

# Comprehensive School Safety Plan SB 187 Compliance Document

**2021-22  
School Year**

**School:** Contra Costa School of Performing Arts

**CDS Code:** 07100740134114

**District:** Contra Costa School of Performing Arts

**Address:** 2730 Mitchell Drive  
Walnut Creek

**Date of Adoption:** May 9th, 2022

**Approved by:**

Dr. Robert Chalwell	Executive Director		
Brandy Byers	Director of Operations		
Melissa Kirmsse	Facility Manager		
Tausha Vanterpool	Parent		
Megan Dukes	Classified Staff		

## Table of Contents

Senate Bill 187: Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	6
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	6
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines.....	8
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	17
(E) Sexual Harassment Policies (EC 212.6 [b]).....	17
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	17
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2).....	18
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2) .....	18
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5) .....	25
(J) Hate Crime Reporting Procedures and Policies.....	27
Safety Plan Review, Evaluation and Amendment Procedures.....	38
Safety Plan Appendices.....	39
Emergency Contact Numbers .....	40
Safety Plan Review, Evaluation and Amendment Procedures.....	41
Contra Costa School of Performing Arts Incident Command System .....	42
Incident Command Team Responsibilities.....	44
Emergency Response Guidelines.....	45
Step One: Identify the Type of Emergency .....	45
Step Two: Identify the Level of Emergency.....	45
Step Three: Determine the Immediate Response Action .....	46
Step Four: Communicate the Appropriate Response Action .....	47
Types of Emergencies & Specific Procedures.....	48
Aircraft Crash .....	48
Animal Disturbance.....	48
Armed Assault on Campus.....	48

Biological or Chemical Release.....49

Bomb Threat/ Threat Of violence .....49

Bus Disaster.....50

Disorderly Conduct .....51

Earthquake.....51

Explosion or Risk Of Explosion .....52

Fire in Surrounding Area .....52

Fire on School Grounds.....53

Flooding .....53

Loss or Failure Of Utilities.....53

Motor Vehicle Crash .....54

Psychological Trauma.....54

Suspected Contamination of Food or Water .....54

Unlawful Demonstration or Walkout.....55

Emergency Evacuation Map .....56

## **Senate Bill 187: Comprehensive School Safety Plan Purpose**

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

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

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

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

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at Contra Costa School of Performing Arts office.

### **Safety Plan Vision**

On an annual basis, our School Site Safety Committee will evaluate and review the prior year's Safe School Plan. This process will involve meetings to determine areas of strength and concern. Our team will recommend refinements based on data and the experiences brought forward to the committee. Steps to modify the plan will take place based on discussion and consensus. The new plan will then be implemented and shared with the community through the process outlined in Section VI. It is the intent of Contra Costa School of Performing Arts to have the Safe School Plan be a document that will be a working and fluid plan that can be adjusted as the needs change on our campus.

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Contra Costa School of Performing Arts Safety Committee**

Dr. Robert Chalwell, Executive Director  
Brandy Byers, Director of Operations  
Megan Dukes, Classified Staff  
Melissa Kirmsse, Classified Staff  
Tausha Vanterpool, Parent

### **Assessment of School Safety**

SPA staff, students and community members pride themselves on creating a caring community of learners that allows all members of Contra Costa School of Performing Arts to feel safe and supported. As a result, we experience minimal acts of negative behaviors on campus. Student behavior issues are dealt with swiftly and in a way that allows students to be part of the problem-solving process. The addition of PBIS (Positive Behavior intervention Program), Restorative Justice and our mentor program has helped students work through problems in a safe and nurturing way. Staff members are consistently walking the campus to ensure that all students are where they need to be at all times. Here are some points of reference that the Safety Committee feels is important to annually review when assessing school safety:

#### School Referrals:

6th: 0  
7th: 0  
8th: 0  
9th: 0  
10th: 0  
11th: 0  
12th: 0

#### School Attendance:

August - December 17, 2021: 95.25%

#### Suspension/Expulsion Data for 21-22

Suspensions: 2% of the population  
Expulsions: 0

#### Property Damage Data:

1 Damaged bathroom toilet  
2 Paper towel dispensaries  
2 Holes in the wal

### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

SPA has implemented multiple strategies that will allow students to feel safe while at school.

SPA teachers engaged in an on-site PD session to learn strategies for dealing with conflict and behaviors on campus. Staff members and Administration utilize a tier system that responds to incidents on levels one, two, and three. Each tier will respond to specific incidents and assigned to specific school staff and administration which upholds and enacts restorative justice practices to identify and resolve conflicts as well as encourage Positive Behavior Interventions reward positive influence behaviors on campus. Additionally, students will be trained in Restorative Justice and encouraged to be part of our Youth Counsel- it uses peer to peer interactions that promote positive pressure to ensure that young people who have committed minor or major school infractions rectify harm done to the community and receive the help they need to avoid further involvement in the school disciplinary system. Additionally, SPA runs an after school programming to make sure students have a productive and safe space to learn Monday-Friday with SHINE Club, study hall, mandatory office hours, and teacher office hours.

On-going PD sessions for holding Restorative Justice have been held with the organization Circle-up during the 19-20 school year for all teachers to learn ways to reclaim and restore behaviors in their classes.

In order to ensure the safety when students are out of class, staff members are monitoring campus by walking around inside and out at all times to ensure all students are headed where they need to go without incident and with a pass. The campus is supervised from 7:30am until 4:30pm to ensure that students feel safe arriving and leaving campus. Staff immediately reports any observable issues to administration. Additionally, the school now has 9 cameras placed throughout the school to provide an added layer of safety and security.

All visitors to campus are asked to wear a visitor badge while on campus as well as signing in and out of campus at the front desk. Anyone without a badge is stopped, questioned and asked to return to the front desk or leave campus immediately.

**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in their professional capacity or within scope of their employment whom they know or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

SPA will provide annual training on mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 1166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both imprisonment and fine.

All employees are required to receive mandated reporter training and must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

**(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

## Disaster Plan (See Appendix C-F)

### Emergency Signals - COCOSPA

#### FIRE:

Signal to Exit Building: Fire Alarm Signal to Return to Building: Communication from Administration with bullhorns or intercom system to students and staff in exit areas after communication from Administration via walkie talkies signaling "All Clear"

#### LOCKDOWN:

Intercom announcement and email communication: "This is a lockdown, this is a lockdown, please lockdown and wait for further instruction."

SHELTER IN PLACE: Intercom announcement: "Teachers, please shelter-in-place. Continue to keep doors locked, blinds closed, and have students work at their desks quietly."

#### EVACUATION:

Intercom announcement: "Teachers, we have been instructed to evacuate our building. Please wait for the announcement to evacuate your room. Make sure to bring safety folders and walk your students in a single file line to the parking lot."

LOCKDOWN PROCEDURES: Students In a Classroom: \* Lock doors and barricade door with available resources \* Do not allow anyone to enter or exit \* Remain as silent as possible

Teachers are to: \* Immediately make themselves visible and available to direct students to classrooms. \* Pull shades and lock door \* Take roll \* Identify/list missing and injured students \* Identify/list extra students sheltered in classroom (student names and teacher name) \* Notify designated contact in the office/command center of status ("all present," "all present plus student A from teacher B's classroom" or missing) via email \* Remain in room with door locked until all-clear signal is given.

Students are to: \* Quietly proceed to the nearest classroom unless otherwise advised by a staff member \* Duck and cover away from windows and remain quiet.

