

# Comprehensive School Safety Plan

Magnolia Science Academy-4  
LAUSD

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Magnolia Science Academy-4

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Plan Adopted by School Site Council 10/29/2018

Plan approved by Magnolia Public Schools Board on 11/08/ 2018

## Committee members

Lisa Ross, Principal  
Sam Fagnoli, Dean  
David Betshmuell, Teacher representative  
Sophia Aquino, Parent of attending student  
Crystal Pena, Classified employee  
LASPD Officer Kim

This document is available for public inspection on our school's  
website at [msa4.magnoliapublicschools.org](http://msa4.magnoliapublicschools.org)

## **School Site Mission**

### **The Mission**

Magnolia Public Schools provides a college preparatory educational program emphasizing science, technology, engineering, and math (STEM) in a safe environment that cultivates respect for self and others.

Magnolia Science Academy-4's mission is to provide all students with the opportunity to engage in an enriched educational experience. A comprehensive Safety Plan helps to ensure a safe school environment, thereby enhancing the learning experience and improving student academic achievement. This plan is implemented to protect the safety of students and staff and to provide emergency preparedness and guidelines. This plan addresses the following objectives:

- ❖ Protect the safety and welfare of students and staff.
- ❖ Provide for a safe and coordinated response to emergency situations.
- ❖ Protect the school's facilities and property.
- ❖ In the case of an emergency, allow the school to restore normal conditions with minimal confusion in the shortest time possible.
- ❖ Provide for coordination between the school and local emergency services when necessary.

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## Assessment of the Current Status of School Crime

1. Data sources the committee reviewed:
  - a. Local law enforcement crime data
    - i. Top three crime violations in our area last year, based on <https://www.crimemapping.com/Share/6a9f8f15010a4b51a38f37d0d58a1852>
      1. Theft / Larceny
      2. Vehicle Break-In /Theft
      3. Burglary
  - b. Suspension/Expulsion data:
    - i. Student information data was used to identify top suspendable / expellable offenses at our campus. A tremendous decrease in suspensions/expulsions were noted due to the implementation of positive behavior support model (PBIS) and the multi tiered system of supports (MTSS)
    - ii. Behavior referral, Illuminate was used to identify and segregate all behavior referrals.
  - c. School Improvement Plan
    - i. Reviewed current years plan to identify any additional areas of improvement needed.
  - d. Property Damage data
    - i. Reviewed Illuminate / Coolsis behavior data to identify any property damage that has occurred.
  - e. Attendance rates
    - i. Student attendance rates were pulled from Illuminate.
    - ii. Truancy data was pulled from Illuminate
  
2. The committee reviewed the data and identified the appropriate strategies and programs that provide high-level school safety.
  - a. Parent/Student Handbook
  - b. School Safety Committee
  - c. Discipline Committee (Justice League)
  - d. Administration
  - e. Local School Administration
  - f. School Site Council
  - g. Parent Task Force
  - h. Student Leadership
  - i. Local Law Enforcement Collaboration

## Child Abuse Reporting Procedures

Verify policy is compliant with EC 44691, mandated reporter training-effective January-1-2015. For specific details, refer to Los Angeles County Office of Education Board Policy and Administrative Regulations 5141.4 Child Abuse Prevention and Reporting

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7) Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### **Reportable Offenses**

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

### **Responsibility for Reporting**

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

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

### **Reporting Procedures**

#### **1. Initial Telephone Report**

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

Department of Child and Family Services  
800-540-4000

#### **2. Written Report**

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

## **Victim Interviews by Social Services/Law Enforcement**

Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

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

## **Release of Child to Peace Officer**

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



## **Disaster Response Procedures**

### **Emergencies**

In the case of an emergency, the general policy is that actions should be taken to allow the school to remain in operation to the extent possible. The situation should be addressed to minimize interruption of normal operations at the school, and students will usually be cared for until regular dismissal time. Where an emergency situation poses a serious threat to the safety and well being of students and staff, evacuation will occur until any danger has passed. When necessary, school may be dismissed by the School Principal, or his/her designee. The home office will be informed using HOST email system (refer to HOST attachment). In the event of the following scenarios, the principal or designee will communicate with stakeholders using the schools mass communication system.

- **Fire:**

- In the case of a school fire, the following procedures should be implemented:
- Sound building fire alarm.
- Notify Fire Department by dialing 911. The Fire Department is to be notified of any fires larger in size than a wastebasket. The Fire Department should be given the following information:
  - School name and phone number.
  - Building address, including nearest cross street(s).
  - Exact location of the fire within the building.
- Have students and staff evacuate the building in accordance with established procedures.
- Evacuate to outdoor assembly area.
- All doors leading to the fire should be closed. Do not re-enter the area for belongings. If the area is full of smoke, students and staff should be instructed to crawl along the floor, close to walls, thus making breathing easier and providing direction. Before opening any door, place a hand one inch from the door near the top to see if it is hot. Be prepared to close the door quickly at the first sign of fire to avoid the spread of fire.
- Clear access routes for emergency vehicles. Remain at a safe distance from the fire and away from firefighting equipment.
- Render first aid as necessary.
- Check attendance. Remain with students.

- **Medical Emergency:**

- Medical emergencies and accidents can occur at any time and may involve a student or employee. Some emergencies may only require first aid care, while others may require immediate medical attention. When in doubt, it is better to err on the side of caution and dial 911.
- Medical emergencies involving any student or employee must be reported to the School Principal, or his/her designee. Dial 911 or direct someone to do so.  
Provide the following information:
  - School name and phone number.
  - Building address, including nearest cross street(s).
  - Exact location within the building.
  - Your name and phone number.
  - Nature of the emergency.
  - Do not hang up until advised to do so by dispatcher.
  - Notify the school office that an individual has been injured and an ambulance has been called.
  - Ask someone to dispatch a first aid/CPR trained employee to the victim.
  - Stay calm. Keep victim warm with a coat or blanket.
  - Do not move the victim unless there is danger of further injury. Do not give the victim anything to eat or drink.
  - Draft written incident report and submit it to School Principal, or his/her designee, before the end of the next workday. If applicable, a Charter Safe Claim form will be filed (Charter safe is our insurance provider).

- **Earthquakes:**

- Earthquakes strike without warning and the major shock is usually followed by numerous aftershocks, which may last for weeks or months. An earthquake's effect on buildings will vary from building to building.
- The major threat of injury during an earthquake is from falling objects and debris, and many injuries are sustained while entering or leaving buildings. Therefore, it is important to remain inside the building and quickly move away from windows, glass,

partitions and shelves. In the case of an earthquake, the following procedures should be followed:

- Take cover under a sturdy desk or table, in a doorway, or against an inside wall until the shaking stops. Give DROP AND COVER command.
- After shaking stops, check for injuries, and render first aid.
- If ordered by School Principal or his/her designee, evacuate.
- Do not return to building.
- Do not light any fires.
- Keep a safe distance from any downed power lines.
- Check attendance whether or not evacuation takes place. Report any missing students to School Principal, or his/her designee.
- Stay alert for aftershocks.
- Beware that shaking may activate fire alarm or sprinkler systems.
- Elevators and stairways will need to be inspected for damage before they can be used.
- School principal, or his/her designee, will issue further instructions.

**Assaults:**

- Assaults involve acts of striking or inflicting injury to a person and are regarded as serious matters. Any threat or assault on students or employees should be reported immediately to the School Principal, or his/her designee. The School Principal (or designee) will determine if law enforcement officials should be notified.
- If a serious assault occurs:
- Dial 911.
- Seek first aid or medical attention, if indicated.
- Have photographs taken of any injuries.
- Write down a physical description of the assailant (sex, age, height, weight, race, clothing, and any weapon used) as soon as possible after the incident.
- Obtain names and telephone numbers of any witnesses.
- Draft incident report and submit it to the School Principal, or his/her designee.
- School Principal or his /her designee will submit incident report to the local law enforcement if incident is serious.

- **Hazardous Materials:**

- Hazardous material spills may occur inside a building, such as a spill in a chemistry lab.

Incidents of disaster magnitude may occur outside, such as a tank truck accident involving large quantities of toxic material. Procedures:

- If a spill is minor and inside, notify buildings and grounds personnel immediately for clean up. Open windows for ventilation.
- If a more serious spill occurs inside or outside:
- Call 911. Notify Fire Department, Emergency Response Unit, and/ or Public Health Department.
  - Provide the following:
    - School name.
      - Building address, including nearest cross street(s).
      - Your name and phone number.
      - Location of the spill and/or materials released.
      - Characteristics of spill (colors, smells, visible gases).
      - Name of substance, if known.
      - Injuries, if any.
      - Notify buildings and grounds personnel.
      - Close all windows and doors if the spill is outside.
- Request that buildings personnel shut off mechanical ventilating systems if it might spread toxic material.
- Remain inside building unless ordered to evacuate by the Fire Department.
- Fire Department will advise of further actions to be taken.
- Do not eat or drink anything or apply cosmetics.
- If there appears to be imminent danger, a fire drill may be called while approval for student release or site evacuation is sought.
- The School Principal, or his/her designee, if necessary, will give approval for student release or site evacuation.

