

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



SB 187

**Comprehensive
School Safety Plan
Process & Templates**

2016-2017

San Martin/Gwinn

Environmental Science Academy

100 North Street

San Martin, CA 95046

Phone: 408-201-8460



Preface

The Comprehensive School Safety Plan Process & Templates is designed to be utilized as a school resource for prevention/mitigation, preparedness, response and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under SB 187 and the National Incident Management System. It is designed to be an electronic or hard copy Safety Plan.

The template is also designed as a living document to be updated as necessary to meet site, district and community needs, forms or requirements.

It is *NOT* intended to be a “grab and go” guide in an actual emergency.



Table of Contents

SB 187: School Safety Plan

School Safety Planning Committee

Annual Safety Goals

Mandated Policies and Procedures

Child Abuse Reporting

Suspension and Expulsion Policies

Staff Notification of Dangerous Students

Sexual Harassment Policy

Procedures for Safe Ingress and Egress

School Discipline

Dress Code

Routine and Emergency Disaster Procedures: Drills

Earthquake Drills

Fire Drills

Active shooter/Lockdown Drills

Routine and Emergency Disaster Procedures: Overview

The Basic Plan

Definitions: Incidents, Emergencies, Disasters

Earthquake Overview

Levels of Response

Response Level Diagram

Emergency Phases



First Things First

District and Parent Responsibilities for Students

Emergency Response Procedures

Basic Actions

Earthquake

Fire

Power Outage / Rolling Blackouts

Shelter-in-Place

Bomb Threat

Intruder on Campus

Hostage Situation

Lockdown Active shooter

Poisoning, Chemical Spills, Hazardous Materials

Emergency Evacuation Routes and Procedures

Medical Emergencies

Triage Guidelines

Suicide

Mass Casualty

Bio Terrorism

Immunization & Mass Prophylaxis Pandemic & Bio-Terrorism

Incident Command System

Responsibilities for a School Disaster

Staging Areas

Emergency Response Teams

District Emergency Directory

District Emergency Operations Center

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



Emergency Communications

Media Contact Information

Recovery

Appendices

Annual Emergency Awareness/ Preparedness Checklists & Forms

Homeland Security Advisory System

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**





Chapter 1

SB 187: School Safety Plan

Introduction

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

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

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

The guideline/checklist has been organized into two parts:

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



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

IMPLEMENTATION OF PLAN

The written plan will be distributed to all departments and will be made available to all staff, students, parents, and the community to review in the school library and the main offices. Safety plan will also be updated on our school's website, and discussed during our staff meetings, Cafecitos, ELAC meetings and School Site Council.



Chapter 2

School Safety Planning Committee

The school site council is responsible for developing the school site safety plan or for delegating the responsibility to a school safety planning committee. Ed. Code 35294.1

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

Local law enforcement has been consulted (Ed. Code 39294,1). Other local agencies, such as health care and emergency services, may be consulted if desired. (Ed Code 39294.2)

Other members of the school or community may provide valuable insights as members of the School Safety Planning Committee. Additional members may include:

- A representative from the local law enforcement agency
- School Resource Officers
- Guidance counselor
- Special Education Department Chairperson
- One or more key community service providers
- Student representative(s)
- Disciplinary team member
- Staff leaders
- Office of Emergency Coordinator at the Morgan Hill Police Department
- Additional parent representatives

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



**San Martin/Gwinn Environmental Science Academy
Safety Plan Signature Page
2014-2015**

The undersigned members of *San Martin/Gwinn Environmental Science Academy* School Safety Planning Committee certify that the requirements for the SB 187 Safety Plan have been met.