If students are OUT of classroom post lockdown then they should: \*Take note of the two nearest exits and leave immediately \*Run-"The hit rate on a moving target is less than 4 percent so by running, you have a 96 percent chance of getting away and even if you are hit, the fatality rate is less than 0.1 percent," Shaffer said. \*Find a secure hiding space the shooter would not likely find you if you cannot run or exit the building without being seen \*As a last resort, attempt to take the active shooter down. When the shooter is at close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her

[https://www.dhs.gov/xlibrary/assets/active\\_shooter\\_booklet.pdf](https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf)

#### **Public Agency Use of School Buildings for Emergency Shelters**

Primary Off Site Evacuation: UFH 2675 Mitchell Drive

Secondary Off Site Evacuation: ARF 2890 Mitchell Drive

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

#### **A. Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

#### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or 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.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 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 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) Stole 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 cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

Comprehensive School Safety Plan 8 of 56 1/25/21

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other 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, i.e.: 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 Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

o) 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. 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 the purposes of this subdivision, "hazing" means a method of initiation or preinitiation 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 section, "hazing" does not include athletic events or school-sanctioned events.

r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, 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 property, or the personal property of the person threatened or his or her immediate family.

s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, 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 apply to pupils in any of grades 4 to 12, inclusive.

t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive. v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

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 student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, 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 exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health. iii. Causing a reasonable student to experience substantial interference with his or her academic performance. iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the transmission 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, any of the following:

i. A message, text, sound, or image.

ii. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

w) 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, 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 (1).

x) Possessed, sold, or otherwise furnished any knife 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 Executive Director or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

a) Caused, attempted to cause, or threatened to cause physical injury to another person.

b) Willfully used force or violence upon the person of another, except self-defense.

c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 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 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) Stole 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 cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

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

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

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other 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, i.e.: 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 Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

o) 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. 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 the purposes of this subdivision, "hazing" means a method of initiation or preinitiation 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 section, "hazing" does not include athletic events or school-sanctioned events.

r) Made terrorist threats against school officials and/or school property. For 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 property, or the personal property of the person threatened or his or her immediate family.

s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, 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 apply to pupils in any of grades 4 to 12, inclusive.

t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive. v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act. 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 student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, 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 exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health. iii. Causing a reasonable student to experience substantial interference with his or her academic performance. iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the transmission 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, any of the following:

i. A message, text, sound, or image.

ii. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

w) 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, 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 (1).

x) Possessed, sold, or otherwise furnished any knife 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 Executive Director or designee's concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses. Local law enforcement will be notified of any firearm on campus.

### C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

#### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### 2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

#### 3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing. Upon determining that the pupil will be recommended for expulsion, the Executive Director or designee shall inform the student services office for the authorizer via email.

#### 4. Academic Work During Suspension

Students shall be given the option to participate in independent study while on suspension. In order to be eligible for independent study, both the student and the parent (or the adult student) must agree to participate in independent study and sign the required documents. The independent study provided during this time period shall comply with the board policy on Independent Study and the Independent Study Master Agreement. Special education students (suspended for ten days or less in a school year) may participate in independent study as long as his or her IEP specifically provides for that participation in accordance with Education Code Section 51745(c). Services for special education students who are suspended for more the ten days in a school year are discussed below in Section O. If a student does not wish or cannot participate in independent study, the student shall be offered work packets to be completed during the term of the suspension.

#### D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the Pupil has committed an expellable offense. In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;

2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;

3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;

4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;

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

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.

#### F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.
- 11.) Local Law Enforcement will be notified of any sexual assault that occurs.

#### G. 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.

#### H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

#### I. Written Notice to Expel

The Executive Director or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) 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 Charter School.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

#### J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the County upon request.

#### K. Expulsion Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

#### L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

#### M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

#### N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

#### O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

##### 1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

##### 2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

##### 3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

#### 5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function; b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

#### 6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

#### 7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists: a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay put.



If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

**(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

Violations of 48900 will be communicated to staff from the Campus Supervisor to the teachers who have the student in class. "Student (X) has been suspended for violation within EC 48900."

This information shall be received in confidence for the limited purpose of providing notice to teachers and shall not be further disseminated.

Any further information can be obtained from the Director of Operations.

**(E) Sexual Harassment Policies (EC 212.6 [b])**

Contra Costa School of Performing Arts is committed to providing a school that is free from discrimination and sexual harassment as well as any harassment based upon such factors as race, religion, creed, color, gender, gender identity, gender expression, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Contra Costa School of Performing Arts has developed policies to prevent and investigate any concerns about sexual discrimination, exploitation, and/or harassment at the school, including employee to employee, employee to student, student to student, and student to employee misconduct. We will consult with necessary agencies to determine the proper outcome of a school consequence, an arrest, or a report to Child Welfare Services. Additionally, if we suspect that a person may be a victim of human trafficking, we will call the Homeland Security Investigations Tip Line at 1-866-347-2423.

Instruction on age-appropriate information for Sexual Harassment will include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance.
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained.
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

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

**(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

It is the intention of these guidelines that students be neat, clean and appropriately attired so that they can take part in the regular activities of the school day. Clothing must be appropriately sized.

- \* Clothing may not contain words referencing profanity, drug/alcohol/tobacco/weapons use, or contain offensive/inappropriate words or statements or gang related references
- \* Clothing must not be too short or revealing.

\* Arts teachers may restrict accessories based on the requirements of the arts course. Students will be asked to remove any headgear that covers the face unless for religious purposes.

\* Physical Education, Theater and Dance students will be required to wear their prescribed uniform/attire daily to enable proper body movement for instruction. Time will be given during class to change.

Students who are in violation of the dress code will be loaned a change of clothes, parents will be contacted and/or student will be sent home. The SPA administration reserves the right to make adjustments to the Dress Code in the spirit in which the guidelines were drafted. The SPA administration will use their professional judgment in enforcing the dress code.

#### **(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Closed Campus:

SPA operates as a “closed campus” facility. Upon arrival at school, students may not leave until the school day concludes, unless signed out by an authorized parent or guardian.

Families are strongly discouraged from taking students out of school early. Families who need their student to leave school early should contact the office via phone 925-235-1130 or email ([attendance@cocospa.org](mailto:attendance@cocospa.org)). The per-approved designee will then be allowed to pick the student up from SPA. Please contact the school at least 24 hours prior. Any student who leaves without such authorization shall be classified as truant and subject to disciplinary action.

Visitors:

All visitors must sign in at the SPA Front Desk and receive proper authorization to be on the school campus. Visitors will be asked to display their pass. Student visitors must have prior authorization from their parents as well as from the school administration before entering the campus. A student visitor must follow the SPA rules during his/her visit.