▪ **Civil Disturbance:**

- A civil disturbance is any situation where a person or group of persons disrupts operations or threatens the safety of individuals. The following precautionary protective measures should be taken:
  - Notify local law enforcement authorities-Dial 911.
  - If participants enter the building, remain calm and do not provoke aggression. Report disruptive circumstances to school Principal, or his/her designee.
  - Do not argue with participant(s).
  - Have all students and employees leave the immediate area of disturbance.
  - If the disturbance is outside the building, remain inside building, unless instructed otherwise by the School Principal or police officials. Lock all doors. Stay away from windows and exterior doors.
  - If the disturbance is inside the building, follow procedures for evacuation of the school site.
  - Follow further instructions as police officials and other local law enforcement authorities issue them.
  - Draft incident report for School Principal, or his/her designee.

● **Vandalism:**

- The following procedures should be used in the case of school vandalism:
  - Notify school principal, or his/her designee.
  - Notify building and ground maintenance personnel.
  - The School Principal, or his/her designee, will assess the seriousness of the situation and determine the level of assistance needed, including local law enforcement.
  - If possible, identify the parties involved.
  - Interview witnesses and obtain written statements.
  - Document the incident as soon as possible and give the incident report, with any witness statements, to the School Principal or his/her designee.
  - Notify parents or legal guardian.

- Determine what disciplinary measures are appropriate (in-house or police involvement).
- Determine any monetary restitution issues and amounts.
  
- **Utility or Power Failure:**
  - The following procedures should be used in case of utility or power failure:
    - Staff and students should remain in classroom until further instruction.
    - Custodial and maintenance personnel should determine cause of incident and seek outside assistance if necessary.
    - Staff and students outside of a classroom at the time of the incident should report to main office.
    - Building and grounds personnel report to utility company if necessary.
    - If situation requires long-term maintenance and repair and prevents class activities, the School Principal, or his/her designee, may take measures to dismiss school for the day.
    - Where utility failure presents an emergency, evacuation procedures should be implemented immediately.
  
- **Bomb Threat: Internal Reference**
- **Explosion: Internal Reference**
- **Fighting or Riot:**
  - School staff should follow these guidelines when a fight occurs:
    - Send a reliable student to the office to summon assistance.
    - Speak loudly and let everyone know that the behavior should stop immediately.
    - Obtain help from other teachers if at all possible.
    - If students are starting to gather, attempt to get students away from the commotion as quickly as possible.
    - Call out the names of the involved students (if known) and let them know they have been identified.
    - For the safety of all students, get additional help from law enforcement personnel if confronted with a serious fight, especially one that involves weapons.

- Attempt to separate the involved students by speaking to them in an assertive tone of voice. Consider the age and/or size of the students, as well as personal safety, before stepping between/among those involved in an altercation. If successful in separating the students, try to avoid using further confrontational behavior.
  - Remember that no one can "cool down" instantly; give the students time to talk in a calm setting and gradually change the climate of the situation.
- Staff should follow these guidelines when a riot occurs:
    - The School Principal, or his/her designee, should encourage teachers and staff to be sensitive to the emotional climate of the campus and attempt to defuse any tensions prior to the eruption of problems.
    - Notify local law enforcement of the disturbance and meet at a pre-designated site to evaluate the situation.
    - Have a law enforcement officer evaluate and call for any necessary resources such as back-up help, emergency medical help, etc.
    - Activate needed emergency plans, which may include:
    - Instructing office staff to handle communications and initiate lockdown orders.
    - Notify transportation to bring appropriate numbers of buses for evacuation or transportation if necessary.
    - Assign staff a temporary detention facility, such as a gymnasium, to secure students and log information.
    - Direct a teacher or designee to initiate lockdown and immobilize the campus.
    - Brief a representative to meet the media.
    - Assign staff to a pre-designated medical treatment/triage facility.
  - **Hostage Situation:** Internal Reference
  - **Death of a Student:**
    - By far, the worst crisis situation is the death of a student. When a student dies, emotional trauma is a natural occurrence for students, faculty, and staff. A student's death, which occurs on campus, particularly as a result of school violence, is admittedly

the most extreme case of trauma for family and the school community. There is no procedure that fits every scenario; each case requires individual attention. Certainly, there is no prescribed method for dealing with such tragedy; however, the following are suggestions for a school's response to death, particularly death that occurs as a result of school violence:

- After the initial response, administrators and counselors will meet immediately to review what has happened. Responding to the psychological needs of both staff and students as soon as possible is the best prevention for the development of post-traumatic stress.
  - Get as much information as possible from the family and ask their permission to share it with the students, faculty, and staff. Ask if they have any objection to students, faculty, and staff attending the funeral.
  - Relay the information to the students in a factual way, careful to avoid breaching the student or family's privacy. The School Principal and a counselor might consider moving from room to room to tell the students what has happened. They should tell the truth, allow for expression of feelings, and affirm any expressions or feelings the students have. Students need to be told that they may visit a counselor's office for special assistance if they need to talk.
  - If possible, allow a break after telling the students in order to give them an opportunity to express their grief with other students.
  - Upon returning to school, students should be allowed time to discuss their feelings, talk about the deceased, and discuss memories. Give students, faculty, and staff information about the funeral and allow them to attend, provided the family has granted permission.
  - Watch for trouble signs among the students. Be prepared to call in extra counselors if necessary.
- **Intruder or Individual with Deadly Weapon / Active Shooter: Internal Reference**
  - **Lock Down: Internal Reference**

## **Suspension and Expulsion Policies**

*“The procedures by which pupils can be suspended or expelled.” (Ed. Code § 47605(b)(5)(J).)*

### **GENERAL PROVISIONS**

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about and complies with the District’s Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of Charter School’s student expulsion process and shall facilitate the post-expulsion placement of expelled students.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

### **STUDENTS WITH DISABILITIES**

Charter School shall establish and implement policies and procedures to ensure full compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, pending the completion of the expulsion process, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a Section 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a Section 504 Plan, Charter School’s administrator will convene a Link Determination meeting to ask the following two questions:

- A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
- B. Was the misconduct a direct result of the Charter School’s failure to implement Section 504?

### **NOTIFICATION OF THE DISTRICT**

Upon expelling any student, Charter School shall notify the Charter Schools Division by submitting an expulsion packet to the CSD immediately or as soon as practicable, which shall contain:

- Completed “Notification of Charter School Expulsion” [form available from the CSD website or office], including attachments as required on the form
- Documentation of the expulsion proceeding, including statement of specific facts supporting the expulsion and documentation that Charter School’s policies and procedures were followed
- Copy of parental notice of expulsion hearing
- Copy of expulsion notice provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student’s compliance for reinstatement, appeal process, and options for enrollment
- If the student is eligible for Special Education, documentation related to expulsion in compliance with IDEA and the MCD, including the Expulsion Analysis page of the pre-expulsion IEP
- If the student is eligible for Section 504 accommodations, documentation that Charter School conducted a Link Determination meeting to address two questions:
  - A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
  - B. Was the misconduct a direct result of Charter School’s failure to implement Section 504 Plan?

Notwithstanding and apart from the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student’s district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code section 49068 (a) and (b).

### **OUTCOME DATA**

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

### **REHABILITATION PLANS**

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by the principal based on the decisions made by the admin panel 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. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

### **READMISSION**

Charter School’s governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School’s governing board shall readmit the pupil, unless Charter School’s governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil’s parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil’s parent/guardian within a reasonable time.

## **REINSTATEMENT**

Charter School's governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

## **GUN-FREE SCHOOLS ACT**

Charter School shall comply with the federal Gun-Free Schools Act.

### **In accordance with E.C. 47605(J)**

J) The procedures by which pupils can be suspended or expelled from the Charter School for disciplinary reasons or otherwise involuntarily removed from the Charter School for any reason. These procedures, at a minimum, shall include an explanation of how the Charter School will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the Charter School issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

## **DISCIPLINE FOUNDATION POLICY**

The following Student Suspension and Expulsion Policy (Policy) has been established in order to promote learning and protect the safety and well-being of all students at MSA-4. Staff shall enforce

disciplinary rules and procedures fairly and consistently among all students. In creating the Student Suspension and Expulsion 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 MSA-4'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 and are not material revisions. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

This Policy and its Procedures will clearly describe discipline expectations, and it will be printed, distributed and discussed with students and families as part of the Student/Parent Handbook which is sent to each student at the beginning of the school year and signed by their guardian.

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.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

### **Positive Discipline**

MSA-4 staff has committed itself to encouraging and supporting the attainment of academic skills as well as social skills, such as listening, friendship-making, problem solving, and alternatives to aggression. To inspire and encourage students to develop their potential in all of these areas, the following reinforcements will be used for positive behavior:

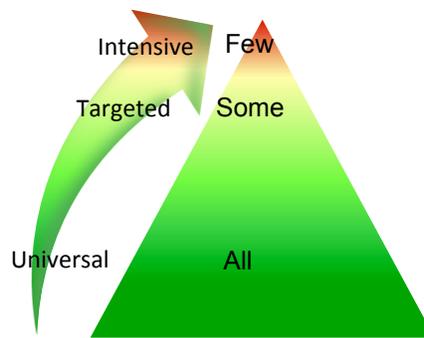
- Individual awards/recognition
- Classroom awards/recognition
- Certificates
- Displays
- Positive/Encouraging contact with parent/guardian (certificate, post card, phone message)
- Special activities (instructional field trips, movie nights, picnics, etc.)
- Publications
- Assemblies
- Positive points

Positive student behavior and improvements will be acknowledged and encouraged by the MSA-4 staff. Teachers will not only report discipline issues on the school information system, Illuminate or equivalent, but also positive behaviors and accomplishments. Parents will also be informed of positive

behavior and improvements via phone, email, and home visits. Students will receive certificates and/or rewards for outstanding performance and behaviors.

