

## School Safety Plan for Laurel Tree Charter School

### Section 32280

All school staff are trained on the School Safety Plan the week before school starts. This year the training took place on June 17th, 2021

### Section 32281

The School Safety Plan was written and developed in July 2019 by a sub-committee of the Administrative Team and included Lead Teacher Brenda Sutter, teachers Josh Nikolauson, Rebecca Schuler, Maren Goodman, and Office Admin. Kathleen Ausburn.

The Planning Committee met with liaisons from the Arcata Fire Department and the Arcata Police Department to seek input for the School Safety Plan before getting it approved by the School Board.

### Section 32282

The current status of school crime at the school and at school-related functions is that there have been no crimes committed by students at the school. The number of suspensions and expulsions are low (one or two per year). The police have been called to the school for a number of vandalism incidents on outbuildings that were committed during the evenings or weekends, primarily by the homeless population.

Strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety are:

- Employment of a full-time school counselor to meet the mental health and social needs of our students.
- Weekly staff meetings with a standing discussion of "kid concerns". Students who are having difficulties academically, socially, or emotionally can be discussed with the whole staff to raise awareness and make a plan for support. The staff decides on a course of action where appropriate and assigns a staff member to take action and report back.
- Staff has been trained on restorative practices and is using Conscious Classroom Management as part of how we create a safe and responsive environment for all students.
- All visitors sign in at the office. All students sign out when being picked up early or leaving school before regular dismissal.

Child Abuse Reporting procedures are outlined in our employee handbook as following since March of 2011:

### **Child Neglect and Abuse Reporting**

Any employee who knows or reasonably suspects a child has been the victim of child abuse shall report the instance to Child Welfare Services. Child abuse is broadly defined as “a physical injury that is inflicted by other than accidental means on a child by another person.” School employees are required to report instances of child abuse when the employee has a “reasonable suspicion” that child abuse or neglect has occurred. Reasonable suspicion arises when the facts surrounding the incident or suspicion could cause a reasonable person in a like position to suspect child abuse or neglect.

Child abuse should be reported immediately by phone to Humboldt County Child Welfare Services at (707) 445-6180. The phone call is to be followed by a written report prepared by the employee within thirty-six (36) hours, which may be sent by fax or electronically. There is no duty for the reporter to contact the child’s parents. These forms are available in the School’s office.

Reporting the information regarding a case of possible child abuse or neglect to your supervisor, the Lead Teacher, a School counselor, coworker or other person shall not be a substitute for making a mandated report to Child Welfare Services.

Disaster procedures, routine and emergency plans, and crisis response plans were developed in 2011 when we wrote our charter and updated in July 2019. They include adaptations for pupils with disabilities. It includes plans to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency. A copy of this plan is in all classrooms, and has been reviewed by teachers in August 2019, June 2021. [See appendix A.](#)

Board approved suspension policies and procedures were developed in 2011 when we wrote our charter and updated in July 2019, and June 2021. [See Appendix E](#)

Our staff uses a phone app called SLACK for emergency notifications. This can be used to alert the entire staff to a dangerous situation or an out-of-control student. We also use our weekly staff meetings to keep everyone informed about students who are experiencing difficulties. Our full-time school counselor is always available to intervene if a student needs support.

We have a Discrimination and Harassment Policy that includes hate crime reporting procedures and policies that was approved at the September Board meeting 2019. We have a Board approved bullying policy including cyber-bullying that was updated at the September Board meeting 2019. All staff receives training in the prevention of bullying and cyberbullying annually <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. [See Appendix B for policies.](#)

We have a Schoolwide Dress Code which has been updated to include prohibition of gang-related apparel as of August 2019. [See Appendix C](#)

We maintain a safe and orderly environment conducive to learning at the school by using schoolwide restorative practices and Conscious Classroom Discipline.

Rules and procedures on school discipline are established and outlined in the Student Constitution and Laws, Parent Handbook, and Board Policy. [See Appendix D](#)

Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions have been developed in coordination with local police and fire departments in August 2019. [See Lockdown Procedures - Appendix A](#)

Our emergency plan includes coordination with Mad River Home Health, located next door to our school.

Our School Safety Plan will be evaluated and updated each summer and then shared with staff at the August training. A copy of all non-sensitive safety-related plans and materials is readily available for inspection by the public.

#### **Section 32282.1**

We have a System Organization Chart with a chief and two alternates for each section. [See Appendix A](#)

#### **Section 32284**

The plan includes procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. [See Appendix A](#)

#### **Section 32286**

Laurel Tree will annually update the School Safety Plan at the staff retreat in June. The new plan will be approved by the board at the August board meeting.

#### **Section 32288**

Laurel Tree's School Safety Plan will be shared with the public at the September Board meeting. The Board will either approve the plan at that meeting or they may choose to amend the plan based on community and board input. The board will approve the School Safety Plan on or before the September board meeting so that it can be submitted to authorizing district, Northern Humboldt Union High School District and the Humboldt County Office of Education in September.

