secondary supply is located on the west side of Building 100, in a small unattached building.

Incident Command System

Responsibilities for a School Disaster

Everyone at a school will have some responsibilities in an emergency based on their job, and some people will have additional responsibilities. Below is a short discussion of how the Standard Emergency Management System (SEMS) and the Incident Command System (ICS) can be adapted to your school.

Major Concepts and Components

Every emergency, no matter how large or small, requires that certain tasks be performed. In ICS, these tasks are called *Management, Planning, Operations, Logistics, and Finance/Administration*.

Under SEMS, the ICS team can be expanded or reduced, depending on the situation and the immediate needs. One person can do more than one function.

Every incident needs a person in charge. In SEMS and ICS, this person is called the *Incident Commander* or *School Commander*.

No one person should supervise more than seven people (the optimum number is five). This does not apply to the Student Supervision Team under *Operations*, however.

Common terminology:

All teachers and staff in the school should use the same words to refer to the same actions. The terminology should be known *before* a disaster. SEMS is a system that, when used properly, affords common terminology.

If the fire department or other responding agencies come on campus, they will coordinate better with the site's command structure if similar situations and actions are described with similar wording.

How ICS Functions

This system provides for an effective and coordinated response to multi-agency and multi-jurisdictional emergencies, to include multi-disciplines and

- Facilitates the flow of information within and between all levels of the system.
- Facilitates interaction and coordination among all responding agencies.
- Improves the processes of mobilization, deployment, tracking, and demobilization of needed mutual aid resources.
- Reduces the incidence of ineffective coordination and communications, and avoid duplication of resource ordering in multi-agency and multi-jurisdiction response actions.

Primary Incident Command System Functions: Incident/School Commander (The "leader")

The Management Section is responsible for overall policy, direction, and coordination of the emergency response effort in the Emergency Operations Center (EOC) throughout the Metropolitan Education District. The Management Section Staff is also responsible for interacting with each other and others within the EOC to ensure the effective function of the EOC organization.

Operations Section (The "doers")

The Operations Section is responsible for coordinating all operations in support of the emergency response and for implementing action plans. This section includes response teams that work toward reduction of the immediate hazard, mitigating damage, and establishing control and restoration of normal operations.

Planning/Intelligence Section (The "thinkers")

The Planning and Intelligence Section is responsible for collecting, evaluating, and disseminating information; maintaining documentation; and evaluating incoming information to determine the potential situation in the not-too-distant future. This section also develops District EOC/Field action plans for implementation by the Operations Section.

Logistics Section (The "getters")

The Logistics Section is responsible for providing all types of support for the emergency response operation. This section orders all resources from off-site locations and provides facilities, services, personnel, equipment, transportation, and materials.

Finance and Administration Section (The "collectors")

The Finance and Administration Section is responsible for accounting and financial activities such as establishing contracts with vendors, keeping pay

records, and accounting for expenditures. This section is also responsible for all other administrative requirements and acts as the clearinghouse for documentation during the recovery phase.

Routine use of ICS facilitates seamless integration of ICS into larger emergencies operations as they evolve. The key to ICS is remembering to focus on the functions and where possible, delegate authority to staff essential functions to distribute the workload.

Unified Command Structure

Unified Command is a procedure used at incidents which allows all agencies with geographical, legal or functional responsibility to establish a common set of incident objectives and strategies, and a single Incident Action Plan. The use of Unified Command is a valuable tool to help ensure a coordinated multi-agency response. Unified Command procedures assure agencies that they do not lose their individual responsibility, authority, or accountability.

Unified Command is highly flexible. As the incident changes over time with different disciplines moving into primary roles, the Unified Command structure and personnel assignments can change to meet the need.