### Alternatives to Suspension

To intervene in student behavior, MPS has a progressive discipline plan in place at MSA-4. This plan is published at the beginning of each school year in the Student/Parent handbook. The Student/Parent Handbook also includes a school-parent-student compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the Charter School and parents will develop a partnership to help students achieve high academic and behavioral standards. The discipline plan includes information about student expectations and progression of disciplinary procedures from day-to-day discipline to suspension and expulsion. MSA-4 provides its staff with Professional Development in the area of restorative practices alternatives to suspension, and positive behavior supports.



As part of its Multi-tiered Systems of Support (MTSS) framework and Response to Intervention (RTI) Programs, MSA-4 implements Positive Behavior and Interventions and Supports (PBIS) to address student discipline issues including suspension. This tiered approach lists intervention strategies and programs based on the level of fractions.

MSA-4 implements prevention strategies for each tier as presented below:

<b>Tier</b>	<b>Prevention Description</b>
I. Primary (Universal)	Preventing the development of new cases (incidence) of problem behaviors by implementing high quality learning environments for all students and staff and across all settings (i.e., school-wide, classroom, and non- classroom).
II. Secondary (Targeted)	Reducing the number of existing cases (prevalence) of problem behaviors that are presenting high risk behaviors and/or not responsive to primary intervention practices by providing more focused, intensive, and frequent small group-oriented responses in situations where problem behavior is likely.
III. Tertiary (Intensive)	Reducing the intensity and/or complexity of existing cases (prevalence) of problem behavior that are resistant to and/or unlikely to be addressed by primary and secondary prevention efforts by providing most individualized responses to situations where problem behavior is likely.

MSA-4 believes that alternatives to suspension align with our schoolwide positive behavior support plan. Following is a list of alternatives to be considered before suspending a student: warning, phone call home, parent conference, teacher/administrative detention, written assignment/research/presentation, loss of privileges, behavior contract, parent shadowing, mentorship (peer/teacher), referral (counseling, SST, Principal/Assistant Principal), assigning volunteer work/community service, Saturday school, and in-school suspension.

## **Grounds for Suspension**

### **Jurisdiction**

A student may be suspended for prohibited misconduct as identified below under the heading, “Enumerated Offenses,” if the act is (1) related to school activity; (2) school attendance occurring at MSA-4; or (3) a MSA-4 sponsored event. A student may be suspended for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- 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; or
- d) during, going to, or coming from a school-sponsored activity.

### **Enumerated Offenses**

#### **Discretionary Suspension Offenses**

Students may be suspended for any of the following acts when it is determined the student:

1. Caused, attempted to cause, or threatened to cause physical injury to another person resulting in minor harm.
2. Willfully used force or violence upon the person of another, except self-defense resulting in minor injury.
3. Unlawfully possessed, used, or otherwise furnished nominal amounts of any controlled substance, alcoholic beverage, or intoxicant of any kind as defined in Health and Safety Code Sections 11053-11058.
4. Unlawfully was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind as defined in Health and Safety Code Sections 11053-11058.
5. 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.

6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property resulting in negligible loss.
8. Stole or attempted to steal school property or private property.
9. 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.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
12. Knowingly received stolen school property or private property.
13. 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.
14. 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.
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
16. 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.
17. Made terroristic 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.

18. 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 offensive as 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.
19. 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.
20. 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.
21. 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 detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience interference with his or her academic performance.
    - iv. Causing a reasonable student to experience 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 creation or 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:
    - i. A message, text, sound, video, 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. An act of cyber sexual bullying.
    - (a) For purposes of this clause, “cyber sexual bullying” means 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 subparagraphs (i) to (iv), inclusive, of paragraph (1). 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.
    - (b) For purposes of this clause, “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.
- 3) 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.

22. 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 paragraphs 1 and 2 of this section.

23. 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.

### **Mandatory Suspension Offenses**

Students shall be suspended when the following occur on school campus or at a school activity off campus, for any of the following reasons:

1. Possessing, selling, or furnishing a firearm, as defined in Section 921 of Title 18 of the United States Code.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committing a sexual battery, as defined in Penal Code Section 243.4.
5. Possession of an explosive, as defined in Education Code Section 48915(h).

## **Suspension Procedures**

Suspensions shall be initiated according to the following procedures:

### **Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal'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 Principal. The conference may be omitted if the Principal 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, by Principal or Designee, 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 student 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 (2) school days, unless the student 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 student for failure of the student's parent or guardian to attend a conference with Charter School Principal or Designee. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at the conference.

MSA-4 assures that the process for investigating incidents and collecting evidence will be fair and thorough.

As an alternative to out of school suspension, MSA-4 utilizes in-school suspension as a way to redirect student choices and provide an opportunity to reflect in a space that ensures students will also be responsible for completing assigned academic work. The in-school suspension for students will be in a designated working area in the main office with access to a supervising administrator who holds a teaching credential. During in-school suspension, access to instructional materials will be coordinated by the Assistant Principal. The Assistant Principal will reach out to the students' teachers prior to the in-school suspension and the teachers will share the materials and assignments students will be working on while they are serving their in-school suspension. Since students have access to online platforms, students will be provided with a one to one device just like their peers to complete assignments. If the in-school suspension is related to a technology infraction, a hard copy will be

provided as an alternative for having access to work and submitting assignments. Office staff will work alongside administrators to determine any accommodations students may need during their in-school suspension. For example, scheduled breaks, as well as providing breakfast and lunch for the student. A restorative justice team consisting of teachers and the Assistant Principal will meet to develop a positive behavioral plan to support the student during and after the in-school suspension. This plan is shared with parent/ guardian when informing them of the in-school suspension and parent/ guardian feedback is also welcomed regarding follow up support for their child. In addition to the meeting, a form will be provided to families regarding the in-school suspension and the parent can sign giving their acknowledgment of the in-school suspension guidelines. A student may be suspended in-school for a maximum of five school days per incident and a maximum of 20 school days per academic year.

During the in-school suspension, the Assistant Principal will work directly with the student and together they will create a plan for how to re-enter the school environment following an incident. There will also be additional support added during this reflection time which may include speaking to a counselor. Every incident is unique and should there be an opportunity to restore the relationship and redirect the student's actions during the in-school suspension, this connection and established trust will be leveraged. In an effort to ensure the safety of all stakeholders, the following offenses may result in in-school suspension:

- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence,
- Engaged in harassment, threats, or intimidation against a pupil or group of pupils or school district personnel,
- Made terrorist threats against school officials or school property, or both.

The above-mentioned offenses are addressed in a serious manner and depending on the details may not be able to be rectified with an in-school suspension. The school administrator will report the incident to the appropriate authorities under the direction of the local authorities who will assess the level of risk and will act in accordance with the recommendations. The authorities will determine whether or not the situation should be handled “administratively” or by the police. The administrative team will then move forward with the appropriate support. In order to comply with Ed Code Section 48900, the school administrator will notify all stakeholders by the end of the school day.

### **Notice to Parents/Guardians**

At the time of the suspension, the Principal 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, by the Principal or Designee, 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 will also state the date and time when the student may return to school and will provide information about the appeal right and process. If Charter School administrators wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice will request that the parent/guardian respond to such requests without delay.

### **Suspension Time Limits**

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. A student may be suspended from school for not more than 20

school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code Sections 48903, 48911, and 48912) The expulsion process shall not take longer than 30 days from the first day of the initial suspension. Disciplining students with Disabilities is outlined in the section below.

### **Suspension Appeals**

Students and parent/guardian may appeal a suspension within five (5) school days of the suspension. This appeal will be made, verbally or in writing, to the Principal and heard by a Reflection Committee. The Reflection Committee is an advisory committee to the Principal, trained quarterly in restorative practices and PBIS, and will be comprised of at least one school administrator, and at least two teachers, and may also include a non-certificated employee. Current teachers of the student are not eligible to participate as a member of the Reflection Committee. All Reflection Committee hearings on suspensions will be held within two (2) school days of the appeal being made. The decision of the Reflection Committee is final. Based on the information submitted or requested, the Reflection Committee may make one of the following decisions regarding the suspension:

- Uphold the suspension
- Determine that the suspension was not within school guidelines, overturn the suspension, and order that all records and documents regarding the disciplinary proceeding be destroyed. No information regarding the suspension will be placed in the student's permanent record, or shared with anyone not directly involved in the proceedings. The Charter School administrators shall make arrangements to provide the student with classroom materials and assignments for the duration of student's absence. Student will be provided the opportunity to make academic progress, make up assignments, and earn credit missed.

Notwithstanding the foregoing, the Charter School will maintain student records in accordance with Education Code Sections 35253 and 49076 and 5 CCR 16024.