## Appendix A

### Emergency Plans, Lockdown Procedures, System Organization Chart

#### Emergency Plans

##### Disaster Plan

The intent of this plan is to clarify school procedures in the case of an emergency. The objectives of our plan are the following:

1. To provide for action which will minimize injuries and loss of life of students and school and emergency personnel if an emergency occurs during school hours;
2. To provide for maximum use of school personnel and school facilities;
3. To ensure the safety and protection of our students and school personnel immediately after a disaster;
4. To arrange for a calm and efficient plan for parents to retrieve their children from school, should it be necessary, following a disaster.

To meet these objectives, in the event a disaster should occur when children are at school, the following action plan would be implemented.

##### Teacher Will:

1. Give “duck, cover, and hold” instructions in event of earthquake.
2. Evacuate building in case of fire or after an earthquake
  - Take emergency binder and evacuate students to assigned area.
  - Take emergency kits when evacuating after an earthquake.
  - Students or staff with disabilities or mobility issues will have a staff member assigned to them to help during evacuation.
  - Hold students in assigned yard area, take role, and wait for further instructions from authorized school or emergency personnel.
  - Remain with class and report anyone who is missing.
  - Take appropriate first aid action.
  - Refrain from re-entering buildings until deemed safe.
1. Dismiss students to go home only to parent or responsible adult designated on child’s emergency release form. Child must be signed out by parent or a responsible adult.

##### Assigned School Director Will:

1. In the event of a fire, shut off gas, electricity and water (in that order). Locations of those shut offs are located on the map in the front of emergency binders.
2. In the event of an earthquake, if gas is smelled, turn off gas; if there is an electrical problem, turn off electricity; if there are water leaks, turn off water.
3. Inspect buildings for damage.
4. Report to Lead Teacher for further instructions.

5. Set up and coordinate a first aid center. Mad River Home Health may assist us with first aid in the case of an emergency. They are directly across the field from the school (north).
6. The school may be used as by a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency.

Assigned Teacher Will:

1. Assign available adults to tasks as needed.
2. Decide if evacuation to a designated shelter is necessary.

Assigned Teacher Will:

1. If telephones are operable:
  - Notify the police department and/or fire department.
  - Monitor incoming phone calls.Maintain communication with staff and outside agencies.

Special Information For Parents

*Telephones/Communications*

In the event of an earthquake, flood or other natural disaster, keep your radios tuned to your local radio station for advisory information. Please do not call the school as we must have the lines open for emergency calls.

*Dismissal*

Should there be a major earthquake, children will remain under the supervision of school authorities until parents or responsible adults can pick them up.

*Student Release Procedure*

1. Go directly to the entrance of the school or evacuation area.
2. Inform teacher, aide or adult responsible for that class that you are taking the child from the class line.
3. Proceed with child back to Student Release Tables just outside the school entrance to sign a Student Release form for each child you are taking. Do not remove your child or any other child from school without signing the emergency release form. This provides us a record of where each child is when someone else arrives later looking for the child.
4. Unless you are staying to volunteer, please leave as quickly as possible after signing out your child.
5. Adults will be needed to help with first aid, dismissing students, helping with classes, monitoring traffic, etc. If you are able to volunteer to help, go directly to the Command Center where the Volunteer coordinator will give you an assignment. Volunteers should leave children with their classes and not sign student release form until they are ready to leave.

*If You Can't Get to the School*

Should a major disaster occur, it is likely that many parents will not be able to reach the school right away. If conditions make it necessary, we will release your child to the adult indicated on your child's Emergency Release form. We will keep a written record of the child and the adult to whom the child has been released.

The Lead Teacher or teacher in charge will determine the need to leave the building. In the event the building cannot be reoccupied or if a fire requires evacuation of the school, the students will be transferred to the nearest available safe shelter.

If the children are caught in a disaster between home and school, it is recommended that they go immediately to school.

#### *Food and Water*

In the event that children would need to remain on campus for several hours after any sort of a disaster, there will be a supply of fresh water and limited food in the school earthquake kit.

#### *Fire Drills and Evacuation*

In the case of fire at the school, the school will be immediately evacuated according to the floor plan set forth at the beginning of each school year. Teachers are required to keep a student roster with them at all times, checking attendance immediately after evacuation. Fire drills will be conducted monthly..

#### *Bomb Threats*

In the case of a bomb threat at the school, the school will be immediately evacuated according to the fire evacuation plan, appropriate emergency personnel will be summoned. Students and teachers will not re-enter the building until it has been deemed safe by emergency personnel.

#### *Toxic Substances/Air Quality*

In the case of pesticides or other toxic substances being used within one quarter mile of the school, students will be kept inside the building w/windows closed, and monitored for breathing issues. Emergency Personnel will be called to assess the air quality and give the all clear when they deem it safe. If air quality continues to be at unsafe levels due to toxins or smoke, school will be closed until such time that the air quality improves.