#### **(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

**Component:**

Positive Behavior Intervention and Supports (PBIS)

**Element:**

Build and create a positive environment using PBIS

**Opportunity for Improvement:**

Increased awareness of positive behaviors on campus while creating a systematic process for referring students or groups who need interventions will decrease the rate of negative incidents/behaviors on campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>PBIS to reward or give incentives for positive behavior in the community.</p>	<ol style="list-style-type: none"> <li>1. Create a school wide point system to foster healthy competition and school spirit. School will be split up by majors and students will earn points for their major and a monetary prize will be given out a month before the end of the school year.</li> <li>2. Make staff aware of the process, how to give out the points.</li> </ol>	<p>PBIS incentives that allow the students to use SPAwgwarts which are points that they earn for their majors through classroom competitions, demonstrating kindness, and exemplifying the schools SHINE principles.</p>	<p>Campus Supervisor/Leadership teacher</p>	<p>Number of awards given, suspension and expulsion data</p>

Objectives	Action Steps	Resources	Lead Person	Evaluation
Use Restorative Justice to redirect negative classroom behaviors.	<ol style="list-style-type: none"> <li>1. Train staff members to be able to do Restorative Justice circle activities with classes.</li> <li>2. Find a group of students who can help be mediators and facilitate circles.</li> </ol>	Restorative Justice techniques in which the wronged and those who have harmed are able to discuss what occurred in order to repair the relationship	Counselor / Campus Supervisor	Effective implementations of programs
Tier 1: Friendship issues/ drama Low level counseling matters	<ol style="list-style-type: none"> <li>1. Refer to counseling interns who will respond appropriately with one one check-ins, peacemaking, and group workshops.</li> </ol>	Provide more proactive training for students in general education around 6th-8th grade friendship drama.	Counselor/Counseling Interns	Utilize a student survey to better understand what tier I interventions to implement and to track the data to show a reduction in symptoms.
Tier 2: <ul style="list-style-type: none"> <li>• Argument/outbursts</li> <li>• major disrespect of teacher</li> <li>• yelling/swearing of student</li> <li>• argument with teacher</li> <li>• truancy</li> </ul>	<ol style="list-style-type: none"> <li>1. Call appropriate disciplinary team member and contact parent/ Guardian</li> <li>2. <ul style="list-style-type: none"> <li>• teacher conference.</li> <li>• removal from class</li> <li>• restorative justice circle/ parent phone call home/ parent Teacher conference</li> <li>• lunch detention</li> </ul> </li> <li>3. If incidents repeat then move forward for a level 3 response.</li> </ol>	To create a clear level of tiered services for discipline and restorative justice To create a clear level of tiered services for behavioral support	Counselor/School Psychologist	Track student recidivism through collecting data and sanctions given.

Objectives	Action Steps	Resources	Lead Person	Evaluation
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<p>Tier 3:</p> <p>Level 3</p> <ul style="list-style-type: none"> <li>• power struggle</li> <li>• physical fight</li> <li>• drug possession</li> </ul>	<p>1. school suspension, campus cleanup/ special assignment with teacher,</p> <p>2 Out of School Suspension and meeting with school Principal</p> <p>3. Re-entry upon return from suspension and a binding behavior contract</p> <p>4. Expulsion if behavior violates California Education Codes</p>	<p>Increased parent involvement and accountability for student behavior in school</p> <p>Create behavior plans for students to abide by and uphold</p>	<p>Counselor/ Psychologist/Principal /Th erapist</p>	<p>Student Compliance , number of suspensions and expulsions</p>
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**Component:**

Mentor programs

**Element:**

Build and create a positive environment using a mentor/mentee program

**Opportunity for Improvement:**

Increased awareness of positive behaviors on campus while creating a systematic process for referring students or groups who need interventions will decrease the rate of negative incidents/behaviors on campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
Advisory	Staff is required to meet student mentees /mentee groups weekly to set goals and see how things are for them in and out of the class.	Having a staff person mentor multiple students creates a bridge of trust and communication. It provides staff more insight in the lives and struggles of the students and creates a person of support and encouragement for student resulting in them being more academically successful.	Staff	Students academic and personal growth
Classroom observations to look at negative behavior and work with the teacher on how to address it.	<p>Classroom will be addressed through peer to peer interventions led by students who become members of the Youth Council:</p> <p>The Youth Council will be a group of 10-16 students rigorously trained in restorative practices and how they are implemented in schools. They will hear a range of infractions by students including but not limited to, physical altercations, truancy, defiance etc. In restorative justice, the emphasis for the goal is to hold offenders accountable by providing opportunities for them to understand the effect their actions have on others, the community, and impact school culture. Youth Council will provide a sanction at the end of their session that a student is required to complete that would build upon their</p>	Youth Council focuses on students and staff taking an active role in our community and learning that mistakes are often a teaching moment for students. It also demonstrates a more effective way of problem solving which creates a space of honesty makes students more willing to air out their grievances and report incidents.	Admin Team	Tracking compliance rates each year and reviewing to see if students commit recidivism

	character and will provide them an opportunity to right their wrong.			
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## **(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

### **Contra Costa School of Performing Arts Student Conduct Code**

#### **Conduct Code Procedures**

##### **STUDENT BEHAVIOR AND DISCIPLINE**

The goal of the SPA behavior and discipline program is to ensure that student behavior supports an environment in which academic achievement and artistic excellence can flourish. SPA staff will communicate these expectations to our student body. Our application of “discipline” is not simply intended to deliver punishments for breaking rules, it is founded on the practice of community building, self-assessment, and self-discipline. All students will be afforded the full extent of their due process rights.

SPA is implementing a Restorative Justice system to better cater to the needs of our communities and create a system that allows for reparations, reform, and a space for students to feel safe enough to express themselves honestly. Because SPA has a diverse population with diverse needs the Student Services team has created a tier system that allows for an appropriate response to the levels of different types of behavior. Some examples are listed below:

Tier 1: Minor argument with peer, outburst in class, cheating etc.

Response: Meeting with School Counselor, teachers resolve in classroom, one on one with student

Tier 2: Horseplay, cyber bullying, major argument with peer (could potentially lead to physical altercation) etc. Response: Meeting with Student Support Personnel who determines if the student is self-aware of their actions. Can lead to parent contact, peer mediation, plus a warning along with a consequence of campus beautification, behavior plan, or creative sanction such as school presentation, after-school activity etc.

Additionally, a student may be referred to the schools Youth Council in an effort to reduce incident escalation and/or serve as a last step effort to reduce suspension/expulsion. Student will end up on a Behavior Plan post Youth Council if offense falls under Tier 3 incidents or if they had accumulated other referrals for similar reasons. Youth Council members participate in an informative and fun intensive summer training program, in which they learn about restorative justice and how the justice system in the city works and can impact schools. Teens learn to perform the functions of the Youth Counsel by practicing the roles of judges, jurors, community advocates and youth advocates, conducting intake, and distributing sanctions. A sanction is an accountability-based and proportional (including incentives, treatment, and services) response and a requirement for students to fulfill because of their actions and to protect communities from the effects of the incident. Additionally, it serves as a positive behavior intervention that allows the student to get back on track versus continue in a downward spiral.

Tier 3:

The site administrator will determine whether the consequence should include, but not be limited to, home suspension, in-school suspension, or community service. Community service may include, but is not limited to, work performed on school grounds during non-school hours in the areas of beautification, campus betterment, and teacher or peer assistance programs.

For example: bringing a weapon on to campus, vaping, physical altercations with an intent to cause bodily harm or injury, vandalism, etc.

Law enforcement agencies may be notified at the discretion of the administration.

If the nature of the offense makes an alternative education placement or expulsion recommendation appropriate, the student will be suspended five days for the infraction.

A student may be suspended on the first offense if it is determined that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.



The school suspension and expulsion policy closely mirrors the language of Education Code Section 48900 et seq. SPA is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

Suspended or expelled students shall be excluded from all school and school-related activities.

A student identified as an individual with disabilities or for whom SPA has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. SPA will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom SPA has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

The online activities and technologies often used by students engages in Cyber Bullying include but are not limited to social networking sites, chat rooms and discussion groups, instant messaging, text messaging, computers, cell phones and personal digital devices, digital cameras, cellphone cameras, and webcams. As new technologies emerge, they too may be included with the above forms of electronic communication.

If the conduct occurs off school grounds and causes or threatens to cause a substantial disruption at school or interferes with the rights of students to be secure, school administration may impose consequences. The Administration may also report the Cyber Bullying or Harassment to the police.