### **Recommendation for Placement/Expulsion**

Upon a recommendation of Placement/Expulsion by the Principal, the student and the student's parent/guardian or representative will be invited to a conference with school site administrators to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when the Principal or Designee has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student's parent/guardian or representative, unless the student and the student's parent/guardian or representative fail to attend the conference, at which time the school shall proceed with the extension.

This determination will be made by the Principal or designee upon either of the following findings: (1) the student's presence will be disruptive to the education process; or (2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

## **Access to Education**

For suspensions that are not pending an expulsion hearing, the Charter School shall make arrangements to provide the student with classroom material and current assignments to be completed at home during the length of the suspension. For suspensions pending an expulsion hearing, the Charter School shall be responsible for the appropriate interim placement of students. Please see “Interim Placement” below for details.

## **Grounds for EXPULSION**

### **Jurisdiction**

A student may be expelled for prohibited misconduct, that are described below under the heading, “Discretionary Expellable Offences and Mandatory Expulsion Offenses,” if the act is (1) related to school activity; (2) school attendance occurring at MSA-4 or at any other school; or (3) a MSA-4 sponsored event. A student may be expelled for offenses that are described below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- 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; or
- d) during, going to, or coming from a school-sponsored activity.

The length of an expulsion is addressed above, under “Rehabilitation Plans.”

### **Discretionary Expellable Offenses**

Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person resulting in serious bodily harm.
2. Willfully used force or violence upon the person of another, except self-defense resulting in serious bodily injury.
3. Unlawfully possessed, used, or otherwise furnished significant amounts of any controlled substance, alcoholic beverage, or intoxicant of any kind as defined in Health and Safety Code Sections 11053-11058.
4. Unlawfully under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
5. 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.

6. Committed or attempted to commit robbery or extortion in excess of \$1,000.
7. Caused or attempted to cause damage to school property or private property in excess of \$1,000.
8. Stole or attempted to steal school property or private property in excess of \$1,000.
9. 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.
10. 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.
11. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
12. 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.
13. Made terroristic 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.
14. 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.
15. 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.

16. 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.
17. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - i. “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.
  - ii. “Electronic Act” means the creation or 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:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - i. 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.
      - ii. 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.
      - iii. 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. An act of cyber sexual bullying.

- i. For purposes of this clause, “cyber sexual bullying” means 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 subparagraphs (i) to (iv), inclusive, of paragraph (1). 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.
    - ii. For purposes of this clause, “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.
  2. 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.
18. 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 paragraphs 1 and 2 of this section.
19. 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.

## **Mandatory Expulsion Offenses**

1. Possessing, selling, or furnishing a firearm, as defined in Section 921 of Title 18 of the United States Code.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committing a sexual battery, as defined in Penal Code Section 243.4.
5. Possession of an explosive, as defined in Education Code 48915(h).

## **Expulsion Procedures**

### **Authority to Expel**

If determined necessary upon the referral by the discipline committee; a student may be expelled by an Administrative Panel following a hearing before it. The Administrative Panel will include three or more certificated persons, none of whom have been members of the Board or on the staff of the Charter School in which the student is enrolled. It is important for the Administrative Panel members

to have experience in education law and student discipline. Typical Administrative Panel members include teachers, school administrators and Home Office Chiefs/Directors. The Home Office will coordinate all administrators and teachers who serve on the Reflection Committee at their school sites to be “on call” for a particular month should their presence be needed at an Administrative Panel hearing. A member who served on the Reflection Committee may not serve on the Administrative Panel for the same student. The Administrative Panel may expel any student found to have committed an expellable offense.

A decision to expel a pupil for an expellable offense shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

The process for investigating incidents and collecting evidence will be fair and thorough.

### **Expulsion Hearing**

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 Principal determines that the Student has committed an expellable offense.

After an Administrative Panel hears the case, it will make a determination 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 in open session three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of MSA-4’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.

## **Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses**

MSA-4 may, upon finding a 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 complaining 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 which shall be examined only by the Administrative Panel. Copies of these sworn declarations, edited to delete the name and identity of the complaining witness, shall be made available to the Panel.

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 (5) 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. MSA-4 administrators 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 Administrative Panel conducting the 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 Administrative Panel 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 Administrative Panel 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 entity presiding over the hearing from removing a support person whom the presiding Administrative Panel finds is disrupting the hearing. The Administrative Panel 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, MSA-4 administrators must present evidence that the witness' presence is both desired by the witness and will be helpful to MSA-4. The Administrative Panel 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 Administrative Panel shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding entity 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 hearing during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the student under investigation, 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 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 Administrative Panel conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances 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.

### **Record of Expulsion 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.

### **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 determination 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 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 accused student, 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.

If the Administrative Panel decides not to expel, the student shall immediately be returned to his/her educational program.

### **Written Notice to Expel**

The Principal or designee following a decision of the Administrative Panel to expel shall send written notice within 30 days of the decision to expel, including the Administrative Panel's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense(s) committed by the student
2. 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 MSA-4
3. The reinstatement eligibility review date; a copy of the rehabilitation plan; the type of educational placement during the period of expulsion, and notice of appeal rights/procedures
4. Information regarding rights to, how, timelines, and to whom a student/parent may appeal an expulsion decision

The Principal or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student

### **Disciplinary Records**

MSA-4 shall maintain records of all student suspensions and expulsions at MSA-4. Such records shall be made available to the District upon request.

### **Expulsion Appeals**

In order to appeal an expulsion, the student/parent/guardian must submit a written appeal to the CEO of MPS outlining the reason for the appeal, attaching any supporting documentation, within ten (10) calendar days of receiving the written notice of the expulsion.

In response to the written request for an appeal, the CEO of MPS shall call a meeting of the Board of Directors. The Board shall convene a hearing on the appeal within ten (10) calendar days of receipt of a timely written request for an appeal.

At the hearing on the appeal, the student or his/her representative shall have the right to present evidence. The Board will consider the evidence and/or testimony presented to the Administrative Panel as appropriate and will render a contemporaneous written decision, which shall be immediately communicated to the appellant at the conclusion of the hearing, in the best interest of the student and the Charter School. That decision shall be final.

### **Interim Placement**

The Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students, including, but not limited to, programs within the County or their school district of residence.

The Charter School shall work with the District for an interim placement at a community day school or other alternative program. Should the Charter School determine after the referral that the student will remain at the Charter School pending the expulsion hearing based on the best interest of the student, or if the Charter School secures another alternative interim placement at another Charter School or school within its CMO, if appropriate and aligned with applicable charter petitions, the Charter School will notify the District of such determination.

### **Readmission/Reinstatement**

The decision to readmit a pupil previously expelled from MSA-4 shall be at the discretion of the Governing Board following a meeting with the Principal or designee, the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil continues to pose a threat to others or will be disruptive to the school environment. The Principal or Designee will make a recommendation to the Board following the meeting regarding his/her recommendation. The Board shall then make a final decision regarding reinstatement during closed session of a public meeting, reporting out any actions taken during closed session as required of the Brown Act. The pupil's readmission is also contingent upon MSA-4's capacity at the time the student seeks readmission. These procedures will be made available to the pupil and his/her parent or guardian at the time the expulsion order is issued.

### **Rehabilitation Plans**

Pupils who are expelled from MSA-4 shall be given a rehabilitation plan upon expulsion as developed by the Administrative Panel at the time of the expulsion order. The rehabilitation plan includes improved behavior, attendance, and academic performance and shall include a date no later than one (1) year from the date of expulsion when the pupil may apply to MSA-4 for readmission.

MSA-4 shall mail written notification to parent/guardian within thirty (30) days prior to the end of the expulsion term. This notice will request the parent or guardian to submit written documentation to the school showing that the student has met the conditions of the rehabilitation plan. The board shall review these documents and make a final decision regarding reinstatement. If the student does not meet the requirements of the rehabilitation plan as determined by the board, the board will revisit at a later date not to exceed one (1) year.

## **ADDITIONAL PROVISIONS**

### **Bullying**

Bullying is listed as an offense for which a student may be suspended or expelled. The Charter School shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code Section 234 *et seq.* MPS' policy on bullying prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics, as specified in the definition of hate crimes. MPS' process for receiving and investigating complaints includes complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics, as specified, and a requirement that Charter School personnel who witness such acts take immediate steps to intervene when safe to do so, a timeline to investigate and resolve complaints, and an appeal process.

## Procedures for Notifying Teachers about Dangerous Pupils

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

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

### **This notification will be provided on our school letterhead:**

To: ALL CERTIFICATED STAFF  
From: **Admin**  
Re: Student Suspension Information

*Education Code 49079 and Welfare and Institutions Code 827 require that teachers be notified of the reason(s) a student has been suspended. We have incorporated this notification into the existing "Attendance Reporting screen". On the daily attendance report, when a student is suspended, it will show in Illuminate. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is **CONFIDENTIAL**, is not to be shared with any student(s) or parent(s). Teachers are asked to secure the list so students and others may not view it.*

The following are examples of Ed. Code 48900 and 48915 violations that may appear on your report.