Adopted: 2011

Amended:

### Field Trips & Excursions

The Board recognizes that field trips and excursions are important components of a student's development. Field trips and excursions are educationally sound and an important ingredient to the instructional program of the charter school. Such activities supplement and enrich classroom learning and encourage new interests among students, make them more aware of community resources and help students relate their educational experience to the outside world. Properly planned and executed, field trips and excursions enrich the charter school's educational program and the social development of the charter school's students.

Field trips and excursions are to be planned and carried out with safety as a priority and in a manner that minimizes the charter school's legal liability and financial cost.

#### Monitoring Field Trips and Excursions

The Lead Teacher of the charter school shall ensure that the effectiveness of field trips and excursions are monitored and continually evaluated to ensure that such activities continue to promote the goals and objectives of the charter school's educational program. Teachers are to have a considerable degree of flexibility and innovation in planning field trips.

#### Field Trip and Excursion Planning and Approval

Field trips and excursions, lasting longer than the school day require the above procedure and Board approval.

If the Lead Teacher of the charter school or the Board does not approve the field trip or excursion, the reasons for not approving the activity must be stated in writing.

The Lead Teacher of the charter school may exclude from the field trip or excursion any student whose presence on the field trip or excursion would pose a safety or disciplinary risk.

The Lead Teacher of the charter school shall not approve activities that he/she considers to be inherently dangerous to students.

#### Permission Slips

No student will be permitted to go on a field trip or excursion without a permission slip signed by the student's parent or guardian. The permission slip shall include a waiver of all claims against the charter school, its employees and the State of California for injury, accident, illness or death occurring during or by reason of the field trip or excursion. In addition, the permission slip shall include an emergency telephone number for the student; any medications the student is required to take, along with the time and dosage required; and any medications the student is allergic to or other medical information necessary to ensure the student's safety.

One copy of the permission slip shall be filed with the Lead Teacher of the charter school and one copy shall be given to the teacher to take on the field trip or excursion.

#### Accident and Medical Insurance

The charter school provides student accident and medical insurance.

### Supervision of Field Trips and Excursions

The sponsoring teacher must be present to supervise the field trip or excursion. The Lead Teacher of the charter school or his/her designee shall be designated as the emergency contact for the group on the field trip or excursion. The sponsoring teacher or charter school employee accompanying the group shall have completed a first aid course which is certified by the American Red Cross.

A first aid kit shall be in the possession of the sponsoring teacher or accompanying charter school employee at all times during the field trip or excursion.

Charter school employees shall not consume alcohol or use controlled substances (except for medications taken under a physician's orders) while accompanying and supervising students on a field trip or excursion.

Any injuries or unusual incidents occurring during the field trip or excursion shall be documented in writing by the sponsoring teacher or other charter school employee accompanying the field trip or excursion.

### Adult/Student Ratio

Adult/student supervision ratio must be observed at all times during the field trip or excursion. Students are under the jurisdiction of the Board at all times during the field trip or excursion and school rules are to be adhered to at all times. Horseplay, practical jokes, harassment, taunting, rough play, aggressive or violent behavior, profanity, viewing of pornographic material and use of alcohol or controlled substances during the field trip or excursion are strictly prohibited.

### Parent/Guardian Participation in Field Trips and Excursions

Parents/guardians are encouraged to participate in field trips and excursions to assist with supervision of students. Parents/guardians accompanying the charter school group shall receive clear information regarding their responsibilities from the sponsoring teacher. Prior to the field trip or excursion, the Lead Teacher of the charter school or his/her designee may hold a meeting for parents/guardians accompanying the charter school group as supervisors to discuss, among other things, safety and the importance of safety-related rules for the field trip or excursion, how to keep a group together and what to do if an emergency occurs.

Parents/guardians will be assigned a specific group of students and shall be responsible for the continuous monitoring of these students at all times. Parents/guardians shall not consume alcohol or use controlled substances (except for medications taken under a physician's orders) while accompanying and supervising students on a field trip or excursion.

### Transportation



Consideration will be given to the safest mode of transportation and the safest routes of travel. If travel is by van, the legal occupancy limit must not be exceeded. Seat belts are to be used at all times while traveling.

If transportation for the field trip or excursion is provided by parents/guardians, such parents/guardians shall provide proof of liability insurance. A copy of the insurance policy shall be given to the Lead Teacher of the charter school or his/her designee. The parents/guardians shall acknowledge in writing that their insurance carrier is the primary agent responsible for insurance for the field trip or excursion.

Under no circumstances shall students transport other students except siblings with parental permission.

The charter school shall take reasonable precautions to ensure that individuals volunteering to transport students are responsible and capable operators of the vehicles to be used.