#### Action Steps to Respond to Cyber Bullying or Harassment

- \* Save the evidence; print online harassing
- \* Identify the bully
- \* Clearly tell the bully to stop
- \* Ignore the bully by leaving the online environment and/or blocking communications
- \* File a complaint with the Internet or cell phone company
- \* Contact the bully's parents/guardians
- \* Contact the school administration
- \* Contact the police

#### Detention of Students after School

Per the California code of regulations: A school may detain a student for up to but not exceeding one hour after school for disciplinary reason.

Detention (before school, after school or lunch), lasting up to 60 minutes, may be assigned by individual teachers as a consequence for inappropriate behavior in an individual classroom. Twenty-four hours' notice will be given to the student for After-School Detention, and these detentions are served under a teacher's supervision. The Education Code allows for school detention regardless of a student's transportation constraints.

After-school detention (ASD) may be assigned by administration/supervision in certain instances. Failure to serve ASD will result in the assignment of an additional detention. Failure to serve detentions will then result in Saturday school.

#### Dress Code

It is the intention of these guidelines that students be neat, clean and appropriately attired so that they can take part in the regular activities of the school day.

- \* Clothing may not contain words referencing profanity, drug/alcohol/tobacco/weapons use, or contain offensive/inappropriate words or statements.
- \* Arts teachers may restrict accessories based on the requirements of the arts school. Students will be asked to remove any headgear that covers the face- unless for religious requirements.
- \* Physical Education, Theater and Dance students will be required to wear their prescribed uniform daily to enable proper body movement for instruction. Time will be given during class to change.

Students who are in violation of the dress code will be loaned a change of clothes, parents will be contacted and/or student will be sent home. The SPA administration reserves the right to make adjustments to the Dress Code in the spirit in which the guidelines were drafted. The SPA administration will use their professional judgment in enforcing the dress code.

#### Restitution – School Property

(STATE EDUCATION CODE 48904) The following action is taken to recover loaned school property or to seek restitution: that the School shall notify parent(s) of the student in writing before taking any withholding action. When the student and parent(s) are unable to pay for the damages or return the property, the School shall offer a program of voluntary work in lieu of payment. Implementation of this policy shall not be interpreted as denying the student a right to the normal use of texts and other school property while actively enrolled in school.

#### Skateboards, Skates, Scooters and Bicycles

To ensure the safety of all students, skateboards, skates, scooters and bicycles may not be used during school hours while on school grounds.

#### Suspension from Class / In-School Suspension (ISS)

Suspension from class is the temporary removal of a student from his/her regular classroom by a teacher or administrator. A teacher shall send the pupil to the administration for appropriate action.

As soon as possible, the teacher will contact the student's parent/guardian regarding the suspension. If an in-person conference is not feasible, a telephone conference may be substituted. A school administrator will attend the conference if the teacher or parent/guardian so request.

The pupil shall not be returned to the class during the period of suspension without the concurrence of the teacher and the administration. A pupil suspended from a class shall not be placed in another regular class during the period of suspension.

In-school suspension takes place on campus in the in-school detention room. Out-of-School Suspension requires the student to be removed from school and the student may not attend any school events or activities during the time of suspension.

### **(J) Hate Crime Reporting Procedures and Policies**

The Contra Costa School of Performing Arts is committed to providing a safe, welcoming, and legally compliant educational program and environment. Should the need for a stakeholder to file a formal complaint arise, the following mechanisms and procedures are in place:

#### Uniform Complaint Procedures

##### General Complaint Policy

##### Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy

#### I. Uniform Complaint Policy and Procedures

##### Scope

The Contra Costa School of Performing Arts ("Charter School") policy is to comply with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Adult Education Programs, After School Education and Safety Programs, Agricultural Vocational Education Programs, American Indian Education Centers and Early Child Education Program Assessments, Consolidated Categorical Aid Programs, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Child Nutrition Programs, Foster and Homeless Youth Services, Migrant Education Programs, Every Student Succeeds Act / No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Regional Occupational Centers and Programs, Special Education Programs, State Preschool, Bilingual Education, Economic Impact Aid, and Tobacco-Use Prevention Education.

A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

“Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

“Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

If the Charter School finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus. If the Charter School finds merit in a complaint, or if the Superintendent finds merit in an appeal, the Charter School shall provide a remedy to the affected pupil.

The Charter School acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible) the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

#### Compliance Officer

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Dr. Robert Chalwell, Executive Director  
Contra Costa School of Performing Arts  
2730 Mitchell Drive  
Walnut Creek, CA 94598  
(925) 235-1130

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

Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the Chair of the Charter School Board of Directors.

#### Notifications

The Executive Director or designee shall annually provide written notification of the Charter School's uniform complaint procedures to employees, students, parents and/or guardians, advisory committees, private school officials and other interested parties (e.g., Adult Education).

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English.

The Executive Director or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The annual notice shall include the following:

A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.

A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A statement identifying the responsible staff member, position, or unit designated to receive complaints.

A statement that the complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's decision.

A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.

A statement that copies of the local educational agency complaint procedures shall be available free of charge.

#### Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

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

#### Step 1: Filing of Complaint

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

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, the Charter School staff shall assist him/her in the filing of the complaint.

#### Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

#### Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

#### Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

#### Step 5: Final Written Decision

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

The findings of fact based on evidence gathered.

The conclusion(s) of law.

Disposition of the complaint.

Rationale for such disposition.

Corrective actions, if any are warranted.

Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

#### Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Executive Director or designee shall forward the following documents to the CDE:

A copy of the original complaint.

A copy of the decision.

A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.

A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.

A report of any action taken to resolve the complaint.

A copy of the Charter School's complaint procedures.

Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

#### Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622

## II. GENERAL COMPLAINT POLICY

Contra Costa School of Performing Arts ("Charter School") has adopted this General Complaint Policy to address concerns about the Charter School generally or regarding specific employees. For complaints regarding harassment or perceived violations of state or federal laws, please refer to the Charter School's Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy and/or the Charter School's Uniform Complaint Procedures. For all other complaints, the General Complaint form and accompanying procedures will be appropriate.

#### Internal Complaints

(Complaints by Employees against Employees)

This section of the policy is for use when a Charter School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

The complainant will bring the matter to the attention of the Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and

The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;

If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors of the Charter School ("Board"), who will then confer with the Board and may conduct a fact-finding or authorize a third-party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, Charter School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

#### Policy for Complaints Generally

(General Complaints and Complaints by Third Parties against Employees)

This section of the policy is for use when either a complaint does not fall under other complaint procedures or a third party (non employee) raises a complaint or concern about the Charter School generally, or a Charter School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or Chair of the Board (only if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Executive Director (or designee) shall abide by the following process:

The Executive Director or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Executive Director or designee shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts.

In the event that the Executive Director (or designee) finds that a complaint is valid, the Executive Director (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of Charter School, the Executive Director may take disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.

The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Charter School. The decision of the Board shall be final.

#### GENERAL REQUIREMENTS

**Confidentiality:** All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

**Non-Retaliation:** All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

**Resolution:** The Board (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

#### III. Title IX, HARASSMENT, intimidation, DISCRIMINATION, and bullying policy

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Contra Costa School of Performing Arts ("Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. Charter School staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.



Moreover, Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which Charter School does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. Charter School will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator (“Coordinator”):

Dr. Robert Chalwell, Executive Director  
Contra Costa School of Performing Arts  
2730 Mitchell Drive  
Walnut Creek, CA 94598  
(925) 235-1130

## Definitions

### Prohibited Unlawful Harassment

Verbal conduct such as epithets, derogatory jokes or comments or slurs;  
Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with school because of sex, race or any other protected basis;  
Retaliation for reporting or threatening to report harassment  
Deferential or preferential treatment based on any of the protected classes above.

### Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 et. seq; 34 C.F.R. § 106.1 et. seq) and California state law prohibit harassment on the basis of sex. In accordance with these existing laws, discrimination on the basis of sex in education institutions is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by the Charter School.

The Charter School is committed to providing an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against him/her or against another individual.

Sexual harassment may include, but is not limited to:

Physical assaults of a sexual nature, such as:

Rape, sexual battery, molestation or attempts to commit these assaults and  
Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.

Unwanted sexual advances, propositions or other sexual comments, such as:

Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.

Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.

Subjecting or threats of subjecting a student to unwelcome sexual attention or conduct or intentionally making the student's academic performance more difficult because of the student's sex.

Sexual or discriminatory displays or publications anywhere in the educational environment, such as:

Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the educational environment;

Reading publicly or otherwise publicizing in the educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and

Displaying signs or other materials purporting to segregate an individual by sex in an area of the educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

#### Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student group or group of students that may constitute as sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

Placing a reasonable pupil\* or pupils in fear of harm to that pupil's or those pupils' person or property. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health. Causing a reasonable pupil to experience a substantial interference with his or her academic performance. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by Charter School.

\* "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises 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.

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

Electronic act means the creation and transmission originated on or off the schoolsite, 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, any of the following:

A message, text, sound, video, or image.

\*A post on a social network Internet Web site including, but not limited to:

\*Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above

\*Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated

\*Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

An act of "Cyber sexual bullying" including, but not limited to:

\*The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

\*“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.

Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

## Grievance Procedures

### 1. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene as soon as it is safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

Any student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

Dr. Robert Chalwell, Executive Director  
Contra Costa School of Performing Arts  
2730 Mitchell Drive  
Walnut Creek, CA 94598  
(925) 235-1130

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, the Principal, Coordinator, a staff person or a family member so that she/he can get assistance in resolving the issue in a manner that is consistent with this Policy.

Charter School acknowledges and respects every individual’s right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

Charter School prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter’s filing of a complaint or the reporting of instances of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

### 2. Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of Charter School the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

All records related to any investigation of complaints under this Policy are maintained in a secure location.

### 3. Consequences

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action.

### 4. Uniform Complaint Procedures

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures (“UCP”) complaint form at any time during the process, consistent with the procedures laid out in this Handbook.

### 5. Right of Appeal

Should the Complainant find the Coordinator’s resolution unsatisfactory, he/she may, within five (5) school days, file an appeal with the Designated Appeals Committee. In such cases, at least three (3) certificated School employees who are unfamiliar with the case and who have been previously designated and trained for this purpose shall be assembled to conduct a confidential review of the Complainant’s appeal and render a final decision.

plan is required to be updated annually for SPA records each year by March 1.



## Emergency Contact Numbers

### Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
Law Enforcement/Fire/Paramedic	Walnut Creek non emergency	925-943-5844	166 No. Main St.
Law Enforcement/Fire/Paramedic		911	
Law Enforcement/Fire/Paramedic	Contra Costa County Office of Emergency Services	925-228-5000	
Public Utilities	PG&E	(925) 933-6778/ (800) 743- 5000	
Public Utilities	EBMUD	1-866-403-2683	
American National Red Cross	Red Cross	(925) 603-7400	
Local Hospitals	John Muir Medical Center WC 24 hr emergency	925-939-3000	1601 Ygnacio Valley Rd.
Local Hospitals	John Muir Medical Center Concord 24 hr emergency	(925) 674-2333	1601 Ygnacio Valley Rd.
Local Hospitals	Kaiser Hospital WC	925-295-4000	1425 S. Main St.
City Services	City of Walnut Creek	925-943-5800	511 Lawrence Way

**Safety Plan Review, Evaluation and Amendment Procedures**

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
Site Safety Committee discussed Site Safety Plan for 21-22	11/15/2021 at 9:00 AM	
Site Safety Committee reviewed Safety Plan for 19-20 With DTS	11/19/2021 at 9:00 AM	
Emergency Services personnel review of School Safety Plan	12/10/2021 at 9:00 AM	
Site Safety Committee reviewed Site Safety Plan	12/16/2021 at 9:00 AM	
Site Safety Committee reviewed Site Safety Plan	1/18/2022 at 2:00 PM	
Site Safety Committee meeting	1/20/2022 at 2:00 PM	
Site Safety Committee meeting reviewed and Approved Site Safety Plan	01/21/2022 2:00 PM	
Walnut Creek Service Agency Review	02/23/2022 5:00 PM	
Walnut Creek Service Agency Review Public comments review of plan	02/25/2022 1:10 PM	
School Board Approval	03/01/2022 6:00 PM	



### Contra Costa School of Performing Arts Incident Command System

<b>Role</b>	<b>Name &amp; Title</b>	<b>Contact</b>
Incident Commander	Dr. Robert Chalwell, Executive Director	917-504-1485
Safety Officer	Brandy Byers, Director of Operations	925-235-1130
Scribe	Megan Dukes, HR Manager	925-235-1130
Public Information Officer	Dr. Robert Chalwell, Executive Director	917-504-1485
Operations	Brandy Byers, Director of Operations	925-235-1130
Planning-Intelligence	Leticia Becerra-Ramos	925-235-1120
Director of Logistics	Lisa Kingsbury, Director of Engagement Atley Flaner	707-315-1396 925-235-1130
First Aid & Search A	Jim Croy	
Student Release & Accountability Teacher B	Letitia Becerra-Ramos	

## **Incident Command Team Responsibilities**

### **Standardized Emergency Response Management System Overview**

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

#### **Management**

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

#### **Planning & Intelligence**

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

#### **Operations**

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

#### **Logistics**

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

#### **Finance & Administration**

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

## Emergency Response Guidelines

### Step One: Identify the Type of Emergency

FIRE:

Signal to Exit Building: Fire Alarm

Signal to Return to Building: Communication from Administration with bullhorns who are with students in exit areas after communication from walkie talkies signaling "All Clear"

LOCKDOWN:

Intercom announcement and email communication: "This is a lockdown, this is a lockdown, please lockdown and wait for further instruction."

SHELTER IN PLACE:

Intercom announcement: "Teachers, please go into a shelter-in-place. Continue to keep doors locked, blinds closed, and have students work at their desks quietly."

EVACUATION:

Intercom announcement: "Teachers, we have been instructed to evacuate our building. Please wait for the announcement to evacuate your room. Make sure to bring safety folders and walk your students in a single file line to the parking lot."

School Administrator will:

- call 9-1-1,
- sound the fire alarm, and
- notify the Superintendent and LEAD.

School Staff will:

- supervise evacuation according to the Emergency Evacuation Plan posted in every classroom,
- close doors upon evacuating,
- take roll books and take roll at evacuation site, and
- -report missing students to the School Administrator.

### Step Two: Identify the Level of Emergency

Level 1-Site emergency with limited impact. Response handled by site personnel and/or city emergency responders

Examples of a level 1 emergency:

- \* A fire resulting in no injuries with minor fire, water or smoke damage
- \* An extended electrical outage
- \* A serious medical emergency warranting a 911 call
- \* An unarmed intruder threatening or disturbing activities
- \* Death of a student or teacher that occurred off campus
- \* A water main break, resulting in site flooding
- \* A public demonstration with picketing students and/or the community

The site administrators or designee serves as Incident Coordinator directs immediate protective actions, following site specific crisis response plans. The disaster procedures are kept in standardized classroom safety folders. The I.C. will be the point of contact.