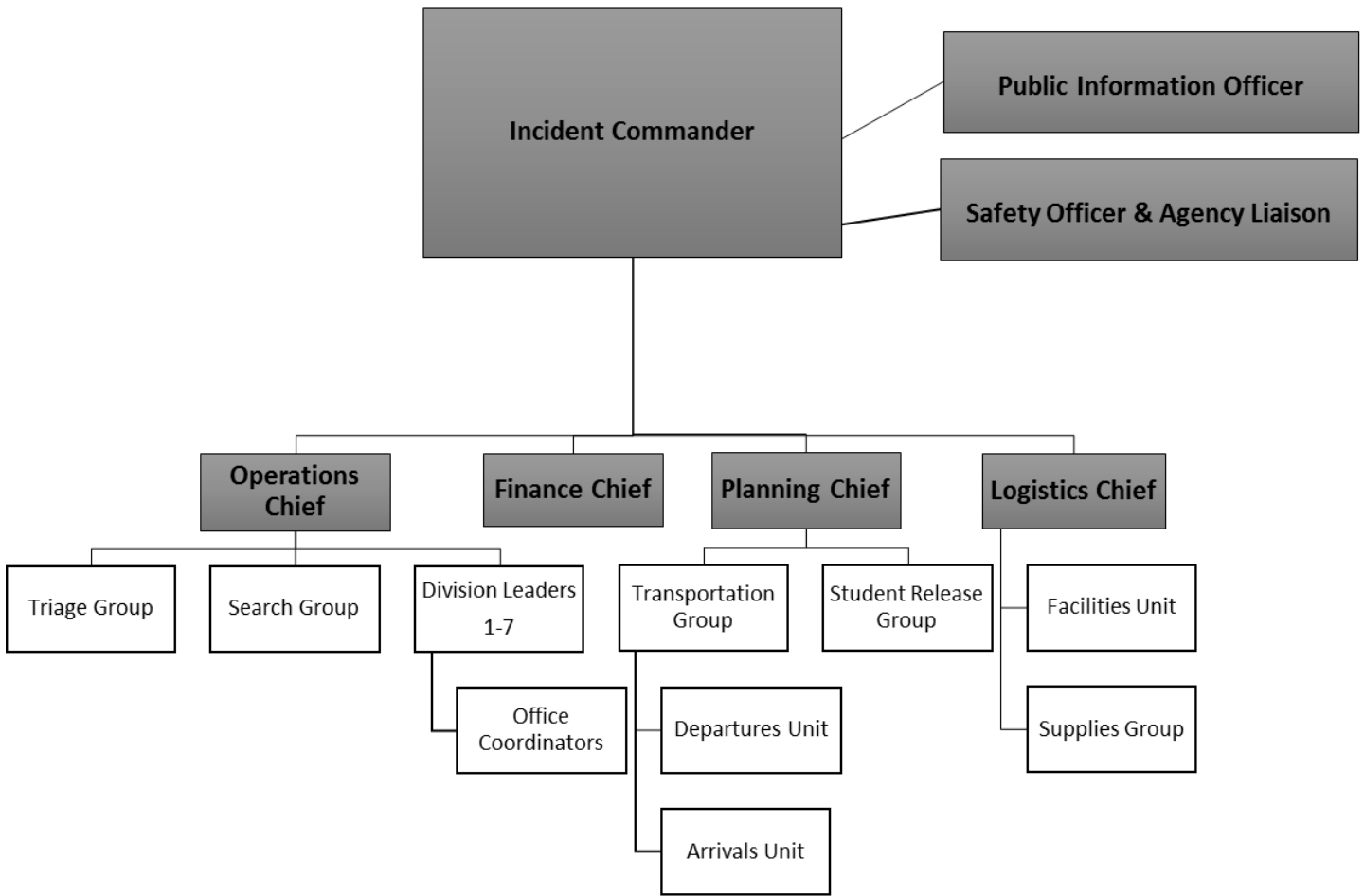
Advantages of using Unified Command

- One set of objectives is developed for the entire incident
- All agencies with responsibility for the incident have an understanding and are fully aware of joint priorities and restrictions.
- Duplicative efforts are reduced or eliminated, thus reducing cost and chances for frustration and conflict.

Pre-Designated Incident Facilities

- Staging Areas
- Command Posts
- Mass Care Centers
- Evacuation Centers

Metropolitan Education District ICS TEAM



District Contact Information

This page contains personal staff contact information and is not being made public. For questions about how to contact a member of our staff, please contact the site.

Emergency Communications

When emergencies occur, communication is key to ensure appropriate parties are notified regarding the extent of the incident and what needs to be done. Below is a checklist as to how emergency communications may be conducted at your school.