#### Defraying Expenses of Field Trips and Excursions

Students may help defray field trip and excursion costs through donations. A student may not be denied the privilege of participating in a field trip or excursion due to lack of funds. Other approved funding may also offset expenses of field trips and excursions. The sponsoring teacher must provide alternative educational activities for those students not participating in the field trip or excursion due to choosing not to attend or whose parents/guardians do not give permission for the student to participate in the field trip or excursion.

Adopted: 2011

Amended: 2019

## Lockdown Guidelines

1. Lockdown Codes
  - a. **Ocean** (Dangerous person is OUTSIDE the building.)
  - b. **Insect** (Dangerous person is INSIDE the building.)
  
2. Lockdown Procedures: **Ocean**
  - a. Lock all exterior doors within your zone.
  - b. Direct all students out of hallways and into a classroom away from exterior windows. If you are outside the building with students, escort them into the nearest safe classroom.
  - c. Off site students should not return but should arrange for parent pick-up.
  - d. Make sure you have your cell phone in order to stay in communication. Use the “Urgent” channel on Slack for that purpose.
  - e. Keep students quiet and await further instructions from law enforcement.
  - f. Students will remain in the school building until the lockdown has been lifted (based on information from local law enforcement).
  - g. Pick up:
    - i. Parents must come into the school to check their student out (primary through front door and secondary through back door).
    - ii. Students will only be released to parents or adults indicated on their *enrollment or emergency form*.
  
3. Lockdown Procedures: **Insect**
  - a. DO NOT LOCK EXTERIOR DOORS.
  - b. Direct all students into identified safe rooms and lock the door, unless another option is clearly superior. If you are outside the building, do not enter the building. Seek shelter at the Mad River Health Center next door.
  - c. Turn off all lights and computer monitors in the safe room, unless needed for safety.
  - d. Make sure you have your cell phone in order to stay in communication. Grab the fire extinguisher on your way in.
  - e. Keep students quiet and await further instructions from law enforcement.
  - f. Students and staff will remain in the safe room until the lockdown has been lifted (based on information from law enforcement).
  - g. Pick-up
    - i. You will receive a communication from the school with instructions to the emergency assembly point (EAP).
    - ii. Parents must come to the EAP to check their student out.
    - iii. Students will only be released to parents or adults indicated on their *enrollment or emergency form*.
  
4. Stay in safe room until given the all clear code (Robinhood) or directions by law enforcement.
  
5. Never open doors during a lockdown, even in the event of a fire alarm.

6. If an evacuation occurs, follow the evacuation procedures for fire/earthquake, or as directed by law enforcement or staff person in charge.

System Organization Chart:

Job	Primary Person	Back up Person
<p><b>Communications</b></p> <p>*Call 911 *Robocall</p>	<p>Arcata: Kathleen McKinleyville: *Becca</p>	<p>*Caroline</p>
<p><b>Facilities Coordinator</b></p> <p>*Checks building for people, damage, leaks, etc. *Shuts down gas, electric, water</p>	<p>Arcata: John</p>	<p>*Heather</p>
<p><b>Parent/Pick-up Coordinator</b></p> <p>*monitors parking lot *Checks out students to parents *Coordinates with Emergency Services and Police</p>	<p>Arcata: Josh McKinleyville: Brenda</p>	<p>Homer</p>
<p><b>Student Wrangler</b></p> <p>*keeps all students together *monitors student well being *releases student to pick up coordinator *takes role immediately and periodically</p>	<p>Arcata: Ali McKinleyville: Gwen/Max</p>	<p>Hannah</p>
<p><b>First Aide Coordinator</b></p> <p>*Sets up and administers first aid station</p>	<p>Arcata: Heather McKinleyville: Maya/Colby (enlist help from Mad River Home Health)</p>	<p>Amber Mascio</p>

\*Cert Trained

## Appendix B

### Discrimination and Harassment Policy, Bullying Policy, Hate Crimes

First Reading 5/7/12

Second Reading 6/18/12

Bullying /Harassment/Hate Crimes Policy:

The Laurel Tree Charter School District believes that all students have a right to a safe and healthy school environment. The school and community have an obligation to promote mutual respect, tolerance, and acceptance.

Laurel Tree Charter School will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation. It also includes hate crimes. A **hate crime** is a prejudice-motivated crime which occurs when a perpetrator targets a victim because of their membership (or perceived membership) in a certain social group or race.

Laurel Tree Charter School expects students and/or staff to immediately report incidents of bullying, harassment, or hate crimes to the Lead Teacher or member of the Admin. Team. Staff members are expected to immediately intervene when they see such an incident. Each complaint of bullying, harassment, or hate crimes will be promptly investigated. This policy applies to students on school grounds, while they are traveling to and from school or a school-sponsored activity off-site, during the lunch period whether on or off campus, and during a school-sponsored activity. To ensure bullying does not occur on school campuses, Laurel Tree will provide staff development training in prevention of bullying and cyberbullying and cultivate acceptance and understanding in all students and staff to develop each school's ability to maintain a safe and healthy learning environment.