Claudia Olaciregui
Principal

Nate Woods
President, School Site Council

Jan Skapik
Teachers Association Representative

Michele Bergeron
Classified Association Representative

Shannon Rafat
Parent Representative

Deputy Michael McRoberts and Sergeant Jim Post
Law Enforcement Representative



Chapter 3

Annual Safety Goals

The School Safety Planning Committee shall make an assessment of the current status of school crime committed on campus and at school-related functions and of appropriate strategies and programs that will provide or maintain a high level of school safety. (Ed. Code 35924.2)

While the School Safety Planning Committee reviews school, district and community crime data trends such as the California Safe School Assessment, other data can bring value to the discussions. Such data may include:

- Mental Health Data
- State, District or Site Surveys (such as the Youth Risk Behavior Survey)
- Disciplinary Data
- Community Police Data

Data may be more valuable if disaggregated by gender, age, zip code, ethnicity, etc. Current trends should be reviewed as well.

Based on data analysis, the School Safety Planning Committee identifies one or two safety-related goals for the next school year as well as the strategies and/or programs that will be used to meet those goals. The objective is to provide meaningful goals in order to improve the campus climate.

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

In order to keep the goals as a safety focus for the school year, it is recommended that at least three brief meetings be held to review data and progress. The progress can be reported to the School Site Council, staff, parent groups and the Board of Trustees.

The year-end assessment should be completed in May and reported upon.



San Martin/Gwinn Environmental Science Academy Quarterly Safety Plan Goals 2015-2016

- I. Safety Plan Goals: Status of strategy implementation; data on progress**
 - A. To ensure that the Safety Plan is review every semester.
 - 1. Current Data**
 - a. Currently reviewed on a yearly basis
 - i) School Site Council reviews it annually
 - 2. Strategies**
 - a. Ensure that all stakeholders are involved in updating the plan.
 - b. Include stakeholders in the review of the plan: Home and School Club, School Site Council, Staff, ELAC members, and Student Council
 - 3. Discussion**
 - 4. Next Steps**
 - a. Establish calendar days where they Safety Plan will be reviewed
- II. Review of Goal II**
 - A. *Assess and further with P.E.I (Prevention and Early Intervention) program.*
 - 1. Current Data**
 - a. School wide (Students and parent participation per referrals.
 - b. Parents expressed concern about students' self-esteem, interaction with peers, and self-perception
 - 2. Strategies**
 - a. One on one counseling
 - b. Parenting classes
 - c. Strengthening Families
 - d. Social Skills classes per needed
 - 3. Discussion**
- III. Review of Goal II**
 - A. **YMCA** program and coaches insure safe and active interaction of students during lunch time.
 - 1. Current Data**
 - a. K-6 grade students are exposed to different sports, games, and leadership skills lunch time.
 - b. Frequent discipline problems during students' break times occurred during last previous years, and the first semester of 2015-2016 school year.



- 2. *Strategies***
 - a.** Coaches engage students in different organized games during their free time.
 - b.** Students and Junior Coaches learn different leadership skills and engage actively in different games during school time.
- 3. *Discussion***

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**





Chapter 4

Mandated Policies and Procedures

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

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

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

- What is the policy or procedure?
- How are staff, students and/or parents notified that this policy exists?
- How are staff, students and/or parents notified relative to a specific incident?



- What staff/student training(s) have been completed?
- What additional trainings are needed?

Child Abuse Reporting

A. Definition of Child Abuse

Child abuse means a physical injury that is inflicted by other than accidental on a child by another person. Child Abuse also means the sexual abuse of a child or any act or omission pertaining to child abuse reporting laws (willful cruelty, unjustifiable punishment of a child, unlawful corporal punishment or injury). Child abuse also means the physical or emotional neglect of a child or abuse in *out of home* care.

1. Child Abuse

- a. Injury inflicted by another person.
- b. Sexual Abuse.
- c. Neglect of child's physical, health, and emotional needs.
- d. Unusual and willful cruelty; unjustifiable punishment.
- e. Unlawful corporal punishment.

2. Not Considered Child Abuse

- a. Mutual affray between minors
- b. Injury caused by reasonable and necessary force used by a peace officer:
 - To quell a disturbance threatening physical injury to a person or damage property
 - To prevent physical injury to another person or damage to property
 - For the purposes of selfdefense
 - To obtain possession of weapons or other dangerous objects within the control of a child
 - To apprehend an escapee



B. Mandated Child Abuse Reporting

- a. Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164.
- b. Any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency by telephone and written report:

The telephone call must be made immediately or as soon as practicably possible by telephone.