Emergencies within a school:

Internal communications will be via:

- Public address systems
- Emails
- Message runner
- District telephone/emergency radio to administration offices
- MetroED's student information systems (Infinite Campus or ASAP Programs)

External communications will be via:

- The main communications network
- News bulletins, Social Media updates, MetroED's student information systems Programs, as needed, by PIO or designated alternate only

Emergencies affecting two or more schools:

In-district communications will be via:

- Telephone, if operable
- District internal communications
- Superintendent or designated Public Information Officer and/or Principal will release information to news media and prepare necessary bulletins
- MetroED's student information systems (Infinite Campus or ASAP Programs)

A Crisis Communications Center will be established to collect and release information if the emergency is of a continuing nature.

When using the District radio system:

PURPOSE: To standardize the use and protocol of all radios in an emergency situation

OBJECTIVES:

- To provide guidelines for the use of base, portable, and mobile radios;
- To reduce non-emergency and non-essential traffic to an absolute minimum;
- To provide a system of concise communication language that is easy and effective

RESPONSIBILITY:

Understand all radios are FCC (Federal Communications Commission) regulated and can be heard throughout the school district. Use discretion in transmitting any message by radio. Avoid transmitting personally identifiable information.

Before speaking, listen to determine if the channel is currently in use by another.

Use radios for urgent and work related conversations only.

Instead of sharing proprietary information over the radio, request contact via a telephone extension.

CHANNEL ASSIGNMENTS AND USES

***Red = Radio Use during Emergency Incidents**

Channel	Assigned To	
1	Emergency Incident Command Center	
2	SVCTE- Day Campus Security	- Initiate contact/General announcements to all classrooms - Contact Day Security as needed
3	SVCTE	- Communication after initial contact on channel 2 - Traffic Emergency Response Team Communications
4	SVAE- Evening Campus Security	- Initiate contact/General announcements to all classrooms - Contact Evening Security as needed
5	SVAE	- Communication after initial contact on channel 4
6	Traffic (Student Release)	- Student Release & Transportation Team Communications
7	Search	- Search Emergency Response Team Communications
8	M&O- Logistics	- Communication after initial contact on channel 1 - Logistics Emergency Response Team Communications

COMMUNICATION PROHIBITED BY THE FCC

- Direct communication of personal messages.
- Profane, indecent or obscene language.
- Unnecessary or unidentified transmission.
- Malicious interference with any other radio transmission.

PROTOCOL

1. Non-emergency and non-essential traffic should be kept to an absolute minimum.
2. No transmission is begun without listening for clear air first as is required by the Federal Communications Commission.
3. KEY-UP (depress Talk button to transmit) and hold for 1-2 seconds before speaking. Release the key when finished speaking.
4. IDENTIFY YOURSELF. Complete your message with a closer so recipient knows the line is open to respond.
(Example: "This is John Smith for SVCTE to Operations Chief. OVER.")
5. The receiving unit will acknowledge the transmission.
(Example: "Operations Chief, Maria Ramirez, here. Go ahead, John.")
6. Confirm when message has been received. Read back message when needed to ensure accuracy.
(Example: "Operations Chief copies John Smith, SVCTE; Students injured: 2, Staff injured: 3, Students missing: 15, Staff missing: 0; two buildings damaged, cannot enter. Incident Command, OUT").
7. When the transmission is finished both units will SIGN OFF.
(Example: "John Smith OUT" – "Incident Command OUT")

RADIO USE GUIDELINES

1. Hold the microphone receiver at a 45-degree angle to the mouth to improve transmission quality.
2. Speak slowly and clearly.
3. Acknowledge all transmissions so the sender knows their message was received.

Updated August 2021

Working with the news media:

Only pre-assigned personnel will meet with the media in a designated area so as not to disrupt the educational process.

News media personnel are not to be on school grounds, except in designated areas.

Staff are to report any news media personnel that appear elsewhere on campus.

**Metropolitan Education District
E O C M e s s a g e F o r m**

Date	Priority (Circle one)		
	EMERGENCY (Life Threatened)	URGENT (Property Threatened)	ROUTINE (All Others)
Time			