Teachers will discuss this policy with students in ways appropriate to their ages and will assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion (as defined in the discipline procedure).

Laurel Tree creates a constitution and handbook to be followed by every student while he or she is on school grounds, when traveling to and from school or a school sponsored activity, and during lunch period, whether on or off campus.

The Student Constitution includes, but is not limited to, the following actions and consequences:

- Any student who engages in bullying, harassment, or hate crime may be subject to disciplinary action up to and including expulsion. This extends to online, out-of-school conduct that adversely affects students' ability to learn at school.

- Students are expected to immediately report incidents of bullying to the Lead Teacher or Admin. Team member.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student believes that the investigation or complaint was not resolved appropriately, the student or the parent of the student should contact the Lead Teacher or the School Board. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in this behavior include, but are not limited to, the following:

- All staff, students, and parents will receive a summary of the policy prohibiting bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep confidential a report of bullying and the results of the investigation.
- Staff members are expected to immediately intervene when they see a bullying incident occur.
- People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way.

Discipline Procedure:

\*These steps may be adjusted based on staff discretion and the severity of the situation.

1. The administrative team will talk with the student about the behavior and our expectations. Teacher will document behaviors and interactions and contact the parent.
2. The student will read an informational article on sexual harassment, bullying, or hate crime and write an essay about it. The student will devise a plan to make restitution for his or her actions. This will happen during in school suspension. Parent contact will be made. A Restorative Circle may be held.
3. Student will be suspended off campus for at least one day. A parent conference must be held before the student can return to school. An IEP, 504 or BSP meeting must be called for any student with these plans.
4. The student may be suspended for up to ten days, pending a board expulsion hearing.

Victim Support:

1. Teacher will acknowledge the bullied student's experience. It will be documented and a parent will be contacted. Students will be directed towards appropriate community resources and our school counselor will be available.

## **Appendix C**

### **Dress Code**

We expect our children to come in clothes (and shoes) that allow them to run and play and move freely. We are often outdoors for learning and we expect students to dress appropriately for the weather. We respect diversity of expression among our older students so long as clothing does not contain drug references, gang references, racial slurs, or profanity.

## **Appendix D**

### **Discipline Policy**

#### **Laurel Tree Charter School Discipline Policy**

At LTCS, we expect and require our students to attend regularly, to demonstrate good work and study habits, and to show mutual respect to each other and teachers. We will not tolerate substance abuse, violence, or behavior that creates an unsafe emotional or physical environment. In order to enforce these expectations, we use a progression of natural and logical consequences that are designed to help kids learn from the choices they make. Our focus is on solving problems and helping kids make better choices instead of punishment.

1. All teachers use the school-wide policy of Proximity, Praise, Redirect, and Reflect in their classrooms. Teachers move near a student who is off task, needs help or is disrupting learning, they praise the desired behavior that they see other students exhibiting, they redirect the behavior - and if the disruption continues they ask the student to step out of the classroom to reflect on the issue using a behavior sheet.
2. After calming down, the student has a chance to reflect on and replay the situation with an adult. They may also require that students deal with the problem by making up missed work, mediating the problem if it involves another student, fixing or pay for anything damaged, and taking the behavior sheet home to have it signed.
3. Any serious behavior issues at school are followed up by a parent contact. We contact parents via email, phone calls, face-to-face contact, and/or sending behavior reflection sheets home.
4. Mediation or consequences? We use peer mediation to help students resolve conflicts when both parties are willing to do so, and when it's appropriate. Often the mediation resolves the issue between the students, but then the consequence for the behavior is dealt with separately. For example, if a second grader hits another second grader, we would use mediation to help the two kids work out the problem. There would also be a consequence for hitting someone. The two are separate issues. We try to use natural and logical consequences whenever possible. Possible consequences for misbehavior: 1) Loss of recess 2) Restitution: fix the problem, pay for the object, etc 3) Community service: give something back to community that was disrupted 4) Confiscation: the distracting object is taken away for the day, week, or for good

5) Reflective writing: essay, behavior sheets, letters home 6) Loss of privileges: field trips, off-campus privileges 7) Phone call home 8) Sent home for the day.

5. In cases where the student's behavior brings harm to or affects the community in a negative way, we may use Circle Justice as a way to hold the student accountable to the community and have the community help resolve the problem. This is a form of restorative justice. Restorative Practices are optional and used when appropriate.

6. For repeated issues or patterns of behavior (including lack of attendance), we may require parent-teacher conferences, and implement behavior contracts. If a student's behavior is threatening to the safety of him/herself or others in the school, we may suspend students for up to ten days. Suspension may be in-school or off-campus. For serious or repeated offenses, the Administrative Team can recommend expulsion to the Board.