- E.C. 48900**
- (a)(1) Mutual fight
  - (a)(2) Assault/Battery
  - (b) Possessed, sold or furnished dangerous object
  - (c) Controlled substance/alcohol
  - (d) Imitation controlled substance
  - (e) Robbery/extortion
  - (f) Vandalism
  - (g) Theft
  - (h) Tobacco/nicotine products
  - (i) Obscene act, habitual profanity/vulgarity
  - (j) Drug paraphernalia
  - (k) Disruptive/willfully defiant behavior (grades 4-12)
  - (l) Received stolen property
  - (m) Imitation firearm
  - (n) Sexual assault or battery
  - (o) Harassed/threatened witness
  - (p) Sale of soma
  - (q) Hazing

(r) Bullying/cyber bullying

(t) Aiding and abetting

E.C. 48900.2 Sexual harassment (gr 4-12)

E.C. 48900.3 Hate violence(gr 4-12)

E.C. 48900.4 Severe or pervasive harassment, threats and intimidation (grades 4-12)

E.C. 48900.7 Terrorist threats against school officials or property

E.C. 48915 (a)(1)(A) Serious physical injury

(a)(1)(B) Possession: knife or dangerous object

(a)(1)(C) Controlled substance

(a)(1)(D) Robbery or extortion

(a)(1)(E) Assault/battery of school employee

E.C. 48915(c)(1) Possessing, selling, furnishing firearm

(c)(2) Brandishing a knife at another person

(c)(3) Selling a controlled substance

(c)(4) Committing or attempting to commit sexual assault or battery

(c)(5) Possession of an explosive

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

### Sexual Harassment Policy

#### **Policy Prohibiting Unlawful Harassment**

MPS is committed to providing a work and educational atmosphere that is free of unlawful harassment. MPS's policy prohibits sexual harassment and harassment based upon race, color, creed, gender (including gender identity and gender expression), religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, sexual orientation, military or veteran status, or any other consideration made unlawful by federal, state, or local laws. MPS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the School does business. This policy applies to all employee actions and relationships, regardless of position or gender. MPS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

#### **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 work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment; or
- Deferential or preferential treatment based on any of the protected classes above. Prohibited Unlawful Sexual Harassment:

In accordance with existing discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by the School.

MPS is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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

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 in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a policy, productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the Principal (or MPSCO Human Services for MPSCO employees). See Appendix A for the "Harassment Complaint Form." See Appendix B for the general "Complaint Form."

**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 employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.

- Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

**Sexual or discriminatory displays or publications anywhere at the workplace by employees, 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 to work or possessing any such material to read, display or view at work.
- Reading publicly or otherwise publicizing in the work 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 employee by sex in an area of the workplace (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. Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment. MPS will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation. While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

**B. Staff/Student Interaction Policy**

MPS recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

**Corporal Punishment:**

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 this 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 property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

Examples of PERMITTED actions (NOT corporal punishment):

- Stopping a student from fighting with another student;
- Preventing a pupil from committing an act of vandalism;
- Defending yourself from physical injury or assault by a student;
- Forcing a pupil to give up a weapon or dangerous object;
- Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
- Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

Examples of PROHIBITED actions (corporal punishment):

- Hitting, shoving, pushing, or physically restraining a student as a means of control;
- Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
- Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

**Acceptable and Unacceptable Staff/Student Behavior:**

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member’s obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, “Would I be engaged in this conduct if my family or colleagues were standing next to me?”

For the purposes of this policy, the term “boundaries” is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member’s perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as

written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

### **Duty to Report Suspected Misconduct**

When any employee becomes aware of another staff member having crossed the boundaries specified in this policy, he or she must speak to this staff member if the violation appears minor, or report the matter to school administrators. If the observed behavior appears significant, it is the duty of every staff member to immediately report it to an administrator. All reports shall be confidential. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

### **Unacceptable Staff/Student Behaviors (Violations of this Policy):**

- Giving gifts to an individual student that are of a personal and intimate nature;
- Kissing of any kind;
- Any type of unnecessary physical contact with a student in a private situation;
- Intentionally being alone with a student away from the school;
- Making or participating in sexually inappropriate comments;
- Sexual jokes;
- Seeking emotional involvement with a student for your benefit;
- Listening to or telling stories that are sexually oriented;
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding;
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

### **Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission:**

(These behaviors should only be exercised when a staff member has parent and supervisor permission.)

- Giving students a ride to/from school or school activities;
- Being alone in a room with a student at school with the door closed;

- Allowing students in your home.

### **Cautionary Staff/Student Behaviors:**

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- Remarks about the physical attributes or development of anyone;
- Excessive attention toward a particular student;
- Sending emails, text messages or letters to students if the content is not about school activities. Acceptable and Recommended Staff/Student Behaviors:
- Getting parents' written consent for any after-school activity;
- Obtaining formal approval to take students off school property for activities such as field trips or competitions;
- E-mails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology);
- Keeping the door open when alone with a student;
- Keeping reasonable space between you and your students;
- Stopping and correcting students if they cross your own personal boundaries;
- Keeping parents informed when a significant issue develops about a student;
- Keeping after-class discussions with a student professional and brief;
- Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries;
- Involving your supervisor if conflict arises with the student;
- Informing the Executive Director about situations that have the potential to become more severe;
- Making detailed notes about an incident that could evolve into a more serious situation later;
- Recognizing the responsibility to stop unacceptable behavior of students or coworkers;
- Asking another staff member to be present if you will be alone with any type of special needs student;

- Asking another staff member to be present when you must be alone with a student after regular school hours;
- Giving students praise and recognition without touching them;
- Pats on the back, high fives and handshakes are acceptable;
- Keeping your professional conduct a high priority;
- Asking yourself if your actions are worth your job and career.

### **School-wide Dress Code prohibiting gang-related apparel**

Disruption and/or intimidation caused by the wearing of any type of clothing/jewelry or by writing of any signs identified as or associated with gangs. No gang activity or gang association will be permitted at school or school sponsored activities. Gang symbols on notebooks, lockers, book bags, etc. are not permitted and will be documented. Students may not promise to become or be members of a gang, secret society, illegal club, sorority or fraternity.

### **Procedures for Safe Ingress and Egress from School**

#### **\*Please see school map at bottom of this Safety Plan**

Visitors and guests are welcome at the school. However, to safeguard students and staff, reasonable precautions should be taken.

Visitors should:

1. Always report and sign in at the office.
2. Be provided with a visitor's badge.
3. Be prepared to provide identification to school personnel.
4. Respect school rules.

School personnel should:

1. Insure all exterior doors are marked with a notice to visitors to first report to the office.
2. Exterior doors should remain locked, except doors near the office area.
3. Staff should receive training on how to greet visitors. The first question is "May I help you?"
4. Someone should greet every visitor.
5. Any intruder found roaming the building should be escorted to the office. Someone can then provide any additional information or directions. (NOTE: An intruder is anyone without a visitor's badge or lacking visible identification stating who they are, i.e., school employee)

Visitors who fail to comply with school procedures:

1. Should verbally be informed they are in violation of school policy. (Example - "Sir, you must report to the office immediately. If you fail to do so, you will be considered a trespasser, and school security will be called.")
2. If this fails:
  - Notify the office of the situation.
  - Follow the person, if possible, and continue to give notice of the violation of school rules.
3. Police should be notified, or call 911.
4. Office should activate building-wide notification plan concerning intruder:
  - PA announcement using pre-determined code phrase.
  - Classroom doors should be closed.
  - Students should remain in current areas.

## **Procedures to Ensure a Safe and Orderly Environment**

### **The Social Climate and the Physical Environment**

Our staff believes that safety and education is a shared responsibility between parents, teachers and students. The successful operation of this school depends on the cooperation of everyone concerned. Each group is responsible for doing its part to make school a place where we can learn, be safe and play together in harmony. Everyone has the right to feel safe, secure, and accepted regardless of color, race, gender, popularity, ability, religion or nationality. Our handbook allows us to share our vision with the students and parents of our team.

MPS is a reflection of all of us. All of our policies are intended to provide a safe and orderly environment that will be conducive to learning. Our faculty and staff look forward to sharing their expertise in academics, special programs, and extracurricular activities. We encourage you to get to know the school, its programs, activities, and schedule. Become an active participant in your education. Get involved through classes, clubs, and activities.

MPS is aware of the fact that a school environment is viable only with clearly defined and implemented rules. MPS compiled the student-parent handbook, which addresses the schools regulations and policies to set a standard.

### **Core Values**

Magnolia Public Schools has identified the following core values which are reinforced through its "Life Skills" curriculum, expected school wide learning results (ESLR), and all school activities.

### **Value: Scholarship Value: Critical Thinking**

Success and Self Discipline Citizenship and Personal Qualities

**Value: Social Responsibility Value: Effective Communication**  
Respect and Responsible Choices Conflict Resolution and Human Relations

**Effective Communication:**

When issues or concerns arise with a teacher, staff member or administrator, students and parents are encouraged to address the situation with the person involved first.

If students express that they are having a problem at school, it is important for parents to understand the best way to address these problems. If the problem involves a classroom situation or a situation with a teacher, the following remedies are recommended:

1. Parents should encourage their child to talk with the teacher.
2. Parents can encourage their child to talk with an administrator.
3. If the child is reluctant to talk with a teacher or administrator, a parent may offer to accompany their child and talk with the teacher.