AND

A written report must be sent within 36 hours of the telephone call to the child protective agency.

- c. Any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or who reasonably suspects mental suffering has been inflicted on a child or his or her emotional wellbeing is endangered in any other way, may report such known or suspected instance of child abuse to a child protective agency.
- d. When two or more persons who are required to report are present and jointly knowledge of a known or suspected instance of child abuse, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to make the report failed to do so, shall thereafter make such a report.
- e. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.
- f. This entire section on Child Abuse was been taken from *California Laws Relating To Minors* manual.

C. Sexual Activity

Child abuse laws change from time to time. Should you suspect that a student is engaged in unlawful sexual activity, please consult with the school social worker and campus officer to determine if particular provisions under this section are current and in effect.



- a. Involuntary sexual activity is always reportable.
- b. Incest, even if voluntary is always reportable. Incest is a marriage or act of intercourse between parents and children; ancestors and descendants of every degree; brothers and sisters of half and whole blood and uncles and nieces or aunts and nephews. (Family Code § 2200).
- c. Voluntary Sexual Activity may or may not be reportable. Even if the behavior is voluntary, there are circumstances where the behavior is abusive, either by Penal Code definition or because of an exploitative relationship, then this behavior must be reported. If there is reasonable suspicion of sexual abuse prior to the consensual activity, the abuse must be reported.

Reportable Sexual Activity if a Child is 14 Years of Age and:

- a. Partner is younger than 14 years old, but there is a disparity in chronological or maturational age or indications of intimidation, coercion or bribery or other indications of an exploitative relationship.
- b. Partner is 14 years or older lewd & lascivious acts committed by a partner of any age partner is alleged spouse and over 14 years of age.

Reportable Sexual Activity if the Child is 14 or 15 years and:

- a. There is unlawful sexual intercourse with a partner older than 14 but less than 21 years of age and there is no indication of abuse or evidence of an exploitative relationship there is unlawful sexual intercourse with a partner older than 21 years
- b. There is lewd and lascivious acts committed by a partner more than 10 years older than the child
- c. The partner is the alleged spouse and over 21 years of age

Reportable Sexual Activity if the Child is 16 or 17 years and:

- a. The partner is less than 14 years of age
- b. There is unlawful sexual intercourse with a partner older than 14 and there is evidence of an exploitative relationship
- c. The partner is the alleged spouse and there is evidence of an exploitative relationship

Reportable Sexual Activity if the Child is under 18 years:



- a. Sodomy, oral copulation, penetration of a genital or anal opening by a foreign object, even if consensual, with a partner of any age.

Not Reportable Sexual Activity:

- a. Child is 14 years or younger and partner is younger than 14 years and of similar age or maturational age. Sexual behavior is voluntary and consensual. There are no indications of intimidation, coercion, bribery, or other indications of an exploitative relationship.
- b. Unlawful sexual intercourse of a child 14 to 15 years old with a partner older than 14 and less than 21 years of age and there is no indication of abuse or evidence of an exploitative relationship.
- c. Unlawful sexual intercourse with a child 16 or 17 years with a partner older than 14 and there is no indication of an exploitative relationship.

Mandated reports of sexual activity must be reported to either the Department of Family & Children's Services (DFCS) or to the appropriate police jurisdiction. This information will then be cross reported to the other legal agency.

D. Failure to Report Known or Suspected Child Abuse

Failure to report known or reasonable suspicion of child abuse, including sexual abuse, is a misdemeanor. Mandated reporters are provided with immunity from civil or criminal liability as a result of making a mandated report of child abuse.

This information has been taken directly from the Santa Clara County Child Abuse Council Informational Handout.

E. Child Abuse Reporting Number: (408) 683-0601

F. Staff Training

The District provides annual on-line training modules through Keenan Safe Schools. The school sites train certificated and classified staff annually on child abuse reporting, sexual harassment policies, and blood-borne pathogens.