Level 2-Site emergency with significant impact. Response handled by site personnel and city emergency responders

Examples of a level 2 emergency:

- \* A fire resulting in injuries and/or major structural damage
- \* A school shooting
- \* A chemical spill or explosion
- \* Civil disturbance or riot
- \* Violent intruder
- \* Viable threat

Level 3-Community or region wide event, which may include a local declaration of emergency. This would be a major emergency or disaster where resources in or near the impacted area are overwhelmed and extensive regional, state and/or federal resources are required.

Examples of a level 3 emergency:

- \* Major flooding affecting the school site and/or building
- \* Widespread power outage projected to last over 12 hours
- \* Highest elevated terrorist attack alert targeted for the Contra Costa area.
- \* Major damage as a result of an earthquake

The Executive Director or his designee will organize or activate the Incident Command Team and disaster operation plans.

A sustained plan may be needed depending on the extent of the disaster. Local authorities and other state and federal agencies may be needed as part of this plan.

### **Step Three: Determine the Immediate Response Action**

1. Class Emergency – requires immediate assistance.

Please follow these procedures:

- \* Contact Director of Operations, (925) 235-1130 or 2701 for the Front Desk
- \* Contact an Administrator on site.
- \* Recruit a neighbor teacher.
- \* Call 911 only if there is a life-threatening emergency.
- \* When administration arrives, keep class orderly and calm and wait for further direction.

2. Evacuation – evacuations are called for in emergencies where it is in the best interest of the staff and students to exit the building.

Please follow these procedures:

- \* The alarm will sound or an announcement via the phone intercom will be made by administration with the word “EVACUATION”
- \* If you observe a fire and the alarm is not sounding, pull an alarm and alert administration.
- \* Using the evacuation route, proceed with your class to the designated muster area in a calm and orderly fashion. \* If you are a Teacher, bring your emergency binder (name sign, rosters, procedures, Injured, Missing or Not your Student Pupil Report, etc.) with you.
- \* If you are on a prep or break time, help to escort those around you to the muster area that is closest to your location. \* If you notice that a person who is not in your class needs assistance, call an administrator as needed. \* In all cases, use the safest route to your muster area. This may mean deterring from your main or alternate route. \* Once you reach the designated muster area, direct all students to line up quietly with their teacher. \* Teachers will complete the Injured, Missing or Not your Student Pupil report and wait for an Administrator to collect them. \* If students/teachers are at break they should proceed to the muster areas of the last period they attended. \* Wait for “ALL CLEAR” announcement to return to class or further instructions from administrators. \* If before/after school, intermission/interlude or passing period students are to be directed to their Spotlight muster area.

3) Lock Down – an emergency that requires teachers and students to remain inside behind locked doors

Please follow these procedures:

- \* If you or one of your students are the one to identify the need for a lockdown please alert administration immediately. \* An announcement will be made by administration with the words “LOCK DOWN” and further instructions. At this time exterior doors and windows will be locked.
- \* Do not let any students, staff, or visitors enter or exit (use your best discretion).
- \* Depending on the situation, you may be asked to continue teaching, shelter out of sight.

- \* Be prepared to follow additional directions as communicated from admin.
- \* Keep computers on in case there is a need to communicate via email.
- \* Stay in lock down mode until the “ALL CLEAR” announcement via the phone intercom is made or you receive further instructions from administration.

4) Duck, Cover, and Hold On – a self-protective action called for whenever there is immediate danger from flying objects and/or falling debris.

Please follow these procedures:

- \* As soon as an earthquake (or similar event) happens students should be directed to “duck, cover, and hold on” by the teacher.
- \* If indoors: this means dropping immediately to the floor and crawling under the table.
- \* Use one hand to hold onto the furniture/table and the other to cover the back of your neck.
- \* If furniture is not available kneel next to a bare, inside wall and place your hands over the back of your neck.
- \* If outdoors: move away from trees, billboards, signs, buildings, electrical wiring and power poles.
- \* Do not move until the “ALL CLEAR” announcement is made or after one minute after earthquake is finished. \* Proceed with evacuation (see #1 in preceding pages) after the earthquake is finished. Follow all evacuation procedure instructions.
- \* If anyone is trapped, they must be left behind for help to arrive. Trapped individuals should follow these tips:
  - \* Do not light a match
  - \* Try not to move about or kick up dust
  - \* Cover your mouth with handkerchief or cloth if possible
  - \* Tap on pipe or wall to alert Administration
  - \* Shout only as a last resort (can cause you to inhale smoke or dust)
  - \* Remember to stay alert for aftershocks.

#### **Step Four: Communicate the Appropriate Response Action**

The School Messenger System (automated communication system via phone and email) will be utilized to communicate the necessary information to parents and the community.

## **Types of Emergencies & Specific Procedures**

### **Aircraft Crash**

Fallen aircraft will probably occur without warning and may only be noticed by sight, sound, or fire.

Step 1:

Information gathering:

1. Where is the crash? Proximity to buildings/students?
2. Is there a fire?
3. Are there injuries?
4. Is there a threat to students, staff, and community?
5. Is there building damage? Proximity?
6. Determine if gas/electricity needs to be turned off.

Step 2:

Response:

1. Call 911, and administrators
2. Take action to remove/keep students and staff at a safe distance from danger.
3. Activate evacuation or lock down as appropriate in the specific situation.
4. Shut off gas, electricity, if situation warrants.
5. Act to support fire and rescue personnel.

### **Animal Disturbance**

1. Staff will be directed to engage in a shelter in place until the animal is removed from campus and the surrounding area.
2. Contact Animal Control, 4800 Imhoff Place, Martinez  
(24-hour emergencies) 925-335-8300

### **Armed Assault on Campus**

Armed Assault on Campus involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Guns, knives, or other harmful devices may be involved.

School staff should move students into classrooms and buildings and call 9-1-1.

Begin lockdown procedures including covering windows, turning off lights, and seeking cover under or near furniture and away from windows.

Take roll and identify all students and staff in the classroom.

Conduct anxiety-reducing activities

Be prepared for an evacuation at any time.

Place a red card under the door or in the window if someone in the room requires medical attention.

Procedure:

1. Upon first indication or armed assault, school personnel immediately call 911. School site safety is notified via radio or cell phone.
2. School administrator is notified. School administrator assures or designates a person to remain online with police if safe to do so.
3. If suspect is seen, do not engage. This could generate a hostage situation. Give 911 operations a detailed description of the suspect(s)/ If suspect is outside, they and keep them outside.
4. Begin lockdown procedures including covering windows, turning off lights, and seeking cover under or near furniture and away from windows.
5. Staff keeps everyone in an area under cover and as concealed as possible. Stay behind solid walls and doors away from windows.
6. If students are in class at time of Lock Down, staff will:
  - a. Lock all doors
  - b. Have students lie on the floor, behind or underneath solid objects
  - c. Close blinds and stay away from windows
  - d. Remain in classroom until personally advised to move by administrators or law enforcement.