It is very important to demonstrate to children how to actively and constructively solve a problem. If the problem is important enough for the child to talk about, it is important for the child to learn how to be a part of the solution.

**If parent feels there is a concern they should:**

1. Talk with the teacher. Teachers can explain classroom situations from an adult perspective and from a professional perspective, and usually that will resolve misunderstandings.
2. If the problem persists after a reasonable time, talk with the teacher again.
3. If the problem is still not resolved, make an appointment with the related administrator.

For example, if you are unsure of a decision made in the classroom about a consequence given for a behavior, you should discuss the situation with the teacher first. If after this discussion, you feel the situation is unresolved, it should be brought to the attention of the Dean of Students. If it is still not handled to your satisfaction, the Principal should be notified.

If after meeting with the Principal, you still have concerns, MPS Central Office and the MPS Board and, after that, the School District/County/State would be the next avenue of communication.

Teachers, staff, and administration are available through email, phones, in person and by appointment. Due to the busy schedules of the teachers and administration, parents are asked to not "drop in" for appointments, but to set up a meeting in advance. Parents should not talk to teachers, other parents, students, or administrators in a disrespectful or threatening manner.

**Students' Rights and Responsibilities:**

- To be informed of all school rules and regulations.

- To have access to your student account in Illuminate.
- To have a safe and educational environment.
- To attend class regularly and on time.
- To obey school rules and regulations.
- To respect your rights and the rights of your peers.
- To be familiar with school policies, rules and regulations.
- To be prepared for class with appropriate materials and ready to work.
- To respect all school personnel and their authority (administrators, teachers, office personnel, janitorial staff, security guards, etc.).

**Parents' Rights and Responsibilities:**

- To be informed of the school's rules and regulations.
- To be informed of all school actions related to their child.
- To have access to your personal parent accounts in Illuminate.
- To contact school to participate in conferences pertaining to academic and behavioral status of their child.
- To provide a supportive environment at home making sure their child gets enough sleep and adequate nutrition before coming to school.
- To be familiar with school policies, rules and regulations.
- To contact teachers directly via phone or email to schedule a conference.
- To be familiar with the handbook, which was signed at the beginning of the school year.
- To monitor your child's academic progress and behavior records on a weekly basis.
- To ensure that your child does his/her homework on a daily basis and to facilitate a home environment conducive to home study.

**Teachers' Rights and Responsibilities:**

- To expect students to behave in a positive manner that will not interfere with other students' learning.
- To expect parental support related to academic and social progress.

- To expect all students to participate and put forth effort in order to expand their education and earn a passing grade.
- To be familiar with school policies, rules and regulations.
- To inform parents through progress reports, report cards, and conferences about the academic progress and behavior of their child.
- To conduct a well-planned and effective classroom program.
- To initiate and enforce a set of classroom rules, consistent with the school’s discipline policies.
- To keep assignments, grading, and attendance current in Illuminate.
- To have administrative support for discipline in and outside the classroom. To explain the Student Code of Conduct and Bullying Policy to their students.
- To enforce the Student Code of Conduct and Bullying Policy in a consistent manner.
- To function as a positive role model for their students.
- To contact parents as deemed necessary to enforce the Student Code of Conduct and to maintain parent/guardian involvement.

**Administrators’ Rights and Responsibilities:**

- The right to address the Board of Trustees on any issue.
- To hold students to strict accountability for any disorderly conduct in school or around school.
- To take appropriate action in dealing with students who choose not to follow the rules.
- “All students shall comply with the regulations, pursue the required course of study, and submit to the authority of teachers of the school.” Education Code, § 48900 et seq.
- To recommend in-school suspension, suspension, or expulsion as the situation demands.
- To provide rich leadership that will establish, encourage and promote effective teaching and learning.
- To be familiar with school policies, rules and regulations.
- To establish, promote, and enforce school rules that facilitate effective learning and positive habits and attitudes of excellent citizenship among students.

**Illuminate provides the following information:**

1. Attendance: Each student's attendance (tardy/absence) is recorded daily (by each teacher) in 'real-time.' This is one method our parents can monitor their child's attendance in each class daily.
2. Grades: Our teachers input all academic grades online for each assignment, quiz, and examination.
3. Behavior: Each student receives a 'Behavior' grade that is recorded on Illuminate.
4. Homework/Assignments: Our teachers upload and document all homework assignments on Illuminate. This information is useful for students who were absent from class and also provides a reminder for those who may have forgotten to record their homework assignment for a course.
5. Illuminate Point System: we believe that students should be rewarded for good work, positive behavior and exuding the school's expected school-wide learning results which students earn points and are recorded on Illuminate. The point Illuminate system serves as an incentive program that our teachers use to encourage students to improve. However, when students fail to demonstrate positive behavior, and/or the school-wide goals then points are deducted.
6. Communication: Illuminate provides another effective method for parents, students and teachers and the school's leadership team to communicate online and leave messages that are documented through a communication log. The types of communications include but are not limited to: informing parents about their child's academic progress, progress reports, mandatory tutoring letters, announcements, articles posted on the school's website, honor roll, behavior, recognition of perfect attendance, upcoming Parent Task Force meetings/events, and upcoming awards for recognition. Also, teachers can post updates, upcoming deadlines and leave messages for students and parents using Illuminate. For parents who do not have access to a computer, the front office has a computer available for their use anytime during school hours and after-school. Illuminate provides yet another way for our parents to become involved in their child's education, and our teachers have the support of the families in doing so.

### **Our Graduates will be:**

#### **Critical Thinkers who:**

- Apply, analyze, identify, synthesize and evaluate information and experiences.
- Connect the skills and content learned across the curriculum and evaluate multiple points of view.
- Use the **Inquiry Process** to address a problem, hypothesize, analyze, and draw conclusions as they investigate an issue/problem.
- Utilize Problem-solving techniques during conflict resolution and to compromise.

#### **Effective Communicators who:**

- Demonstrate effective oral and written communication skills through the use of Academic Language at school, with peers and in the community.
- Demonstrate Content area and grade level achievement in Reading, Writing, Mathematics, History and Science.

- Collaborate, work effectively, and manage interpersonal relationships within diverse groups and settings.

### **21<sup>st</sup> Century Scholars who:**

- Use technology effectively to access, organize, research and present information.
- Demonstrate the ability to integrate technology as an effective tool in their daily lives.
- Have developed an academic plan with goals to guide them in their pursuit towards a college degree and career choices (planning).
- Have a clear understanding of the UC A-G Course Requirements and meet college eligibility requirements.

### **Socially Responsible Global Citizens who:**

- Embrace and respect cultural diversity through the understanding of our Global World.
- Demonstrate knowledge and understanding of American and World History and the values of different cultures.
- Contribute to the improvement of life in their school and local community through Leadership skills and participation in Community Projects.
- Demonstrate knowledge of proper nutrition, exercise and physical health and its impact on daily life.

### **“Life Skills”**

Our ESLR’s are also integrated and further reinforced in our daily “Life Skills” Course, a requirement for all students in grades 6-8. Each year, the Principal will join the other 10 from all Magnolia Public Schools to collaborate to discuss and reflect on the impact of the Life Skills Curriculum, the school’s mission, vision and school culture. Based on the discussion and feedback, the curriculum is revised to support the school’s culture and engage all students while creating a safe and respectful learning environment for all students.

The 2018-19 Life Skills Curriculum addresses the following issues/topics as part of the curriculum:

- Patterns of Success (Essential skills to prepare for College & Academic Success)
- Respect
- Conflict Resolution (Addressing teen issues including Bullying, Cyber bullying, Peer Pressure)
- Making Responsible Choices (Ethics, Drug/Alcohol Awareness/Prevention)
- Citizenship (Democratic Values)
- Human Relations (Social Interactions)
- Personal Qualities (Core Values)
- Self-Discipline (Developing a positive attitude)

“Life Skills” is an enriching course that provides our students with valuable skills to excel academically and socially in the 21<sup>st</sup> century. The teacher leads the course, and then students participate in activities/projects to demonstrate their understanding of the material and answer questions posed. In addition, our instructors have guest speakers and utilize various forms of technology to engage students in the course content.

### **Parent Association**

Our parent association holds annual elections for the following positions: President, Vice President, Treasurer, and Secretary. Approximately 10% of our parents continuously attend monthly PTSC meetings. Our PTSC supports our school and students through fundraising, recruiting volunteers for our school, and student outreach/recruitment. The purpose is to support the school staff and students in the school's areas of needs and as a family to create a community within our school. Our goal is to increase the percentage of parents attending. We understand that our parents lead hectic lives so we are having parent meetings in the mornings and evenings as a pilot program to assess if this move will increase parent participation.

## **Professional Development**

Professional development occurs on a regular basis to address the diverse needs of our students and their various learning styles. Prior to the start of the academic school year, teachers receive extensive trainings on school-wide academic expectations and how to meet the needs of all learners. Teachers are trained on the rules and regulations students are expected to uphold, including but not limited to illegal substances (drugs, alcohol, and related paraphernalia) and the risks and factors related to this. Also, trainings on bullying awareness and bullying prevention occur throughout the school year to help minimize bullying-related altercations.