TO	Name	FROM	Name
	Title		Title
	Location		Location

Check One **Take Action** **For Information** **Other**

<u>Category</u>	<u>Number</u>	<u>Description</u>
A.	# _____	Fatalities
B.	# _____ Minor	Injuries Minor: In need of First Aid attention only
C.	# of Injured	Injuries (Ambulance)
	# _____ Major	Major: Unable to treat on site, i.e. airway & breathing difficulties, cardiac arrest, uncontrolled or suspected severe bleeding, severe head injuries, severe medical problems, open chest or abdominal wounds, severe shock.
		Moderate: Burns, major multiple fractures, Back injuries with or without spinal cord damage
D.	#__ Moderate Circle one	Property Damages
	Major	Major damage: building collapse, building leaning, major ground movement causing large cracks in ground.
	Moderate	Moderate damage: Falling hazards present, hazard present (toxic/chemical spill, broken gas line, fallen power lines).
	Minor	Minor damage: Dislodged overhead air duct terminals, light fixtures, suspended ceiling grid, overhead mechanical systems and broken windows.
E.	__ Ambulance __ PG&E __ Other	Resources Needed __ Other: (describe)

↑
Transmit only the data within the box above in 30-45 seconds. After transmission, wait for EOC's request to elaborate.

Additional Information:	
Disposition:	
Action Requested By: (Name)	Time Action provided:

Media Contact Information

Television Stations

KPIX Channel 5	415-765-8916	415-362-5550
KRON Channel 4	415-561-8136	415-516-8000
KGO-TV Channel 7	408-261-6413	415-954-7926
KQED TV Channel 9	415-553-2456	415-864-2000
KNTV Channel 11	408-538-1530	408-432-4780
KDTV Channel 14	415-538-8002	408-415-6311
KOFY TV (PS Announcement only)	415-641-1163	415-821-2020
KICU Channel 36	408-953-3630	408-953-3636
KSTS Channel 48	408-434-1046	408-435-4848

Radio Stations

KAZA	408-985-9322	408-984-1290
KBAY FM/KEEN AM	408-364-4545	408-287-5775
KEZR	408-293-3341	408-287-5775
KGO AM	415-954-8686	415-954-8142
KLIV AM/KARA FM	408-995-0823	408-575-1600
KLOK	408-532-7389	408-274-1170
K101 FM (call before 9:30 a.m.)	415-392-7140	415-956-5101
KSFO	415-658-4501	415-954-7449
KSJO FM/KSIX AM	408-452-1330	408-453-5400
KSJX		408-947-7517

Newspapers

San Jose Mercury News	408-288-8060	408-920-5541
Evergreen Times	408-494-7078	408-484-7000
Milpitas Post	408-263-9710	408-262-2454
Berryessa Sun	408-263-9710	408-262-2454
El Observador	408-295-0188	408-295-4272
La Alianza	408-272-9395	408-295-9394 or
	408-270-2457	408-270-3926
LaOferta	408-729-3278	408-729-6397

Recovery

It is critical to provide a mental health response for students, staff and parents after a crisis that has impacted a school. Often, this can be provided by district or local community resources.

Victims of a crisis experience a real need to return to normal, but normal as they once knew it is forever gone and changed. Counselors and crisis survivors find the concept of a “new normal” to be very reassuring and accurate.

One of the most important actions is simply to listen and allow victims to express their own needs and feelings. Encouragement and support, while avoiding judgmental remarks, is the goal.

When the needs of the victims exceed the immediate resources available to the school, Santa Clara County Mental Health and the agencies working under its umbrella is available to support schools.

Numerous agencies under the Santa Clara County Mental Health Department umbrella currently provide on-going mental health services to students and families both at schools and within the neighborhood communities. These services are provided by licensed therapists, social workers or supervised interns. The services typically involve a one-on-one or family-oriented approach requiring a different skill set than an emergency mental health response to a community or school crisis.

JOINT PROTOCOLS:

To best prepare for and manage the mental health recovery phase, faith-based, private and public school districts within San Jose, Santa Clara, Sunnyvale, Mountain View, Los Altos and Los Altos Hills and the Santa Clara County Department of Mental Health have agreed that:

- (1) Schools and/or school districts require, as part of their Memorandums of Understanding with agencies and/or universities, all interns, therapists and mental health workers complete a crisis response training with the Santa Clara County Mental Health Department before reporting to their assigned campuses.
- (2) In the event of a major crisis at a school site, or multiple school sites, the school district will determine if additional mental health support is required or anticipated. The District or School Logistics Officer or designee can notify the Ethnic Population Services Specialist at the Santa Clara County Mental Health Department. A licensed mental health representative will immediately be sent to the incident location to conduct an initial assessment and make recommendations to the school/district and Mental Health Department and its partnering agencies as to the requirements for a responding mental health team(s).