- e. Turn off all lights and noise making devices: laptops, TV's etc.
- 7. If students are not in class, staff will:
  - a. Move students to nearest available safe building, without drawing attention to self or students. If doors are locked continue to look for a safe area.
  - b. Once inside, lock doors if possible; if lock is on the outside, attempt to secure door from inside and follow steps in item 6 8. Staff takes steps to calm and control students, and if safe to do so, attempt to maintain separation between students and suspect(s)
- 9. Maintain order in all areas of assembly or shelter, await arrival of law enforcement. Be prepared for lengthy stay of 2-4 hours. If safe and possible, check email during this time.
- 10. All Clear communication will be made after consultations with local law enforcement

### **Biological or Chemical Release**

#### Explosion/Chemical Accident

##### Step 1:

1. If an explosion occurs, attempt to remain as calm as possible
2. Assess the immediate area. Are there injuries? Danger? Is it better inside or outside?

##### Step 2:

1. Act on situations to prevent injury and ensure safety
2. Move to an area where you are out of danger and you can control student. (This may be inside or outside).
3. Take roll
4. Render first aid if necessary
5. Await instructions from administration/authorities/HAZMAT.

#### Gas Leak/Suspicious Odors

##### Step 1:

1. Inform staff of designated places where multiple turn tools are located. Map of all shut-off valves and instructions for usage included on the back
2. If possible, turn off gas.
3. Notify all school personnel of leak/odor and/or possible emergency
4. Gather all information to determine if evacuation is necessary
5. Call EBMUD or PG&E
6. Have emergency cards/information available if evacuation is needed
7. If evacuation is executed, use fire-drill signal or procedures
8. Communicate with parent community
9. Contact local fire and law enforcement as appropriate

#### Air Pollution Alert

1. Alert notice is received from front office or outside agency
2. Curtail all outdoor activity
3. Be aware of asthma/respiratory impaired students and staff and have them housed indoors immediately
4. Send students home and cancel classes if air quality is determined a danger by EPA guidelines

### **Bomb Threat/ Threat Of violence**

At the time of a bomb threat or threat of violence, the most important task is the acquisition of information. The person receiving the bomb threat should attempt to gather as much information as possible from the person making the threat.

#### Telephone procedures:

1. Be calm, courteous, listen, and do not interrupt. Take all calls seriously.
2. Keep caller on the line
3. Get as much information as possible (write it down).
5. DO NOT TALK TO OTHERS until principal or designee is located and informed
  - a. 1. Where is the bomb right now? 2. What does it look like? 3. What kind of bomb is it? Why did you place it there? How big is it?
6. Pay attention to any sounds you could pick up around the caller and describe their tone of voice and responses.

Procedures after the call:

1. Notify Principal/designee immediately
2. Give detailed information/notes
3. Leave the phone OFF the hook after the caller hangs up.
4. Return to assignment, await instructions
5. Upon notification of bomb threat at school, secure class lists, roll book, keys, weather-appropriate clothing
6. You may be asked to evacuate, you may be asked to remain in class; be flexible
7. Do not utilize school or personnel cellular phones they could activate bomb
8. Contact local law enforcement

Evacuation (Signal or Instruction):

1. Inform students of event, leave classroom, and proceed to designated area immediately - await instructions, do not return to classroom until "ALL CLEAR" signal or instruction

Remain In Classroom:

1. Follow search procedures as directed

Suspected Explosive Device:

1. Never touch or move any suspicious objects
2. Keep all school personnel away from object
3. Evacuate all personnel if appropriate to Ultimate Field House
4. Call local law enforcement and report location device
5. Call Executive Director

### **Bus Disaster**

1. Principal or designee call 911 to report incident
2. Principal or designee will give "all-clear" signal when emergency personnel has deemed environment safe for students.
3. Counselors will be utilized to speak with traumatized students.
4. County resources will be notified if additional support is needed.
5. Students will be provided with a safe place to talk with trauma support providers.

This Plan:

Call Bus Dispatch.

2. Secure the bus: shut off motor, set brake and remove keys.
3. Determine the appropriate evacuation route such as: front door, side doors, rear exit, roof hatch or windows. If necessary, the windshield and rear glass panels can be kicked out.
4. Choose an assembly area at least 100-200 feet from danger, usually up-wind. Keep in mind that if the emergency occurred due to weather or other environmental conditions, other vehicles may lose control in the same place. Vehicles passing by may be distracted by the situation and cause additional crashes.
5. Identify student helpers to stand by the emergency exits and help students get off safely. Assign other helpers to lead students to the assembly area and keep everyone together.
6. Instruct students to evacuate and where to assemble. In cases when time is of the essence, instruct students to leave personal belongings on the bus.
7. Check each seat and floor area to be sure everyone is off the bus.
8. Leave the bus last, with the emergency packet, first aid kit, and cell phone, (if available).
9. Gather with and keep the students together at the assembly area.
10. Follow Student Accountability and Release procedures.
11. Do not reenter the bus until cleared by Bus Dispatch or appropriate authorities.

If Life Threatening:

1. Pull over and stop the bus in a safe location.
2. Call Bus Dispatch or 911/ School Principal.
3. Wear protective equipment such as medical gloves, mask, goggles, etc.



4. Evaluate first aid needs. Treat the most critical conditions first. Initiate CPR or other life-saving actions within your level of training and ability.
  5. If needed, enlist the help of other passengers who are trained in first aid. Assign other students to stay with those who are treated so you can continue to provide first aid to others.
  6. Assign students to tend to the emotional needs of other students, working to calm and reassure them. Consider relocating non-injured students to another area on the bus in order to a) make space to provide first aid, b) protect others from bodily fluids, and c) reduce bystander trauma.
  7. If a student is sent to the hospital, give their name and birth date to the first respondents. Keep a written record of all students taken to a hospital by ambulance. Note which hospital they are going to.
  8. Account for and supervise students. Follow Student Accountability & Release procedures.
- Minor Medical Situations – i.e. vomiting, stomach ache, feeling faint, bloody nose, cut or scratch. Treat all medical situations seriously regardless of how they appear. Without the medical history of each student, doing nothing is not an option.

### **Disorderly Conduct**

#### Step 1:

1. Survey the situation (principal/designee)
2. Set in motion the signal for going back to class (Shelter in Place)
3. Pupils/staff return to classroom
4. Immediately lock doors and draw shades
5. Take roll
6. Teachers determine if situation merits the duck and cover procedure

#### Step 2:

1. Contact site administration and give information needed (event, time, description of person and/or vehicle)
2. Call Executive Director
3. Keep school's communication system open
  - a. When it is determined that the site is safe, The "ALL CLEAR" signal may be used so students and staff can return to their normal routine
  - b. When event is at dismissal time, continue to keep student in the classroom.
  - c. All support staff without students will have pre-decided duties:
    - i. Go to the nearest classroom to assist teacher
    - ii. Go to the office to assist
    - iii. Go to prearranged emergency site
4. Administration assess the need to communicate with families to discuss the event.

### **Earthquake**

#### General Responsibilities:

1. Activate emergency signal/runner. (Lockdown)
2. Disconnect all electrical
3. Assess damage or injuries
4. Call 911 if there are injuries
5. Call Executive Director
6. When earthquake subsides, principal will signal to evacuate the building
7. Principal will give signal to return to building or remain outside
8. Principal will work with staff to transport students if necessary
9. Tune into emergency preparedness channel

#### Classroom Procedures:

##### Students responsibility for "Drop, Cover and Hold"

1. Face away from windows
2. Duck or drop to the floor
3. Cover under a sturdy desk or table or seek cover against an interior wall and protect head with arms
4. Hold on to the desk or table to keep it from moving

#### Adult Responsibilities

1. Close blinds to prevent glass from falling into classroom.
2. Disconnect electrical appliances
3. Check student condition/attendance (report to office)
4. Assess damage
5. Inform principal regarding injuries if possible

#### After the Quake:

1. Stay clear of any wires that have fallen
2. Staff will assess damage and report principal
3. Administration will work with emergency personnel
4. Principal will work with local media and public information officer

#### Evacuating the Building:

1. Upon signal from the Administration, the teacher guides/signals students out of the building
2. Students and staff proceed to an open, safe place away from emergency access
3. Students and staff wait until a signal is given
  - a. Return to class
  - b. Remain outside until decision is made to transport children from site
  - c. Initiate a communication to notify parents

#### **Explosion or Risk Of Explosion**

##### Explosion/Chemical Accident

##### Step 1:

1. If an explosion occurs, attempt to remain as calm as possible
2. Assess the immediate area. Are there injuries? Danger? Is it better inside or outside?