- a. Plans encouraged including guidelines for roles and responsibilities of mental health/intervention professionals, school counselors, and law enforcement, if school uses these people. EC 32281.1 effective January 1, 2014
  - a. Include strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support. Address mental health care of pupils who have witnessed a violent act at any time, related to school activity. Addendum to EC 32281.1 effective January 1, 2015
- b. Collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in order to create a plan to address the threat of sexual abuse and sex trafficking. EC 49380 effective January 1, 2015

We collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in accordance with EC 49380 effective January 1, 2015

### **Physical Environment**

Our school provides a safe, healthy, and nurturing environment characterized by trust, caring and professionalism. We have adopted and implemented a comprehensive set of health, safety, and risk management policies to create a safe and secure learning environment. These policies comply with all applicable state and local health and safety laws and regulations. It is the responsibility of the on-site school administration to consistently monitor all activities to ensure safety and security of the students. Parents and students are also made aware of these policies as it regards to them in the form of student and parent handbooks. We are dedicated to enforcing school functions as a drug-free, alcohol-free, and tobacco-free zone, as well as a zero-tolerance policy for sexual harassment for all employees, students, and parents. Students are educated about bullying and cyber bullying via school-wide assemblies and individual guest speakers. All staff members are mandated reporters in case of child abuse or violence. Emergency safety plans have been written up to address emergency situations (e.g. natural disasters and fires). Each classroom is equipped with a copy of these plans and disaster drills are practiced throughout the year.

- a. Plans include guidelines for roles and responsibilities of mental health/intervention professionals, school counselors, and law enforcement, if school uses these people. EC 32281.1 effective January 1, 2104
  - b. Include strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support. Address mental health care of pupils who have witnessed a violent act at any time, related to school activity. Addendum to EC 32281.1 effective January 1, 2015
- Goal(s): All employees will uphold and implement all stated policy and procedures as noted in the school wide safety plan.
  - Objective 1: Quarterly all employees will review the policy and procedures as noted in the school wide safety plan.
    - Related Activities: Review regularly during Professional Development, committee meetings and safety meetings.
    - Resources needed: Safety plan,
    - Person(s) responsible for implementation: Designated administrator, safety committee
    - Timeline for implementation: August 2016
    - Budget: None
    - Evaluation guidelines: Surveys, Feedback from stakeholders
  - Goal(s): Maintain and upkeep a safe school campus
  - Objective: Monthly school personnel will complete a campus walk-thru form to identify any areas of need.

- Related Activities: Teachers can report concerns during weekly staff meetings.
- Resources needed: Walk-thru form, building supplies
- Person(s) responsible for implementation: Plant manager
- Timeline for implementation: August 2016
- Budget: Refer to schools annual budget
- Evaluation guidelines: Surveys, Feedback from stakeholders

### **Rules and Procedures on School Discipline**

Magnolia Public Schools Student Code of Conduct: MPS is committed to excellence in academic instruction and in cooperating with parents/guardians to teach students the behaviors and skills that support social successes throughout life. To accomplish this goal, MPS is taking a proactive approach to teaching social skills as a significant component of the educational program. The curriculum includes teaching of the behaviors necessary for effective and satisfying social interaction in school, on field trips, in the community, and at home.

#### **Expected Student Behavior**

Students should always remember that their behavior and actions at school and at school-sponsored activities are a reflection not only of themselves, but also of the school. The following is a guideline of what is expected from an MPS student:

#### **Breakfast/Lunch Time:**

- Proceed to the eating area as instructed by MPS staff.
- Eat and finish their breakfast/lunch in the assigned area. No food should be eaten outside the designated areas.
- Wait patiently for their food, and follow the direction of the adults on duty.
- Clean up after themselves and dispose of their trash in the appropriate area.
- Remember that they are not allowed in the school building without a pass.

Remember that restroom use is at the discretion of the security guard/supervisor staff. Students must carry a pass that is given to them by security guard/supervisor staff.

#### **On Campus:**

- Stay in designated areas on-campus.
- Be courteous and respectful at all times to everyone.
- Not use profanity, lie, fight, gamble, possess inappropriate literature or material, or be involved in the abuse/harassment of others.
- Not use or have cellular phones turned on during school hours; students are allowed to use cellular phones only in the designated area after school. Phones should not be used during after school programs, such as tutoring.
- Remember that any electronic devices seen during class time will be confiscated and returned to the student's parents/guardians at the discretion of administration.
- Remember that gum chewing is not allowed anywhere on campus.
- Never ride bicycles, use roller blades or skateboards on campus nor bring them to class.
- Not leave campus without permission during school hours.
- Not use matches, lighters, or any type of explosive incendiary device on campus.

- Remember that no electronic devices such as CD/MP3/IPOD players may be visible or used on the campus grounds.
- Students are not allowed to loiter in the hallways.

**Assemblies:**

- Be courteous and quiet during the entire assembly.
- Be respectful to the presenter/speaker.
- Follow all teacher/staff directions.

Field Trips: Students must:

- Be on their best behavior. Pay attention to the directives given by the moderator and trip leader.
- Follow all school rules pertaining to behavior.
- Wear MPS uniform unless authorized by administration.

**Public areas: Hallways, Lunchroom & Restrooms: Hallways, Lunchroom and Restrooms are areas used by all members of School.**

- Use the halls, lunchroom, or restrooms only as needed and then move on to class.
- Eat only in the cafeteria or other designated area.
- Leave gum at home; chewing gum is strictly prohibited anywhere on campus.
- Maintain orderly conduct always; walk in the halls, lunchroom, or restrooms.
- Keep in mind that profanity and vulgar language at any level is unacceptable and is strictly prohibited in all areas and at school functions at all times.
- Limit excessive noise such as yelling, screaming or banging lockers while in these areas.
- Help keep the school clean by picking up after yourself and putting your belongings in their proper place.
- Respect others personal space and keep your hands to yourself even in play.
- Have a pass to be in the above areas during class time.
- Keep in mind that vandalism, littering, or graffiti in the school is prohibited and should be reported as this reflects poorly on everyone.
- Public displays of affection are prohibited.
- Bring only plastic and paper containers to school; all glass containers are prohibited on campus and will be confiscated.
- Be responsible and report any leaks, spills, or other problems in the bathroom to a teacher or the office.
  - Be responsible for cleaning up after yourself, including the disposing of or the recycling of garbage.
- Have a hall pass if you are outside of the classroom during class time.
- Not visit with friends or interrupt another classroom.
- Not misuse the hall pass as it will result in loss of the hall pass privilege.
- Get a referral from your teacher before you go to the office. Do not use the hall pass.

Emergency Drills: Fire drills, lockdowns, and evacuation drills are conducted periodically for everyone's protection and are required by law. During these drills it is imperative that students remain silent, follow instructions given by the staff, and carry out all directions in an orderly fashion.

**Classroom:**

- Be seated and ready to begin their assignment when the bell rings.
- Be courteous to all teachers and students.
- Follow all school and classroom rules.
- Bring all necessary materials/supplies ready to work daily.

Classroom Procedures and Consequences: Please check the teacher's syllabus for specific consequences, which may include:

1. In Class Warning
2. Student-Teacher Conference
3. Detention / Parental Notification
4. Parent Conference
5. Office Referral & Administrative Disciplinary Procedures

### **Illuminate Behavior Entries**

[For Middle & High School Only: Student behavior will be recorded on Illuminate and students will receive the following rewards or consequences based on their behavior points.

#### **Positive Rewards:**

+5 Contact parent/guardian +10 Lunch speed pass +15 Treat +20 One day free dress (pass will be given) +25 Extended lunch period +30 Two day free dress (pass will be given) +35 VIP breakfast +40 Entered in a raffle +45 Free dress – every Friday for one month (pass will be given) +50 VIP lunch and “Race to the top”

#### **Minor / Major Behavior Entries:**

5 Minor entries will result in contact with the parent/guardian. 10 minor entries will equal a loss of privileges. 15 Minor entries will result in a parent conference / Red slip\*Behavior plan and lunch detention. 25 Minor entries will be shadowed by parent for a day and one hour after school detention. 30 or more Minor entries will result in student improvement team / plan and a discipline committee outcome.

\*Students earn a positive Illuminate point for receiving all acceptable marks and a signature on their red slip. When a student receives negative twenty or more discipline entries recorded on Illuminate, the MPS administration will arrange a meeting with that student and the parent to develop a behavioral plan. If the student fails to abide by the discipline tracker rules or an agreement between the administration, parents, and student, cannot be reached, the student will be referred to the School Discipline Committee.

### **C. Unacceptable types of Behavior**

All students at MPS are entitled to the rights guaranteed by the United States Constitution and Bill of Rights, and their rights will not be knowingly denied by the required code of conduct or by any disciplinary actions taken by the school. Accordingly, after an analysis of each case, any student who exhibits any of the unacceptable student behaviors listed in this handbook may incur consequences. These consequences range from notification of parents, detention, to emergency removal from a school activity, suspension, expulsion, and criminal prosecution. MPS reserves the right to notify the authorities and the Department of Education as required by law relating to disciplinary actions taken. It is to be noted that MPS reserves the right to discipline any act that has a nexus with MPS or the school community. In other words MPS may discipline behavior at school or at a school related or school-sponsored function or any activity or any act that has a negative effect on the school environment or that is performed with/on/by/via school equipment or school property. The following tables delineate unacceptable types of behavior and possible consequences.