(3) The lead supervisor will work in concert with the school/district representative to help identify appropriate teams/agencies that can best address the needs of students, staff and families.

(4) The lead supervisor will work in concert with the school/district representative to ensure that teams have the correct credentials, provide appropriate triage services that do not compromise police/fire investigations and are rotated to avoid fatigue.

(5) In police, fire or district debriefings with school staff, parents and impacted students, a representative from the Santa Clara County Mental Health Department or one of the partnering agencies will be in attendance in order to make referrals for support services as required by the attendees.

(6) In keeping with research on the predictable response to crisis situations, call center numbers will be provided in order that members of the community can access necessary support in the days, weeks and months beyond the event.

Local Support Information:

Santa Clara's Social Services Agency can be reached at 408-755-7100. Residents may also dial 211 for information on local services.

Appendices

Annual Emergency Awareness/ Preparedness Checklists & Forms

The following checklists highlight areas of school operations, maintenance, security, and personnel that may pose opportunities for risk reduction. Use this checklist as a proactive tool to generate awareness over the potential for terrorist acts, at a time when it is needed most.

The recommendations contained in this checklist are not intended to represent or to replace a comprehensive school security program. Such a program would include much more. Many of the procedures included in the checklist are routine in districts with full-time security operations. Whether your school district has full-time security coverage, or has minimal security resources, these recommendations may be used as a focal point around which to build an appropriately renewed sense of awareness.

The following forms are designed to use on an annual basis to meet emergency preparedness requirements. Districts may already have their own forms and can substitute those if desired.

Metropolitan Education District Annual Site Awareness Checklist 2023 – 2024

Recommendation	Steps	Participants	Completed
<p>Review employment screening policy & procedure</p>	<ul style="list-style-type: none"> ◆ Does your screening process include volunteers, cafeteria workers, mechanics, bus drivers, and security, in addition to educational staff? ◆ Does your procedure allow for actual searches of courthouse records, rather than database searches, which are typically not accurate? ◆ Do your searchers do Social Security Number traces to identify any out-of-state venues that should be checked? ◆ Do your outside contracts use due-diligence screening procedures to check the backgrounds of their workers who regularly visit your school? 	<ul style="list-style-type: none"> ◆ Human Resources 	
<p>Review the physical security of bus yards and garages; review transportation security in general</p>	<ul style="list-style-type: none"> ◆ Are vehicle garages alarmed, and are the alarms in working order? ◆ Are fenced-in areas gated, locked, and adequately illuminated at night? ◆ Do drivers do "pilot inspections" of their vehicles before placing them into service each day? Is this done again after each time the vehicle has been left unattended? ◆ Are bus drivers equipped with two-way radios or cell phones? ◆ Are drivers trained to be aware of and to report suspicious vehicles that appear to be following their busses during their routes? ◆ Do drivers keep a student roster for each bus route, to include student name, address, primary and secondary emergency contact numbers, and medical authorization information? 	<ul style="list-style-type: none"> ◆ Contract Bus Operators ◆ Health Staff ◆ Drivers 	
<p>Review the adequacy of physical security in and around campus buildings</p>	<ul style="list-style-type: none"> ◆ Are alarm systems working and have they been tested? This should include main campus buildings as well as maintenance and storage facilities. ◆ Are keys to campus and administration buildings adequately controlled? ◆ Are alarm pass codes changed when an employee leaves the school district? Make sure codes are not shared. ◆ Is exterior lighting working and is illumination adequate? ◆ Is interior lighting (night lighting) working and is illumination adequate? 	<ul style="list-style-type: none"> ◆ Security ◆ Maintenance ◆ Operations 	