##### Step 2:

1. Act on situations to prevent injury and ensure safety
2. Move to an area where you are out of danger and you can control student. (This may be inside or outside).
3. Take roll
4. Render first aid if necessary
5. Await instructions from administration/authorities/HAZMAT.

##### Gas Leak/Suspicious Odors

##### Step 1:

1. Inform staff of designated places where emergency tools are located. Map of all shut-off valves and instructions for usage included on the back
2. If possible, turn off gas.
3. Notify all school personnel of leak/odor and/or possible emergency
4. Gather all information to determine if evacuation is necessary
5. Call EBMUD or PG&E
6. Have emergency cards/information available if evacuation is needed
7. If evacuation is executed, use fire-drill signal or procedures
8. Communicate with parent community  
contact local fire and police department as appropriate

#### **Fire in Surrounding Area**

1. Principal/ Executive Director or designee call 911 to report incident
2. Principal/Executive or emergency personnel will determine whether a shelter in place or evacuation is appropriate

3. Principal/ Executive Director or designee will give "all clear" signal when emergency personnel has deemed environment safe for students.

### **Fire on School Grounds**

School Administrator will call 911, sound the fire alarm, and notify the Superintendent and LEAD.

School Staff will:

1. supervise evacuation according to the Emergency Evacuation Plan posted in every classroom,
2. close doors upon evacuating,
3. take roll books and take roll at evacuation site, and
4. report missing students to the School Administrator.

Staff or ERT member will open necessary gates for emergency vehicles.

Re-occupy buildings when ordered to do so by local fire department

### **Flooding**

Flood assessment (the day or night before)

1. Staff should be notified to be on alert
2. Determine if flood area at school or nearby streets
3. Staff meeting to inform emergency procedures
4. Consider cancelling night activities for safety reasons
5. Record a message on school messenger "to listen to the radio for flood information"
6. Identify neighboring businesses for phone and water use
7. Have class lists and emergency information updated and siblings identified
8. Have support personnel assigned to classrooms or supervisor duty
9. Be sure staff members have their own personal emergency plans in place so that they can stay at school in case of emergency

Flood assessment (day of)

1. Report any major flooding on streets to administration
2. Administration is to do a walk through to assess school damage or potential flood areas
3. Executive Director will notify media if school is to be closed
4. If electricity is out, shut off electrical circuit breakers and gas valves
5. Use bullhorn system, runners, to communicate with classrooms if electricity is out
6. If some classrooms are flooded, designate higher-ground areas to "hold students and personnel"
7. Have emergency set of supplies
8. If children arrive at school and school is later closed, have a plan to notify parents and arrange for pick up and have siblings go to the same dismissal area if appropriate
9. Keep all administration informed
10. Contact local fire and police departments as appropriate

### **Loss or Failure Of Utilities**

1. Notify Principal or designee
2. Contact PG&E
3. Consult with the Executive Director if school will be closed. If school is open, the Administrative Office team will provide food, water and restroom facilities
4. Principal or designee will determine whether evacuation or shelter in place is appropriate to ensure student safety.

Power Outage/ Rolling Blackouts:

It is the District's intent that schools will remain open during a power outage. How to Prepare for an Outage ? Ensure portable lighting (i.e., flashlights and batteries) is available at your school site.

1. Keep hallways and pathways clear at all times.

Ensure school staff have established alternative teaching methods and plans to be used during power outages.

2. Conduct a survey of your school site for the classrooms and offices with no windows and

identify relocation options.

During an Outage

Contact: Contact PG&E immediately if your school site is experiencing a blackout- see if it is a scheduled blackout or if any information is available on what caused it.

1. After 30 minutes, have pre-identified members walk through campus and check on the status of individuals in each building.
2. Ensure students use a buddy system when going to the restroom.
3. Do NOT use candles or gas lanterns.
4. Turn off computers, monitors, printers, copiers, major appliances, and lights when not in use or needed.

### **Motor Vehicle Crash**

1. Principal or designee call 911 to report incident
2. Principal and emergency personnel will determine if shelter in place or evacuation is appropriate based on the level of damage and areas of damage.
3. Principal or designee will give "all-clear" signal when emergency personnel has deemed environment safe for students.
4. Counselors will be utilized to speak with traumatized students.
5. County resources will be notified if additional support is needed.
6. Students will be provided with a safe place to talk with trauma support providers.

### **Psychological Trauma**

The School Administrator will activate the School Psychological Team, which has primary responsibility for providing necessary assistance after all types of crises.

1. The Psychological Team will assess the range of crisis intervention services needed during and following an emergency. 2. The Team may determine the need for additional psychological support and will contact the executive director to request additional mental health support.
3. The Psychological Team will provide direct intervention services.
4. The Psychological Team will advise and assist the School Administrator to restore regular school functions as efficiently and as quickly as possible.
5. In performing their duties, the Psychological Team members will limit exposure to scenes of trauma.
6. The Psychological Team should isolate students demonstrating externalized behavior.
7. The Psychological Team will provide ongoing assessment of needs and follow-ups services as required for both student and staff.
8. The school psychological team will contact local law enforcement as appropriate

### **Suspected Contamination of Food or Water**

1. Notify Principal or designee
2. Contact EBMUD
3. Shut off water main
4. Cover contaminated water access to all

School processes:

1. The School Administrator will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area.
2. The School Administrator will determine if they need to call "911."
3. The School Administrator will make a list of all potentially affected students and staff, and will provide the list to responding authorities.
4. The First Aid/Medical Team will assess the need for medical attention and provide first aid as appropriate. 5. The School Administrator will maintain a log of affected students and staff and their symptoms, the food/water suspected to be contaminated, the quantity and character of products consumed, and other pertinent information.
6. The School Administrator will determine necessary follow-up actions including the need to notify other potentially affected facilities.

7. The School Administrator will confer with the County Department of Health Services before the resumption of normal operations.
8. The School Administrator will notify parents of the incident, as appropriate

### **Unlawful Demonstration or Walkout**

Prior to the Demonstration/Walkout

Prior to a possible student demonstration or walkout, the building principal or designee shall:

1. Demonstrate willingness to discuss the issue(s) with any designated student/staff leader(s).
2. Approach the students/staff and attempt to determine the reason for their actions.
3. Direct the students to return to their classrooms and cease disrupting the school environment.

After a Demonstration/Walkout

After a student demonstration or walkout has taken place, the following procedures shall be carried out:

1. Doors shall be secured with an employee stationed at each door.
2. Attendance shall be taken in each classroom to develop a complete list of those students participating in the demonstration or walkout.
3. Police may be called for assistance.
4. Students participating in the demonstration or walkout shall be advised that they need to return to class and give their name as they enter the building.
5. Students participating in the demonstration or walkout who do not return to the building may be referred to the school administration for possible disorderly conduct or truancy charges.
6. Contact law enforcement as appropriate

Emergency Evacuation Map

SPA Campus Evacuation Routes