7. More serious stuff. There are certain things defined in Ed Code that are more serious. Physical violence, a pattern of bullying, weapons, drugs, sexual harassment, etc. In these cases we follow Ed. Code and state law. Law enforcement may be called. Students are suspended for up to ten days, pending an expulsion hearing by the School Board.

First reading 11/7/16

Second reading 12/5/16

Approved 12/5/16

## **Appendix E**

### **Suspension and Expulsion Policy**

#### **Introduction**

This Pupil Suspension and Expulsion Policy (the "Policy") for **Laurel Tree Charter School** ("School") has been established in order to promote learning and protect the safety and well-being of all students. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. The Policy will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. The **Administrative Team** shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy is available on request at the **Lead Teacher's** office.

Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, detention during and after school hours, community service on or off campus, the use of alternative educational environments, suspension and expulsion. 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 reasonable force necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504, the IDEA, the Americans with Disabilities Act of 1990 ("ADA") and all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

## Suspension

### ***Definition***

Suspension is the temporary removal of a pupil from class instruction for adjustment or disciplinary reasons. Suspension does not mean any of the following:

Reassignment to another education program or class at the School where the pupil will receive continuing instruction for the length of day prescribed by the Board **or Administrative Team** for pupils of the same grade level;

Referral to a certificated employee designated by the **Administrative Team** to advise pupils;

Removal from the class, but without reassignment to another class for the remainder of the class period without sending the pupil to the **Lead Teacher** or designee.

While suspended, the pupil may not loiter on or about any School grounds at any time, nor attend or participate in any School activity at any time, no matter where such activity is taking place. Violation may result in further disciplinary action.

The School shall consider suspension from School only when other means of correction fail to bring about proper conduct or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.



### Authority

The Lead Teacher or his/her designee may suspend a student from class, classes or the school for a period not to exceed five days. The **Administrative Team** or his/her designee may extend a student's suspension pending final decision by the Board of Directors of the School on a recommendation for expulsion. On a recommendation for expulsion, the Board of Directors may suspend a special education student being considered for expulsion in accordance with the laws relating to expulsion of special education students.

A pupil may not be suspended or expelled for any of the acts enumerated in this Policy unless the act is related to school activity or school attendance of **Laurel Tree Charter School**. A pupil may be suspended or expelled for acts that are enumerated in this Policy and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds

- While going to or coming from school

- During the lunch period, whether on or off the school campus

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

### Grounds

Students may be suspended or expelled for any of the following acts (whether completed, attempted or threatened) when it is determined the pupil:

- Caused physical injury to another person or willfully used force or violence upon the person of another, except in self-defense

- Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from an authorized certificated school employee, with the **Lead Teacher** or designee's written concurrence

- Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code sections 11053-11058 (including, but not limited to, opiates, hallucinogenic substances, stimulants, depressants and narcotic drugs), alcoholic beverage or intoxicant of any kind.

- 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 the same as a controlled substance, alcoholic beverage or intoxicant

- Committed robbery or extortion

- Caused damage to school property or private property

- Stole school property or private property

Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel

Committed an obscene act or engaged in habitual profanity or vulgarity

Unlawfully possessed or offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code section 11014.5

Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials or other school personnel engaged in the performance of their duties

Knowingly received stolen school property or private property

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

Committed a sexual assault as defined in Penal Code sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code section 243.4

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

Made terrorist threats against school officials and/or school property

Committed sexual harassment

Caused or participated in an act of hate violence

Carried, possessed, sold or otherwise furnished an electronic signaling device

Committed hazing

Committed vandalism/malicious mischief

Violated academic ethics

Falsified or misinterpreted notes or phone calls of parents or guardians

Falsely activated fire alarm

Habitually violated the dress code

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.

The above list is not exhaustive and depending upon the offense, a pupil may be suspended or expelled for misconduct not specified above.

### **Procedures Required to Suspend**

#### **Step One**

The **Lead Teacher** shall investigate the incident and determine whether or not it merits suspension.

*Searches:* In order to investigate an incident, a student's attire,<sup>1</sup> personal property, vehicle or school property, including books, desks and school lockers, may be searched by a Principal or designee who has reasonable suspicion that a student has violated or is violating the law or the rules of the school. *Illegally possessed items shall be confiscated and turned over to the police.*

### **Step Two**

Unless a student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, a suspension will be preceded by an informal conference between the Lead Teacher and the student in which the student shall be orally informed of the reason for the suspension, the evidence against him, and be given the opportunity to present informal proof of his/her side of the story. If the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the informal conference will be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to, hospitalization or detention in a correctional facility.

At the time of the suspension, a School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person to inform him/her of the suspension and the reasons therefor.

If a student is suspended without the informal conference, both the student and the parent/guardian will be notified of a student's right to return to school for the purpose of a conference.

### **Step Three**

The Lead Teacher determines the appropriate length of the suspension (up to 10 days). When suspensions do not include a recommendation for expulsion, they shall not exceed **10** consecutive school days per suspension.