Recommendation	Steps	Participants	Completed
<p>Review access control procedures and heighten employee awareness</p>	<ul style="list-style-type: none"> ◆ Are doors that should remain locked from the outside during the day kept locked, and are these doors checked periodically to make sure they are secure? Train all employees to check these doors but consider assigning someone to check them as well. ◆ Are staff members trained to approach and to “assist” strangers of any age who are observed in and on school property? Report those who have difficulty explaining their presence. ◆ Has a visitor log and ID badge system been implemented? 	<ul style="list-style-type: none"> ◆ Everyone 	
<p>Train everyone to recognize and report suspicious activities on campuses.</p>	<ul style="list-style-type: none"> ◆ Are persons taking pictures or filming campus activities questioned about their authorization to do so? ◆ Be alert for suspicious vehicles that seem to have no apparent purpose for being on campus, or, that come, go, and then reappear again. ◆ Are specific individuals assigned to inspect the outside of campus buildings throughout the day, and to report unattended packages or vehicles near building perimeters? ◆ Have you developed a plan to handle reports of suspicious activity? ◆ Is everyone trained to report unattended or otherwise suspicious packages found inside campus buildings? Is this specific issue placed on routine checklists for maintenance and custodial personnel? ◆ Do personnel know what to do if a suspicious package is found? ◆ Have you considered a policy that requires staff and students to visibly identify backpacks, book bags, briefcases and gym bags with luggage style ID tabs? ◆ Are food services personnel trained to be aware of suspicious people in their food preparation area? ◆ When large attendance events occur on campus, are security measures in place and awareness levels heightened to assist in detecting suspicious acts? 	<ul style="list-style-type: none"> ◆ Everyone 	

<p>Implement a “tip-line” program that allows students, teachers, parents, staff, and other members of the school community to report issues anonymously, if they choose.</p>	<ul style="list-style-type: none"> ♦ Do you have a zero tolerance for verbal threats of any kind? ♦ Do all members of the school community know that any threat, or information about a potential threat, must be reported? And, do they understand that there is no such thing as a threat intended as a joke? ♦ Do students and staff know that they are <u>responsible</u> for informing the principal/site administrator about any information or knowledge of a possible or actual terrorist threat or act? ♦ Have you communicated a hard stand on hoaxes intended to mimic terrorist acts? Do students know that these hoaxes are crimes in themselves? 	<ul style="list-style-type: none"> ♦ Student Services ♦ Security ♦ Human Resources 	
<p>Work closely with local law enforcement and health officials.</p>	<ul style="list-style-type: none"> ♦ Have you made local law enforcement a partner in your district plans? ♦ Are parking regulations, particularly fire zone regulations, strictly enforced? ♦ Does local law enforcement have copies of building blueprints, to include ventilation system, and electrical plans? ♦ Has local law enforcement been given the opportunity to conduct exercises on school property and on busses? ♦ Have you determined contact protocol with local health officials if bio-terrorism is suspected? 	<ul style="list-style-type: none"> ♦ Security ♦ Clinical Staff ♦ Crisis Management Team 	
<p>Train staff on identifying and handling suspicious packages and letters.</p>	<ul style="list-style-type: none"> ♦ Have you download and posted the FBI advisory (poster) regarding suspicious packages from www.fbi.gov? ♦ Or, the US Postal Inspection Service poster on identifying suspicious packages from www.usps.gov? ♦ Have you considered publicizing the availability of this information to others in the school community for personal use? 	<ul style="list-style-type: none"> ♦ Mail room ♦ Secretarial ♦ Security ♦ Parents ♦ Students 	

Metropolitan Education District Annual Site Hazard Survey 2023 – 2024

Site Hazard Survey I

Principals are required to conduct an annual Site Hazard Survey. The survey should be completed early each fall, signed, and submitted to the CBO by October 30. (Please put N/A by any items that are not applicable.)

The purpose of the Site Hazard Survey is to check for safety hazards outside of the classroom. The survey shall include evaluation of interior and exterior portions of buildings as well as school grounds.

The Site Hazard Survey shall include assessment of the following areas.

- 1. Proximity of toxic, flammable, corrosive, chemically, or reactive materials
- 2. Proximity of high voltage power lines has been considered in establishing the site evacuation plan
- 3. Likelihood and possible effects of flooding or landslides
- 4. Probable safety of evacuation areas after an earthquake; proximity of gas, water, and sewer lines, or sprinklers
- 5. Water heaters are strapped
- 6. Objects that restrict people from moving to a safe place (tables and desks in hallways) etc.
- 7. Janitorial areas: storage of tools and cleaning chemicals (keep a 3 foot clearance in front of all electrical panels)
- 8. Storerooms: heavy items stored on high shelves, shelving secured (keep 3 foot clearance in front of all electrical panels)
- 9. All computers and peripherals should be situated so as not to create a tripping hazard
- 10. Machine shop and woodshop: equipment should be bolted down
- 11. Large and heavy office machines: restrained and located where they will not slide, fall off computers, or block exits
- 12. Sound system speakers and spotlights: secure
- 13. Compressed gas cylinders: secured top and bottom with a safety chain
- 14. Weight room/motor development room equipment: racks anchored and weights properly stored
- 15. Laboratory chemicals on shelves: restrained