Suspension and Expulsion Policies

Grounds for suspension which fall under Education Code 48900

- a. Caused, attempted to cause, or threatened to cause physical injury to another person
- b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stolen or attempted to steal school or private property.
- h. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Had unlawful possession of, or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
- k. Disrupted school activities or otherwise willfully defied the valid authority supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm as to substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.



- n. Committed or attempted to commit sexual assault.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

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

- a. While on school grounds.
- b. While going to or coming from school.
- c. During the lunch period, whether on or off the campus.
- d. During, or in route to and from, a school sponsored activity.

Expulsion Policies under Education Code 48915:

The principal shall recommend the expulsion of a pupil for any of the following committed at school or school activity off school grounds, unless the principal or superintendent finds an expulsion is inappropriate, due to the particular circumstance:

- a. Causing serious physical injury to another person, except in selfdefense.
- b. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- c. Unlawful possession of any controlled substance, as defined under Ed. Code.
- d. Robbery or extortion.
- e. Assault or battery on any school employee, as defined in Sections 240 and 242 of the Penal Code.

Mandatory Recommendation for Expulsion



The principal, or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- a. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil has obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if an employee of a school district verifies the possession.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance as defined by Education Code.
- d. Committing or attempting to commit a sexual assault as defined in the Education Code.

F. Staff Training

The District provides training for site administrators through monthly leadership meetings, presentations from the District's legal counsel and on-going support for site administrators on case-by-case basis.



Staff Notification of Dangerous Students

CA Codes (edc:48900-48926) EDUCATION CODE
SECTION 48900-48926

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

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other Dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a Firearm.



- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
 - (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school sponsored activity.
- (q) It is the intent of the Legislature that alternatives to suspensions or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities.

48900.2. In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

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

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

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

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



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

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



Sexual Harassment Policy

A. Definition

"Sexual Harassment includes 'unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature,' when *any of four conditions* are met:

1. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education;
2. Submission or rejection of the conduct or communication is used as a factor in decisions affecting that person's education;
3. The conduct or communication has either the purpose or effect of 'substantially interfering' with a person's education;
4. The conduct or communication creates an 'intimidating, hostile, or offensive' educational environment."

B. Policy Pertaining to Sexual Harassment

Student vs. Student

Student vs. Staff Member

Staff Member vs. Student

Knowledge of Student to Student or Staff to Student Sexual Harassment

School-Level Complaint Process/Grievance Procedure

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

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



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

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

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

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

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

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

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.



(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

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

(cf. 5138 - Conflict Resolution)

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

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

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

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



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

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken

to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

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

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)



(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action

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

(cf. 4118 - Suspension/Disciplinary Action)

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

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

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

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites (Education Code 231.5)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

5. Be included in the student handbook

6. Be provided to employees and employee organizations

Staff Member vs. Staff member

BP 4119.11 Personnel

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons



who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

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

(cf. 4030 - Nondiscrimination in Employment)

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

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

Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal



C. Staff Training

The District provides annual on-line training modules through Keenan Safe Schools. The school sites train certificated and classified staff annually on child abuse reporting, sexual harassment policies, and blood-borne pathogens.



Procedures for Safe Ingress and Egress

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

Planning

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

On-Campus Evacuation/Assembly Location

Review your school site layout and determine where the safest outdoor location is on campus to assemble your students and staff. Analysis and reviews have been conducted this year by the fire marshal and Sergeant Jim Post from the Sherriff's department.

Off-Campus Evacuation/Assembly Location

Determine if there is a facility close to your school that can potentially house your staff and student body.

Prior to an event:

- a. Identify off-campus evacuation site(s).
- b. Establish a memorandum of agreement with the evacuation site(s).

Provide the addresses of at least two off-campus locations that have agreed to provide an assembly area for your school population.