### **Step Four**

The Lead Teacher or designee fills out a Notice of Suspension Form, a copy of which will be sent to the student's parent/guardian and to the student. A copy of this form is also placed in the student's cumulative file at the School. The Notice of Suspension Form shall state the fact of suspension, its duration and the specific offense committed by the student. In addition, the notice may state the date and time when the student may return to school. The notice shall also

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<sup>1</sup> This does not include removing clothing to permit visual inspection of the under clothing, breasts, buttocks or genitalia of the pupil.

state that if desired by the parent/guardian, a prompt meeting or hearing will be held at which the suspension may be discussed and at which the student may be present and afforded an opportunity to present informal proof of his/her side of the case. Additionally, if the School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request the parent/guardian to respond to such requests without delay.

#### **Step Five**

The Lead Teacher determines whether the offense warrants a police report. **The Lead Teacher** will report certain offenses to law enforcement authorities in accordance with Education Code section 48902.

When **The Lead Teacher** releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the **Lead Teacher** shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, unless the minor has been taken into custody as a victim of suspected child abuse.

#### **Step Six**

The **Lead Teacher** may require the student and his/her parent/guardian to sign a contract that states the conditions that the student is expected to meet while at the School. Copies of the signed contract are kept by the school and given to the parent/guardian.

#### **Special Education Student Suspensions**

When suspensions involve special education students, a manifestation determination meeting shall be held no later than the 10<sup>th</sup> suspension day (whether consecutive or cumulative for the school year). The Lead Teacher shall notify the student's special education teacher when the student's cumulative days of suspension for that school year reaches eight. That special education teacher shall promptly notify the Special Education Teacher of the need for the manifestation determination meeting. The manifestation determination meeting shall include the LEA, the parent, and relevant members of the student's IEP Team (as determined by the parent and the LEA).

The student shall be treated as a general education student for disciplinary purposes, except to the extent that educational services must continue, if at the manifestation determination meeting the following are both determined in the negative, after reviewing all relevant information in the student's file, including the student's IEP, any teacher observations and any relevant information provided by the parents: 1) the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or 2) the conduct in question was the direct result of the LEA's failure to implement the IEP. If it is determined at the manifestation

determination meeting that 1) or 2) is answered in the affirmative, the conduct is deemed a manifestation of the disability.

If the conduct is deemed a manifestation of the disability, the IEP Team must conduct a functional behavioral assessment, create a plan and implement it, or if the plan is preexisting, review it and modify it as necessary to address the behavior.

In the case of a manifestation of a disability, the student will be returned to the placement from which he/she was removed, unless the LEA and parent agree to a change of placement as part of the modification of the behavioral intervention plan. For special education students, a new manifestation determination meeting is required for all proposed suspensions exceeding ten cumulative days in one school year.

The special education student may be removed from school to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student: 1) carries a weapon to or possesses a weapon at school, on school premises or to or at a school function under the jurisdiction of the School; 2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the School; or 3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the School.

### **Appeal Process**

A student or the student's parent/guardian may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her School related offenses. Appeals must be made first in writing at the School level, and should be directed to the **Lead Teacher** within **ten** days of the School sending the Notice of Suspension Form to the parent/guardian and the student. The **Lead Teacher** will attempt to resolve the appeal with a written response within ten school days of receiving the written appeal. After appeal at the School level, if further appeal is desired, the student or his/her parent/guardian should appeal in writing to the School Board within ten days of the date of the School level written response and should direct it to the **President of the Board]** for final resolution within 15 school days. If any appeal is denied, the student, his/her parent/guardian may place a written rebuttal to the action in the student's file.

### **Expulsion**

#### **Definition**

Expulsion means involuntary disenrollment from the charter school.

### **Authority**

A student may be expelled either by the Board following a hearing before it or by the Board upon a recommendation of an Administrative Panel to be assigned by the Board as needed. The Panel may recommend expulsion of any student found to have committed an expellable offense.

The Board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class or program that is deemed appropriate for the rehabilitation of the pupil [or other conditions such as good behavior, attendance, etc.]. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

### **Grounds for Expulsion**

#### **Category I Expulsions – Mandatory Recommendation for Expulsion**

A student who has committed one or more of the following acts must be immediately suspended and recommended for expulsion.

Possessing, selling or otherwise furnishing a firearm when a school employee verifies firearm possession, unless the student obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or his/her designee

Brandishing a knife at another person

Unlawfully selling a controlled substance

Committing or attempting to commit a sexual assault or committing a sexual battery

Possession of an explosive

#### **Category II Expulsions – Recommendation for Expulsion Required, Unless Inappropriate Under the Circumstances**

A student who has committed one of the following acts of misconduct must be recommended for expulsion, unless particular circumstances render it inappropriate.