Metropolitan Education District Annual Site Hazard Survey II 2023 – 2024

GENERAL GUIDELINES	OK	Needs Attention	Comments
CAMPUS			
Signs Posted, Controlled Access			
Traffic review, parking, fire lanes			
Adequate surfacing, lighting			
Safety Plan			
Required Postings			
HUB/AUDITORIUM			
Exits clear, exit & emergency lights			
Floors, seating maintained			
Stage: clean, clear exits, wiring			
Kitchen: clean, safe food storage			
CTE CLASSROOMS			
All guards, shields, covers in place			
Aisles clear, material storage			
First aid kits; eye wash operable			
Dust collection/housekeeping			
Compressed gas cylinders secure			
Protective equipment, safety training			
Safety signs posted, enforced			
Hazardous material storage			
Adequate ventilation, fume hoods			
Safety training			
EMERGENCY PREPAREDNESS			
Fire extinguishers checked monthly			
Fire and Earthquake drills conducted			
First Aid Equipment in place			
Evacuation routes posted			
Staff Training on Emergency Procedures			

Metropolitan Education District Annual Classroom Hazard Survey 2023 – 2024

Nonstructural hazards are caused by the furnishings and nonstructural elements of a building. Anything that does not actually hold the building up is nonstructural, including floors, ceilings, windows, and all furnishings. In California schools, nonstructural hazards represent the greatest threat to the safety of students and staff. Eliminating these hazards can reduce injuries significantly.

In September, each teacher shall assess their classroom/areas for hazards that need correction and submit it to the principal on this form by September 30. The principal shall submit a completed copy of the school needs with the principal's checklist by October 30 to the CBO.

ROOM NUMBER	
Deficiencies to be corrected by maintenance staff:	
Free standing shelves over 4 feet tall secured to floor or wall	
File cabinets bolted to wall	
File cabinet drawers have latches	
Paints and chemicals restrained on shelves	
Wall-mounted objects are secured	
Sound system speakers are secured to building	
TV securely fastened to platform or cart	
Deficiencies to be corrected by school personnel:	
Heavy objects removed from high shelves	
Aquariums located on low counter or restrained	
Computers fastened to work station	
Desks and tables cannot block exits	
Cabinets or equipment on wheels cannot block doorway	

Metropolitan Education District Safety Plan Annual Drill Report 2023 – 2024

Date	Time		Please place a ✓ below for which drill has been completed.					Director's Signature
	Start	End	Radio Communications	Fire	Earthquake	Code Red	Other Drills	

Metropolitan Education District Annual Disaster Service Worker Survey 2023 – 2024

General Information	
1. Name	
2. Position	
3. Location	
4. Work Phone/Ext.	
5. Home Phone	
Specialized Skills	
1. Bilingual?	If yes, Language(s):
2. CPR Certified?	If yes, Expiration Date:
	If no, are you willing to be trained?
3. First Aid Certified?	If yes, Expiration Date:
	If no, are you willing to be trained?
4. CERT Trained?	If yes, Expiration Date:
	If no, are you willing to be trained?
5. Simple Triage/Rapid Assessment Trained?	If yes, Expiration Date:
	If no, are you willing to be trained?
Personal Responsibilities	
1. Children?	If yes, ages:
2. Special needs?	If yes, please describe:
2. Elderly parents?	Comments:
3. Pets?	Comments:
4. Other caregivers available?	Comments:
5. Other	
In an Emergency, who would you like us to contact? -- Confidential	
1. Name	
2. Relationship to you	
3. Home Phone	
4. Work Phone/Ext.	
5. If possible, what Hospital do you want to be taken to?	
5. Anything you want us to know? Special Needs? Medications?	