Primary Off-Site Evacuation/Assembly Location

Organization	Uesugi Farms
Address	14485 Monterey Road, San Martin, CA 95046
Contact	To be determined
Phone Number	(408) 778-7225



Date of Agreement	
-------------------	--

Secondary Off-Site Evacuation/Assembly Location

Organization	San Martin Station Caltrain
Address	13400 Monterey Hwy. San Martin 95046
Contact	To be determined
Phone Number	
Date of Agreement	

In the event of an airborne chemical or biological release, it is safest for students and staff to remain indoors at the school site.

Follow the “Shelter-in-Place” procedures.

C. Staff Training

It is the responsibility of the principal to ensure that all staff members are aware of primary and secondary off-site evacuation and assembly locations. They will be given resources to access additional information as needed.

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



Daily Ingress/Egress Routes

Please see attachment (School Map)

**San Martin/Gwinn
Environmental Science Academy
Morgan Hill Unified School District**



Emergency Evacuation Routes

Please see attachments (School Site Map)



School Discipline

A. Statement of Rules and Procedures On School Discipline

Education Code 44807:

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

B. Notification to Students and Parents

Education Code 35291:

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

C. INSERT SCHOOL DISCIPLINE CHART AND/OR SELECTED DISCIPLINARY POLICIES AND PROCEDURES.

D. Staff Training

Human resources at the district level provide online training at the beginning of the school year. As new staff joins a site, they are to complete these trainings within the first two weeks of work.



Dress Code

All students are highly encouraged to wear uniforms at San Martin/Gwinn Environmental Science Academy every school day, with the exception of special events such as Picture Day. Wearing common colors brings students together as a community of learners and creates a common learning environment where people earn respect based on their character and academic performance rather than by how they dress. Students are to look professional (in a child way) and maintain a clean and neat look while at school each day.

Spirit Wear are items of clothing and/or accessories that are sold by the school or the Home and School Club (H&SC). The Spirit Wear items display the school name and/or logo. Students may wear Spirit Wear items as their school uniform as well as outside of school in the community.

All students are required to dress appropriately while attending school and/or school functions. If a student does not follow the dress code, their parent will be contacted for a change of clothing to be brought to school. If the parent cannot be reached, the office will attempt to provide clothing if available. As an alternative, the school may have a student's shirt turned inside out in the case of an inappropriate logo, expression, and/or picture. Further, the student will remain in the office until a solution is found or until the end of the school day, whichever comes first.

Recommended colors:

- Bottoms – khaki, navy, plaid (blue/green), blue denim
- Tops – solid colors of hunter green, gray, navy, or white

Proper attire:

- Head/hair/face:
 - Unnatural hair coloring, shaved logos/pictures, hair ornaments, or hair designs (including gel creations) that are deemed by the teacher to create a distraction in the classroom and a hindrance to learning are not allowed
 - Hats are not allowed indoors
 - Only hats with a brim may be worn outdoors and such hats must have the sole purpose of protecting the face from the harmful effects of UV sunlight
 - Hats must be worn facing forward at all times to allow use of the brim
 - Ski masks, face masks, and other items obscuring full view of the student's face is not permitted
- Tops:



- Half-shirts, see through tops, low-cut shirts, halter tops, tube tops, “muscle shirts”, spaghetti straps (straps less than 3 adult fingers width), and bare midriffs are not permitted
- Bottoms:
 - Pants, jeans, and all bottoms must not have holes/tears and are to be secured at the waist without sagging
 - Shorts, skirts, dresses, jumpers, and all bottoms not intended to be full-length pants must not be shorter than the student’s longest fingertip length when hands are placed naturally to the side of the body
- Feet:
 - Footwear must enable safe play and full participation in Physical Education (PE)
 - All shoes must have a closed toe
 - Slip-on shoes must have a heel strap
 - Sandals, flip-flops, and shoes with wheels are not permitted
- Clothing must conceal all undergarments
- All clothing must be clean, of a modest length, and worn appropriately for the student’s size
- Items with inappropriate logos, expressions, or pictures representing offensive, crude, vulgar, or sexually suggestive material, alcohol, drugs, prejudicial statements, or any statements not conducive to a learning environment are not permitted
- Gang affiliated colors (student may be color banned if they continue to wear one color all the time) are not permitted
- Students may not wear hanging accessories, such as belts that are too long, wallet chains, etc.
- Fingernails should be kept trimmed for safety and allow for full participation in recess/PE activities
- Body ornaments (tattoos, piercings, jewelry, belt buckles, etc.) must not create a safety hazard, indicate gang affiliation, or disrupt school activities
- Make-up is not permitted
- Sunglasses are not allowed
- **B. Staff Training**