#### **Assaulting, Fighting and/or Arranging Fights:**

School is not a place to arrange fights, whether those fights take place on or off school grounds. Any fight and/or attempting to fight will involve disciplining all students involved.

**Bringing / Using Electronic Devices:**

CD Players, IPOD, MP3 players, phones, PDA, PSP, Laptops, Electronic Games, and/or similar devices are not allowed to be used at school. They disrupt classes and distract others from learning. If you choose to bring them for use outside of school it is at your own discretion. MPS assumes no liability for any damaged, destroyed, lost, stolen, misplaced or otherwise compromised electronic device brought onto MPS property.

**Scholastic Dishonesty:**

Scholastic dishonesty includes (but is not limited to) cheating on tests, and/or any other types of deception to obtain credit without effort. Scholastic dishonesty is unacceptable conduct. Each teacher sets their own standards of behavior for their classroom, and students are expected to know the standards and procedures for each of their classes.

**Texting/Sexting:**

Sexting can be defined as the act of sending sexually explicit messages or photographs electronically, primarily between mobile phones and/or any other communication devices.

**Disrupting Learning:**

Disrupting learning includes any behavior that prevents other students from learning. It may include but is not limited to inappropriate language, eating or drinking during class against teachers' classroom rules, chewing gum, insubordination and/or selling or trading personal possessions to other students.

**Horseplay:**

Rough or boisterous play including but not limited to shoving, play fighting, kicking, name calling, teasing, pushing/pulling on a student and shoulder bumps

**Possession or Use of Drugs and/or Alcohol and the Sale or Intention to Sell Drugs and/or Alcohol:**

Use of drugs or alcohol means a student knowingly possesses, consumes, uses, handles, gives, stores, conceals, offers to sell, sells, transmits, acquires, buys, represents, makes, applies, or is under the influence of any narcotic drug, hallucinogen, amphetamine, barbiturate, marijuana, tranquilizer, non-prescription or prescription drug (except when under the direction of a physician/parent and within school procedure), alcohol, intoxicant, solvent, gas, or any mood-altering chemical, drug of abuse or any counterfeit-controlled substance of any kind including butane lighters. The sale, distribution, possession, or use of drugs, alcohol, fake drugs, steroids, inhalants, and look-alike drugs is prohibited everywhere on school grounds, at all school activities, and on all school transportation (drug free zone 1000 feet radius). Backpacks, gym bags, coats, and/or any other containers might be searched by Administration and/or Law Enforcement if they suspect the presence of such items.

**False Fire Alarms:**

Issuing a false fire alarm is a violation of State law. Making false 911 calls is also violation of the State Law.

**Forgery of Signatures:**

Any attempt by a student to sign a teacher's, administrator's, parent/guardian's, and/or another student's name to any school document will be considered forgery.

**Vulgarity, Profanity and Obscenity:**

Any gesture or material of this nature is not permitted at school or school functions.

**Behaving Disrespectfully towards Teachers or Staff:**

Disrespect (i.e. arguing, talking back, etc.) and insubordination (failure to comply with directives) toward any member of the faculty or staff will not be tolerated. Profanity, either spoken or written is considered a form of disrespect.

**Smoking or Use of Other Tobacco Products:**

Possession of tobacco products in any part of the school (drug free zone 1000 feet radius) or on the student is prohibited under this policy. This includes cigarettes, cigars, herbs, and smokeless tobacco. Backpacks, gym bags, coats, and/or any other containers might be searched if the presence of such items is suspected.

**Stealing and/or Vandalizing School/Private Property & Graffiti:**

This means to cause or attempt to cause damage to private property, stealing or attempting to steal private property either on school grounds or during school activities, functions or events. Students and their parents or guardians will be held responsible for any theft/vandalism/graffiti (including graffiti tools such as permanent markers) that the student commits. Theft or vandalism of school property carries heavy legal penalties.

**Displaying Threatening Behavior:**

Threatening behavior includes: verbal threats, both face to face and over electronic media (phone and/or computers), non-verbal threats (“hard” stares, gestures), willfully causing or attempting to cause physical injury to another person, causing or attempt to cause any student, teacher, administrator, or staff member to feel frightened or intimidated.

**Bringing Weapon in School:**

A weapon includes, but is not limited to, conventional objects like guns, pellet guns, knives, smoke bombs, fireworks, club of any type, mace, tear gas, or other chemicals. This may also include any toy that is presented as a real weapon. It also includes objects converted from their original use to threaten or injure another. The Administration reserves the right to all final decisions regarding the definition of a weapon. Backpacks, gym bags, coats, and/or any other containers might be searched by administration or law enforcement if they suspect the presence of such items.

**Possession or Use of Fireworks:**

Using or possessing any amusement device, smoke bomb, stink bomb, etc.

**Arson:**

Intentionally starting any fire or combustion on school property

**Public Display of Affection:**

Public displays of affection are not allowed.

**Provoking/Intimidating Behavior Encouraging or Urging Other Students to Violate School Rules:**

Any student who, by means of provocation, intimidation, encouragement, request, or other means of promotion, induces or attempts to induce another student to violate a MPS school rule shall be subject to the following discipline.

**Students with an IEP:**

If a student has a behavior plan in his/her IEP, the consequences cited in that plan will be used in the event of specified misbehavior. If the behavior(s) worsens or the frequency increases, the student's IEP team shall meet to review the plan and its implementation, and modify it, as necessary, to address the behavior(s). Special Education staff, general education staff, parents, and related service providers specified in the IEP must be informed and involved. Suspensions of students with disabilities cannot exceed ten days without a "manifestation determination." A student cannot be suspended for more than ten days for misconduct that is a manifestation of their disability. State law defers to federal law for most of the rules governing suspension and expulsion of special education students.

**Hate Crime Policies and Procedures**

Additional information prohibiting other forms of unlawful discrimination or harassment, inappropriate behavior, and/or hate-motivated incidents/crimes may be found in local District/State policies. It is the intent of MPS that all such policies be reviewed consistently to provide the highest level of protection from unlawful discrimination in the provision of educational services and opportunities.

**Bullying Prevention Policies and Procedures**

Bullying is not permitted at MPS. In addition MPS will not tolerate unlawful intimidation and bullying due to actual or perceived characteristics such as age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, disability, nationalist, race or ethnicity, religion, sex, sexual orientation, or a person's association with a person, or group, with or more of these actual or perceived characteristics. Each student deserves an equal opportunity to obtain an education without dealing with the negative pressures of peers. Bullying consists of any of the following: pushing, shoving, hitting, and spitting, name calling, picking on, making fun of, laughing at, and excluding someone physically or via social media or electronic communications. Bullying causes pain and stress to those who are victims and is never justified or excusable as "kids being kids", "just teasing", "joking", "playing around" or any other rationalization. This includes the use of social media for wrongful purposes.

**Each MPS student agrees to:**

- Value student differences and treat others with respect.
- Not become involved in bullying incidents or be a bully.

**Harassment of Students, Teachers, Administrators, or Staff:**

Harassment means making unwelcome advances or any form of improper physical contact or sexual remark and any speech or action that creates a hostile, intimidating or offensive learning environment. Harassment can be verbal, physical and visual. (Education Code, § 212.5) Harassment is a violation of Federal Law and is contrary to the School Board's commitment to provide a physically and psychologically safe environment in which to learn.

**Student Hazing:**

Hazing is defined as doing any act or coercing another person for initiation into any organization that causes or creates a substantial risk or causes mental or physical harm. Permission, consent or assumption of the risk by an individual subjected to hazing does not lessen the prohibition contained in this policy. Hazing may carry heavy legal consequences

**BP 5131.2(a)****BULLYING**

The County Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. The County Superintendent will establish student safety as a high priority and will not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyber bully, cause bodily injury to, or commit hate violence against any other student or school personnel.

*Cyber bullying* is an act of bullying committed through the transmission of a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. *Cyber bullying* includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyber bullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, County Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

## **Safety Goals for 2018-2019:**

**Goal 1:** All employees will uphold and implement all stated policy and procedures as noted in the school wide safety plan.

- Objective 1: Quarterly all employees will review the policy and procedures as noted in the school wide safety plan.
  - Related Activities: Review regularly during Professional Development, committee meetings and safety meetings.
  - Resources needed: Safety plan,
  - Person(s) responsible for implementation: Designated administrator, safety committee
  - Timeline for implementation: August 2016
  - Budget: None
  - Evaluation guidelines: Surveys, Feedback from stakeholders

**Goal 2:** Maintain and upkeep a safe school campus

- Objective: Monthly school personnel will complete a campus walk-thru form to identify any areas of need.
  - Related Activities: Teachers can report concerns during weekly staff meetings.
  - Resources needed: Walk-thru form, building supplies
  - Person(s) responsible for implementation: Plant manager
  - Timeline for implementation: August 2016
  - Budget: Refer to schools annual budget
  - Evaluation guidelines: Surveys, Feedback from stakeholders

**Site Plan Map – Internal Reference**

**HOST Crisis Help- Internal Reference**