AMERICAN RED CROSS

RECOMMENDED EMERGENCY SUPPLIES FOR SCHOOLS

Drawn from lists created by the California Senate Select Committee on the Northridge Earthquake, Task Force on Education, August 1994

Introduction What to Store

Begin with an analysis of the hazards of the area. Is your school threatened by tornadoes? Earthquakes? Is emergency assistance close at hand or would you have to wait for help if the entire community has been impacted? Do you think you will need tools for clearing debris? Remember that any school in the country could be locked down due to an intruder or gunfire in the area, so all schools should be prepared to have their students stuck inside the building for many hours. Similarly, all schools face the potential of a hazardous materials spill nearby, requiring the school to shelter-in-place with doors and windows closed and heating systems off. Adjust the supplies for extreme heat or cold temperatures. If your plan includes Search & Rescue teams for light search and rescue following an earthquake, tornado or other damaging event, stock supplies for the number of teams assigned.

Budget

Adjust the list, prioritizing for limited budget and storage space, if necessary. Develop a plan to phase in the supplies. Contact local service clubs and vendors for assistance.

How Much to Store

Make some planning assumptions. Do most of your students' families live nearby or do some of them commute long distances? Some schools could be cut off for days if a bridge or the main highway is blocked. If you determine that most of your students could be picked up in most emergencies within a day, then begin by stocking supplies for one day. Some schools plan that half their student body will be picked up by parents within one day, half the remainder within a day, and the remainder within another day; these schools stock supplies for 100% for day one, 50% for day two, plus 25% for day three. Other schools stock supplies for 3 days, the recommendation of many emergency management agencies. Remember to factor in the number of staff and other adults who may be on campus.

Storage

Determine where to store emergency supplies. Every classroom should have some supplies and there should be a cache of supplies for the whole school. Many schools in California and other states threatened by earthquakes use outdoor storage, anticipating the possibility of having to care for students outside of the buildings; They use an existing building or a cargo container, also called a land-sea container, purchased used and installed near the emergency assembly area. Schools with limited budgets and/or temperature extremes may opt to store their supplies in various caches throughout the school facility, primarily in locked closets or classrooms. Many schools stock supplies in (new) trash barrels on wheels.

Do not store water in the barrels because it may leak and destroy everything else. Make sure that there are keys to ensure access to the supplies during an emergency, including access by programs such as day care and after-school events. Plan an annual inventory, replacing water and other items with limited shelf life as necessary.

National Terrorism Advisory System

The National Terrorism Advisory System (NTAS) replaced the color-coded Homeland Security Advisory System in 2011. NTAS communicates information about terrorist threats by providing timely, detailed information to the public, and other agencies such as schools and airports. NTAS states that all Americans share responsibility for America's security and should always be aware of the heightened risk of a terrorist risk in the United States.

NTAS Alerts

After reviewing the available information, the Secretary of Homeland Security will decide, in coordination with other Federal entities, whether an NTAS Alert should be issued.

Imminent Threat Alert

Warns of a credible, specific, and impending terrorist threat against the United States.

Elevated Threat Alert

Warns of a credible terrorist threat against the United States.

NTAS Alerts will only be issued when credible information is available.

These alerts will include a clear statement that there is an **imminent threat** or **elevated threat**. Using available information, the alerts will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat.

The NTAS Alerts will be based on the nature of the threat: in some cases, alerts will be sent directly to law enforcement or affected areas of the private sector, while in others, alerts will be issued more broadly to the American people through both official and media channels.

NTAS Alerts contain a **sunset** provision indicating a specific date when the alert expires- there will not be a constant NTAS Alert or blanket warning that there is an overarching threat. If threat information changes for an alert, the Secretary of Homeland Security may announce an updated NTAS Alert. All changes, including the announcement that cancels an NTAS Alert, will be distributed the same way as the original alert.

(<http://www.dhs.gov/xlibrary/assets/ntas/ntas-public-guide.pdf>)

Sunset Provision

An individual threat alert is issued for a specific time period and then automatically expires. It may be extended if new information becomes available or the threat evolves.

Listed below are websites that provide additional information.

<http://www.ready.gov>

Disaster Preparedness Information

<http://www.whitehouse.gov>

White House

<http://www.dhs.gov>

Federal Department of Homeland Security

<http://www.nasponline.org>

National Association of School Psychologists

<http://www.fema.gov/>

Federal Emergency Management Agency

<http://www.caloes.ca.gov/>

CA Governor's Office of Emergency Services

<http://www.bt.cdc.gov/>

Centers for Disease Control and Prevention

<http://www.fbi.gov/>

Federal Bureau of Investigation

<http://www.sccoe.org/>

Santa Clara County Office of Education