It is the responsibility of the principal to ensure that all staff members are aware of the school dress code and how it will be enforced. They will be given resources to access additional information as needed.



Chapter 5

Routine and Emergency Disaster Procedures: Drills

Earthquake Drills

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

- **A school building disaster plan:** ready for implementation at any time, for maintaining the safety and care of students and staffs.
- **A drop procedure:** As used in this article, "drop procedure" means an activity whereby each student and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

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

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

(Code of Regulations, Section 35297)

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

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

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

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

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



Practice evacuation using alternate routes to the assembly areas.

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

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

Standards for a Successful Earthquake Drill:

The Earthquake Alarm can be heard by all staff and students.

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

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

Evacuations shall occur when directed over the loud speaker by the Principal/designee. When evacuations are included as part of the drill, appropriate non hazardous alternate routes, avoiding building overhangs, electrical wires, large trees, covered walkways, etc, shall be utilized by staff and students in order to reach the designated evacuation areas.

Teachers have taken roll once in the evacuation area. Any missing students are immediately reported to the Principal/designee.

Upon sounding of the all clear students and staff return to their appropriate classroom and the teacher takes roll once more. Missing students are reported to the attendance office.

Fire Drills

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

(Code of Regulations, Title 5, Section 550)



1. Whenever the fire alarm is given, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ascertain that no student remains in the building.
2. Designated evacuation routes shall be posted in each room. Teachers shall be prepared to select alternate exits and direct their classes to these exits in the event the designated evacuation route is blocked.
3. Evacuation areas will be established away from fire lanes.
4. Students are to remain with their teacher in the evacuation area. Teachers shall take their roll books, take roll once in the evacuation area and be prepared to identify missing students to administrators and/or fire marshals/designees.
5. The principal or designee shall keep a copy of each drill conducted on the Emergency Drill Report form and file a copy with the Superintendent/designee.

Standards for a Successful Fire Drill:

1. The Fire Alarm can be heard by all staff and students.
2. Orderly evacuation begins immediately and is completed within **5** minutes of the initial alarm, with minimal congestion at exit gates.
3. Teachers and students are staged in an orderly fashion away from fire lanes.
4. Teachers have taken roll once in the evacuation area. Any missing students are immediately reported to the Principal/designee.
5. Upon sounding of the all clear students and staff return to their appropriate classroom and the teacher takes roll once more. Missing students are reported to the attendance office.

Active shooter/Lockdown Drills

For sites that have had Active shooter Training, conducting an Active shooter Lockdown Drill initially involves more pre-planning and organization than conducting other drills. Middle and high schools should conduct an annual drill, which should take no longer than 40 minutes and impact class time by 20 minutes. Elementary schools should conduct drills every other year (or annually, if the local police department has the resources to support the drills). Drills need to be scheduled with your School Resource or Liaison Officers.

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



1. Conduct a staff meeting. Plan on a 20 minute timeframe to review expectations and standards in terms of:
 - a. Locking doors
 - b. Covering windows
 - c. Turning off lights
 - d. Building barricades
 - e. Reviewing classroom and all clear procedures
 - f. Reviewing off site evacuation locations.
2. Send a follow-up reminder memo to your staff
3. Organize your assessment team. This also provides an excellent opportunity for your Critical Response Team to work together with police participants in the drill.
4. Conduct the assessment.
5. Complete follow-up tasks.
6. A new Run, hide, defend protocol has been implemented by law enforcement agencies, and staff has been trained. If the event an active shooter is on site, staff will decide if it's safe to run, hide, or defend.

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