Causing physical injury to another person, except in self-defense

Possession of any knife, explosive or other dangerous object of no reasonable use to the student

Unlawful possession of any controlled substance, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis

Robbery or extortion

Assault or battery on a school employee

### **Category III Expulsions – Discretionary Expulsion Recommendation**

In the discretion of the **Administrative Team**, any act that warrants suspension may warrant expulsion. Additionally, a student may be expelled for misconduct that is not listed above if the acts disrupt and/or present ongoing health and/or safety concerns, or the student has repeatedly engaged in the misconduct.

#### ***Procedures to Expel a Student***

##### **Step One**

**The Lead Teacher** investigates the incident and determines whether the offense results in a suspension. If so, the **Lead Teacher** follows the procedures to suspend the student as outlined above.

##### **Step Two**

In the discretion of **Administrative Team**, a student's suspension may be extended pending expulsion. In this case, a meeting is held within 10 school days of the student's suspension to extend the suspension. The student and his/her parent/guardian are invited to attend this meeting with **the Lead Teacher** or his/her designee. **The School Psychologist and members of the Administrative Team** may also be present.

At this meeting, the offense and the repercussions are discussed. An extension of the suspension may be granted only if the **Lead Teacher** or his/her designee has determined, after the meeting, that the presence of the student at the School would cause a danger to persons or property or a threat of disrupting the instructional process. If the student has committed an offense that requires a mandatory expulsion recommendation, this is discussed so that it is understood by all parties. The purpose of the meeting is to decide upon the extension of the suspension order and may be held in conjunction with the initial meeting with the parents after the suspension.

##### **Step Three**

The School shall send a letter to the student and parent/guardian regarding the expulsion hearing. The expulsion hearing shall be held no later than 30 school days of the date that expulsion is recommended, unless a brief extension is requested by the student or his/her parent/guardian.

The letter shall be sent via certified mail to the student and his/her parent/guardian to the address reflected in the pupil's student file at least 10 calendar days before the date of the hearing. The letter shall notify the student and parent/guardian when and where the expulsion hearing will take place and the rights of the student with respect to the hearing, including:

The date and place of the expulsion hearing;

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

A copy of the School's disciplinary rules relating to the alleged violation;

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

The opportunity for the student or the student's parent/guardian to appear in person and/or to employ and be represented by counsel or an advocate;

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

The opportunity to confront and question witnesses who testify at the hearing;

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

#### **Step Four**

The **Lead Teacher** shall maintain documents that may be used at the hearing and make them available for review by the student and/or his/her parent/guardian. These papers may include, but are not limited to, the following: A record of the student's attendance and grades, a record of previous infractions, a statement of the facts surrounding the case made by a **Lead Teacher**; a statement of the facts surrounding the case made by a witness, a law enforcement agency's report and any other relevant matter.

#### **Step Five**

An expulsion hearing shall be held before the School Board. 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 a complete written transcription of the proceedings can be made.

While the technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by **the Lead Teacher** to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on evidence produced at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay evidence, although sworn declarations may be admitted as testimony from witnesses who are determined by the



**Lead Teacher** that disclosure of their identity or live testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

### **Step Six**

The decision of the Administrative Team shall be in the form of a written recommendation, with findings of fact, to the School Board who will make a final determination regarding the expulsion. The final decision by the School Board shall be made within 10 days following the conclusion of the hearing, or within 40 school days after the date of the pupil's removal from the School for the incident for which the recommendation for expulsion is made. If the **School Board** decides not to recommend expulsion, the pupil shall be reinstated and permitted to return to classroom programs. The decision not to recommend expulsion shall be final.

### **Step Seven**

The **Lead Teacher**, or designee, following a decision of the School Board to expel a student, shall send written notice of the decision to expel, including the **School Board's** findings of fact, to the student or parent/guardian. The notice shall include the following:

Notice of the specific offense committed by the student;

Notice of the right to appeal the expulsion to the County Board of Education. If that Board does not hear such appeals, the student may submit a written objection and request for reconsideration to the school's Board of Directors within 10 days. Decisions of the Board of Directors shall be final.

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 within the charter school

Within 30 days of the decision to expel, the **Lead Teacher** shall send written notice of the decision to expel to the student's district of residence, the County Office of Education and the charter granting district (if different than the student's district of residence). This notice shall include the student's name and the specific expellable offense committed by the student.

### **Step Eight**

Expelled students are responsible for seeking alternative education programs, including but not limited to, programs within the County or their school district of residence.

### **Step Nine**

The school shall maintain records of all student suspensions and expulsions at the school site. Such records shall be made available for **Northern Humboldt Union High School's** review upon request.

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

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the School Board or its designee following a meeting with the **Lead Teacher** and the pupil and parent/guardian to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Lead Teacher shall make a recommendation to the Board of Directors following the meeting regarding his/her determination. The pupil's readmission is also contingent upon the school's capacity and any other admission requirements in effect at the time the student seeks admission or readmission.

Adopted: 2011

Amended: