



School Safety BP 03-19

Board Policy: GCC Comprehensive School Safety Handbook

GCC COMPREHENSIVE SCHOOL SAFETY PLAN

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GCC COMPREHENSIVE SCHOOL SAFETY PLAN

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INTRODUCTION

Gateway Community Charters (“GCC”) is committed to maintaining safe and secure campuses for all students and staff. To that end, this Comprehensive School Safety Plan covers GCC’s policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually. All GCC Schools have a safety plan addendum, in accordance with this plan, that describe school-specific policies/schedules such as schedules of safety trainings, schedules of drills, disaster plans, dress codes, policies for safe ingress/egress, and policies regarding student discipline.

CAMPUS SAFETY AND SECURITY

Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

Entrances and Exits

The school principal and staff should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily
- Submit to and reviewed by the GCC Superintendent/CEO or designee on an annual basis.

Releasing Students

GCC employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal’s designee or GCC Central Office before releasing the student.

Visitors Policy

School Safety BP 05-19

GCC Board Policy: CONDITIONS FOR CLASSROOM/RESOURCE ROOM AND SCHOOL VISITATION AND REMOVAL POLICY

While the GCC and its Charter Schools encourage parents/guardians and interested members of the community to visit the Charter Schools and view the educational programs, the Charter Schools also endeavor to create a safe environment for students and staff. As such, parents and other visitors must adhere to the following policy in order to maximize the safety of the students and minimize the disruption to the education environment.

Parents/guardians and other visitors, including children who are not students at the Charter School, shall not loiter on the Charter School premises, including the parking lot and outside school buildings. The parking lot shall be used for picking up and dropping off students, and while conducting business. Parents/guardians and other visitors are expected to leave the campus premises upon the conclusion of any business matters or after dropping their student off at school. If a parent or guardian wishes to visit the Charter School to view the educational program, the visitor must follow the following procedures, which have been developed to ensure the safety of students and staff as well as to minimize interruption of the instructional program, pursuant to California Penal Code Sections 627, et. seq.:

1. Visits during school hours should first be arranged with the teacher and Principal or designee, at least three days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom/resource room during school hours must first obtain the written approval of the classroom/resource room teacher and the Principal or designee.
2. All visitors shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor is required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Principal or designee may design a visible means of identification for visitors while on school premises.
3. The Principal, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
4. The Principal, or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.

5. The Principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Principal or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
6. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Principal, Superintendent/CEO or the Board on the propriety of the denial or revocation. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to either the Principal, Superintendent/CEO or the Board President within five days after the denial or revocation. The Principal, Superintendent/CEO or Board President shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Principal shall be held within seven days after the Principal receives the request. A hearing before the Board shall be held at the next regularly scheduled Board meeting after the President receives the request.
7. The Principal or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
8. At each entrance to the Charter School grounds of, signs shall be posted specifying the hours during which registration is required, stating where the office of the Principal or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
9. No electronic listening or recording device may be used by students or visitors in a classroom/resource room without the teacher's and Principal's written permission.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Further conduct of this nature by the visitor may lead to the Charter School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending Charter School activities for any purpose for a period of three (3) years.

GCC employees from school campuses and the central office are strongly encouraged to notify the site manager and principal upon arrival and should wear badges signifying that they are GCC employees. However, formal visitor registration is at the discretion of the school principal or designee.

VIP Visitors accompanied by any GCC central office team member are not required to register/sign in.

Fingerprinting Policy

School Safety BP 07-16

GCC Board Policy: FINGERPRINTING AND BACKGROUND CHECKS

Fingerprinting

Gateway Community Charters (GCC) shall comply with the applicable provisions of the Education Code, including Sections 44237, 44803.1 and 45125.1.

As required by law, all individuals working or volunteering at the GCC will be required to submit to fingerprinting and a criminal background investigation. No condition or activity will be permitted that may compromise the GCC's commitment that the safety and the well-being of students takes precedence over all other considerations. Conditions that preclude working at the GCC include conviction of a controlled substance or sex offense, or a serious violent felony. Additionally, should an employee, during his/her employment with the GCC, be convicted of a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the principal or immediate supervisor.

The GCC shall fingerprint and background check school volunteers who will come into contact with students outside of the supervision of a GCC employee or who work with students in excess of ten (10) hours per week, prior to volunteering at the GCC. A school volunteer is defined as an individual working under the direction of a paid GCC employee to provide a service without compensation on campus while working with or around children. Campus volunteers must abide by all applicable laws and agree to abide by the policies of the GCC, including the submission of fingerprints and the approval for the GCC or its designee to perform background checks. The fingerprints will be sent to the Department of Justice for the purpose of obtaining a criminal record summary.

Additionally, the GCC on a case-by-case basis require an entity providing contract services require the entity's employees to comply with the requirements for fingerprinting, unless the GCC determines that the employees of the entity will have limited contact with pupils. In determining whether a contract employee will have limited contact with pupils, the GCC must consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether pupils will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or under the supervision of GCC personnel.

Procedures for Background Checks

The Director of Personnel and Academics or designee shall review Department of Justice reports on prospective employees/contractors; volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44803.1 or 45125.1, except with respect to her or himself, in which case the Chief Executive Officer will review. The Director of Personnel and Academics shall monitor compliance with this policy and report to the Board of Directors as needed.

Registered Sex Offender Policy

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of a GCC school, or otherwise may be likely to attempt to visit a GCC school for any reason whatsoever.

In accordance with “Megan’s Law”, the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General’s Megan’s Law website, found at <http://meganslaw.ca.gov>, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

GCC and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to, campus supervisors, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

- a) GCC schools will share public registered sex offender information with staff members of a particular school to assist in identifying a danger
- b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
- c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

- a) To establish a positive, cooperative working relationship to the extent possible.

- b) To discuss the incident(s) leading to the registration requirement, (GCC recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of GCC).
- c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy.
- d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required.
- e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and
- f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event it may be held at a location within the principal's or designee's discretion. If this meeting with the parent is not held, the principal or designee shall notify the parent/guardian in writing of the information contained in this policy. GCC recognizes the following rights of the parent/guardian to participate in his/her child's education:

- a) To transport his/her child to and from school
- b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
- c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights and to that end a registered sex offender shall not:

- a) Serve as a school or class volunteer
- b) Act as a chaperone on a school field trip
- c) Be in the presence of children for any reason other than for the parent rights stated herein; and
- d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

EMERGENCY PREPAREDNESS

Every school should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.

Drills

It is the principal's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Site Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per month for elementary schools and at least four times a year for intermediate levels, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the (school's or GCC's) Civil Defense Procedure. (Duck and Cover Drill)
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the (School or GCC) Major Disaster Plan.

Civil Defense Procedures

Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school's county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

Alert Signals

The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

At the sound of the "Alert" signal:

- All students in transit between classrooms/resource rooms, in restrooms, etc., will walk to their assigned classrooms/resource rooms.
- Students on the playground or library will return to their assigned classrooms/resource rooms.
- Each teacher will stay in the classroom/resource room with his/her students.

- Each custodian will report to the school office for instructions.

At the sound of the “Take Cover” signal:

- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with age appropriate activities such as stories, songs, guessing games, etc., in case of an extended waiting period.

At the “All Clear” signal:

- Students will resume their regular class activities.
- When a building is unsafe to resume classroom/resource room instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
- If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

Staff Responsibilities

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

Principal or Designee

- Sound appropriate alarm to evacuate building (fire drill) or take cover within the building (civil defense).
- Following fire drill procedures check the building to ensure that all students, personnel and visitors have evacuated the building.
- Provide for administration of first aid and request other emergency assistance as needed.
- Keep the Central Office informed and, if necessary, set up telephone communications at a nearby residence or business.
- Give directions to police in search clearing procedures and take full responsibility for search.
- Coordinate supervision of students and all clean-up or security efforts.

Teachers

- Carry out appropriate emergency procedures to ensure the safety and welfare of students.
- Supervise children and maintain calm and order.
- Make sure you have access to the classroom/resource room copy of the students’ emergency cards.

Site Manager/ Administrative Assistant

- Assist and take direction from the principal.
- Makes sure site has access to student’s emergency cards.
- Make sure first aid supplies are handy in case they are needed.
- Carry out other duties as assigned.

Custodian

- Shut off the valves for gas, water, electricity and air conditioning (if necessary)
- Open all gates and doors to assembly and exit areas

Aides, Volunteers and Other Adults

- Should assist teachers working with students to keep them safe, orderly and comfortable
- Should assist teachers working with students to keep them safe, orderly and comfortable.
- Be on call for Principal or designees requests.

Site Staff

In advance of emergencies, the Site Staff should ensure the following emergency supplies are stored:
School Emergency Supplies:

First aid kits
 Flashlights
 Batteries
 Radios
 Megaphone
 Walkie-Talkies
 Drinking Water

Emergency Procedures

All classrooms and resource room should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal/Designee assesses the situation.
2. Principal/Designee notifies all staff members of the emergency via PA, phone, walkie- talkies, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies GCC Central Office.
5. In the event of an emergency situation, the designated GCC emergency manager will promptly contact the person/office designated by The District regarding the emergency and the steps GCC has taken. We will work with the person/office designated by The District as needed to ensure clear communication and coordinated action.
6. Principal or Designee meets with emergency crews.
7. Assigned person(s) ensures all classrooms/resource rooms; hallways and restrooms on first floor are empty after escorting students their students to assigned location.
8. Assigned person(s) ensures all classrooms/resource rooms, hallways and restrooms on second floor (if applicable) are empty after escorting students their students to assigned location
9. Assigned person(s) ensures the cafeteria and gym are empty.
10. Assigned person(s) greet, organize and comfort students outside the building.
11. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal/Designee.
12. Assigned person(s) will direct students who need first aid to an assigned location.
13. Principal/Designee determines, in consultation with the emergency crews, whether to

release students to their homes or to return students to classes and makes announcement via mega phone.

14. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
15. All teachers will ensure that students are released to guardians' care.
16. In the case that counseling services are subsequently needed by any students, the Principal/Designee and an assigned person will coordinate that effort.
17. In the case that media coverage is an issue, Principal/Designee and an assigned person will control and organize press releases and media requests.

First Aid

The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the principal or designee.

DISASTER PLANS

Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom/resource rooms.

Fire

1. Principal/Designee, custodians and/or site manager will determine the location of the fire.
2. Site manager (or Principal's designee) will phone 911, picks up emergency card binder and student medication and leaves the building prepared to phone parents of any injured child.
3. Custodian or principal/Designee will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

Earthquake

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, principal or site manager sounds alarms to evacuate the building.
7. Staff to follow emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Be prepared to duck and cover again due to aftershocks.
5. Staff to follow emergency procedures previously described.

Flood/ Severe Weather

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

1. The principal/Designee will assess the situation and make an announcement over PA, phone, walkie-talkies, fire alarm, and/or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

Electrical Failure

1. Principal/Designee and/or custodian notify the local electrical company specific to your site
2. Office staff and classroom/resource room teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

Gas Line Break

1. Principal/Designee and/or custodian notify the local gas company provider specific to your site
2. Principal/Designee and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

Water Main Break

1. Principal/Designee and/or custodian notifies the water department.
2. Custodian shuts off water.
3. Principal/Designee or notifies the police.
4. Principal/Designee determines if it is necessary to follow the emergency procedures on page 2 to evacuate students and staff.

Water Contamination

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Teacher notifies Principal/Designee and/or Custodian
3. Principal/Designee and/or custodian notify GCC Central Office.
4. Have custodian turn off pressure to drinking fountains and sinks.

Chemical Spill/ Incident

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Custodian of the incident - contact 911 if necessary.
4. Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.

2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind, which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

Hazardous Materials

Before the Emergency:

- ✓ Know if your site contains any hazardous material and where they are stored. Locate the Heating, Ventilating, & Air Conditioning shut offs. Locate any emergency supplies in your workplace.
- ✓ Locate “safe” areas inside your building.
- ✓ Identify potential sources of hazardous materials in your area and insure they are stored properly.
- ✓ Make a list showing the name, quantity, and hazardous chemicals in your area for the Fire Department.

During the Emergency:

- ✓ Move away from the area of the hazardous materials incident by moving uphill, upstream, and upwind. If you are directly downwind move across the wind.
- ✓ Never touch, sniff or taste chemicals. DO NOT assume that a chemical is not dangerous because you can't smell it.
- ✓ Dial 9-1-1 and report the incident. Make sure to mention that hazardous materials are involved.
- ✓ NEVER attempt to rescue an unconscious person from a hazardous materials scene. You will probably become a victim yourself.

In some Hazmat incidents, you may be instructed to shelter in place. In such cases, trained professionals will have determined that the building you are in at the time of the incident is the safest refuge. This is sometimes better than walking out into a chemical cloud.

If told to “Shelter In Place” follow these steps:

- ✓ Close all doors and windows.
- ✓ Seal cracks in doors and windows with wet towels, blankets, or tape.
- ✓ Turn off all Heating, Ventilation, & Air Conditioning systems.
- ✓ Remain in protected areas away from windows and doors until the danger has passed.
- ✓ Keep a radio with you to keep you updated.
- ✓ Also, for classrooms/resource room which do not have a sink they need to store some water.

If you come in contact with hazardous chemicals follow these steps:

- ✓ If the area is contaminated, or if you have difficulty breathing, evacuate the area immediately.
- ✓ Have co-worker dial 9-1-1 and report the incident.

- ✓ As quickly as possible remove contaminated clothing.
- ✓ If chemicals get on your skin or eyes, flush the area with clean water for 15 minutes.
- ✓ DO NOT eat or drink until you have been checked out by a physician. Report all incidents no matter how small to your supervisor.

Lockdown/Shooting Incident

If a shooting takes place, the first priority is to shelter students and staff. Upon hearing shots or an announcement from Principal/Designee:

1. Teachers close and lock all classroom/resource rooms doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal/Designee calls 911.
5. Principal/Designee ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom/resource room or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.

Bomb Threat

There are two primary ways a bomb threat may arise. One is through a phone call or written letter

in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify Principal/Designee immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:

1. Notify Principal/Designee immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal/Designee and emergency crews.

In all cases:

1. If Principal/Designee determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal/Designee and the emergency crew chief. Follow all emergency crew

and bomb squad directives.

4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

Explosion

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

Death/Suicide/Suicide Intervention

1. Principal/Designee will be notified in the event of a death on campus.
2. Assigned person(s) will phone 911.
3. Assigned person(s) will phone GCC Central Office.
4. Principal/Designee will notify teachers to keep students in their classrooms/resource rooms until informed otherwise.
5. Assigned person(s) will control and organize media.
6. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Assigned person(s) will ensure that counseling services are available as soon as possible.

Immediately notify the school principal or his/her designee.

Suicide Intervention

Any GCC personnel who are approached by a student, or become aware of a student making suicidal threats shall immediately notify the school principal or his/her designee. When a suicide attempt or threat is reported, the principal or designee shall:

1. Ensure the student's physical safety by one of the following as appropriate:
 - a. Securing immediate medical treatment if a suicide attempt has occurred
 - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
 - c. Keeping a student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, superintendent, and/or the student's parent/guardian, and, as necessary,

local law enforcement or mental health agencies.

3. Document the incident in writing as soon as feasible.
4. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed.
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

In the event that a suicide occurs or is attempted on campus, the principal or designee shall follow the crisis intervention procedures in this school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Intruders/ Vicious Animals

1. Call the school main office and office staff will check out the situation and take appropriate action (i.e., contact local law enforcement for your site or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom/resource room until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom/resource room doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or local law enforcement for your site/animal control agency.

SCHOOL UNIFORMS

Certain GCC school policies require all students to wear uniforms. Gateway Community Charters is committed to create a culture of academic rigor in our schools. A uniform dress code encourages this atmosphere. Implementation of this policy will reduce distractions and disruptions caused by clothing. Uniforms make economic disparities between students less obvious, and minimize the use of clothing to signal gang affiliation. School uniforms help in reducing other risks to student safety, promote student achievement and create an orderly learning environment.

- *Uniform selection:* The specific uniform (i.e. colors and other specifications) will be determined by the school site.
- *Support for needy families:* Each school will designate philanthropy or general funds to

- support families who may need assistance in meeting the uniform requirements.
- *Exceptions:* Because GCC schools are schools of choice, there will be NO exemptions for students.

NOTE: Nothing in this section is meant to in any way override or conflict with specific school site dress codes as delineated in Student Handbooks.

STUDENT DISCIPLINE

GCC believes that one of the major functions of education is the preparation of youth for responsible citizenship. GCC shall foster a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, GCC shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide GCC schools and personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in GCC charter petitions, the policies and procedures for suspension and expulsion of GCC students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.

These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability

Discipline in General

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom/resource room
- Assigning different or additional work appropriate to the infraction
- Utilizing a peer mediation or student conflict resolution program
- Individual conversation with the classroom/resource room teacher about behavior and consequences
- Utilizing a written referral framework
- Designating selected classrooms/resource rooms and teachers (typically, lead teachers or advisors) as places for "time out"
- Referring students to the principal or a designee
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention
- Referring student to Student Study Team

All GCC employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

Student Policies BP 04-17

Board Policy: SUSPENSION AND EXPULSION

Governing Law: The procedures by which pupils can be suspended or expelled.

- Education Code Section 47605(b)(5)(J).

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at Gateway Community Charters (GCC). In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* GCC is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the GCC's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. GCC and Charter School staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, 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 force that is reasonable and necessary to protect the employees, students, staff or other persons or to prevent damage to school property.

The Charter School Principal 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 upon request at the school administrative office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom, GCC 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 of the Rehabilitation Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990 and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom GCC and/or the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property.
 - g) Stole or attempted to steal school property or private property

- h) Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, e-cigarettes, e-hookah, and other vapor-emitting devices (Electronic Nicotine Delivery Systems ENDS), miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Except as provided in Education Code Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision.
- m) Knowingly received stolen school property or private property.
- n) Possessed an imitation firearm, i.e.: a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- o) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- p) 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.
- q) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- r) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- s) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another

person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- t) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12 inclusive.
 - u) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - v) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- (2) "Electronic Act" means the creation or transmission originated on or off the school site, by

means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) Above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe or has reasonably believed that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- a) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
 - b) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a

certificated school employee, with the Executive Director or designee's concurrence.

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

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

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in a habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is as substantially similar in

physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school- sanctioned events.
- q) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

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

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

If it is determined by the Administrative Panel and/or GCC Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) The frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (I) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Principal, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

D. Authority to Expel

A student may be expelled either by GCC Board following a hearing before it or by the GCC Board upon the recommendation of an Administrative Panel to be assigned by the GCC Board as needed. The Panel should consist of at least three members; neither a teacher of the pupil nor a board member. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the pupil has committed an expellable offense.

The expulsion hearing will be presided over by the GCC Board President, his or her designee, or the chair of the Administrative Panel. In the event an Administrative Panel hears the case, it will make a recommendation to the GCC Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or an advocate;
6. The right to inspect and obtain copies of all documents to be used at the hearing;

7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five day notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. GCC must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the GCC must present evidence that the witness' presence is both desired by the witness and will be helpful to GCC. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or

influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

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

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the GCC Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

I. Written Notice to Expel

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

1. Notice of the specific offense committed by the student.
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the School.

The Principal or designee shall send written notice of the decision to expel to the Student's district of residence, and the District. This notice shall include the following:

The student's name

1. The specific expellable offense committed by the student

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Suspended and Expelled Pupils/Alternative Education

The Charter School shall ensure that pupils suspended from the Charter School are provided with an appropriate alternative educational program (class work and homework assignments, etc.) during the period of the pupil's suspension from school. Whenever a pupil is expelled from the Charter School, the Charter School shall notify the pupil and the pupil's parents or guardians in writing of the pupil's duty to attend the public school district in which the residency of either the parent or legal guardian is located. The GCC and/or Charter School shall also notify the public school district in which the residency of either the parent or legal guardian is located whenever a pupil is expelled from the Charter

School.

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the GCC Board following a meeting with the Principal and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the GCC board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

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

1. Notification of District/SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant

information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

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

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

4. Due Process Appeals

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

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

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

The Charter School shall not be deemed to have knowledge of that the student had a disability if the

parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Gateway Community Charters (“GCC”) programs and activities shall be free from discrimination, harassment, intimidation and bullying. This policy applies to all acts related to school activity or school attendance occurring within a school under Gateway Community Charters. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, consistent with this policy.

As used in this policy, “discrimination, harassment, intimidation, and bullying” describe the intentional conduct, including verbal, physical, written communication, or cyberbullying, that is based on actual or perceived race, religious creed, color, national origin, immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of these actual or perceived characteristics. In addition, bullying encompasses any conduct described in the definitions set forth in this policy.

The GCC shall ensure equal opportunities for students in admission and access to educational programs, guidance and counseling programs, athletic programs, testing procedures, and other activities, regardless of a student's actual or perceived race, religious creed, color, national origin, immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of these actual or perceived characteristics. Lack of English language skills will not be a barrier to admission and participation in career technical education programs. Eligibility for co-curricular or extracurricular programs shall be determined on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

In some situations, the GCC may have to provide individualized accommodation to a student to protect him/her from discrimination, harassment and bullying based upon gender identity or gender expression. Such an accommodation may include providing a student adequate access to appropriate facilities, such as restrooms. The schools may also provide male and female students with separate sex education classes in order to respect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

Policies and procedures related to the types of unlawful discrimination, including harassment, intimidation and bullying described above must also be consistent with student free speech rights under the First Amendment and Education Code sections 48907 and 48950. Education Code section 48907 protects students' speech rights, except to the extent student speech is obscene, libelous, or slanderous, or constitutes speech that incites pupils as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. Education Code 48950 states that it does not prohibit discipline for harassment, threats or intimidation unless constitutionally protected. As a general rule, harassment, threats, intimidation and bullying directed at an individual or group are not constitutionally protected, and whether such speech might be entitled to constitutional protection will be determined on

a case-by-case basis, with consideration for the specific words used and the circumstances involved. This assessment will also question whether the conduct is prohibited because it is based upon a person's actual or perceived race, religious creed, color, national origin, immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, , or association with a person or group with one or more of these actual or perceived characteristics.

To the extent possible, GCC will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, and address any reports of such behaviors in a timely manner. GCC staff who witness acts of discrimination, harassment, intimidation, and bullying will take immediate steps to intervene, so long as it is safe to do so.

If the GCC School possesses information that could indicate immigration status, citizenship status or national origin information, the School shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. If parents or guardians choose not to provide information that could indicate their or their child's immigration status, citizenship status or national origin information, the School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Each year, the GCC School shall educate students about the negative impact of bullying other students based on their actual and perceived immigration status or their religious beliefs or customs. The School shall also train teachers, staff and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training shall provide School personnel with the skills to do the following:

- Discuss the varying immigration experiences among members of the student body and school community;
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;
- Take immediate corrective action when bullying is observed;
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Definitions

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

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.

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

Electronic act is the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager, of a communication, including but not limited to, any of the following:

1. A message, text, sound, or image.
2. A post on a social network Internet Web site, including but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Reasonable pupil is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Reporting

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

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the Superintendent/CEO or designee. While submission of a written report is not required, the reporting party is encouraged to use the report form available in the Main Office. However, oral reports shall also be considered. Reports may be made anonymously, but formal disciplinary action cannot be based solely on anonymous information.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasing, or other verbal or physical abuse. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, principal, or staff person so that she/he can get assistance in resolving the issue consistent with this policy.

GCC acknowledges and respects every individual's rights to privacy. To that end, consistent with legal requirements, all reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible.

GCC prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of violations of this policy. Such participation shall not in any way affect the status, grades or work assignments of the reporter.

Investigation

Upon receipt of a report of harassment, intimidation, or bullying from a student, staff member, parent, volunteer, visitor or affiliate of GCC, the Superintendent/CEO or designee will promptly initiate an investigation. Confidentiality of the complaint and investigation will be kept to the extent possible, but note that the investigation will not be completely confidential. The investigation will ensure confidentiality with respect to a student's or family's immigration status. At the conclusion of the investigation, the Superintendent/CEO or designee will notify the complainant of the outcome of the investigation. However, in no case may the Superintendent/CEO or designee reveal confidential student information related to other students, including the type and extent of discipline issued against such students.

Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time.

All records related to any investigation of discrimination, harassment, intimidation or bullying will remain in a secure location in the Main Office of GCC.

In those instances when the complaint filed under this policy also requires investigation under the Uniform Complaint Procedures, such investigation will be undertaken concurrently.

Appeal

Should the Complainant find the Superintendent/CEO or designee resolution unsatisfactory, he/she may file an appeal within five (5) school days of the dates of the resolution with the GCC Board Executive Committee.

Consequences

Students or employees who engage in discrimination, harassment, intimidation or bullying may be subject to disciplinary action, up to and including suspension and/or expulsion as outlined in the GCC Suspension/Expulsion Policy, and the GCC employee handbook.

PREVENTION OF CHILD ABUSE POLICY

GCC is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Student Policies BP 18-18

Board Policy: Child Abuse Policy

Every child has the right to live free of physical and emotional abuse, including neglect and sexual assault. The Gateway Community Charters Board recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in drug addiction. Our schools are in a position to promote the prevention of child abuse and its reoccurrence, and to reduce the general vulnerability of children.

The following policy and procedures shall apply to all GCC employees. Any employee who knows or reasonably suspects a child has been the victim of child abuse shall report the instance pursuant to the following policy. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166. It is the policy of the GCC Board that all employees shall comply with the law's reporting procedures whenever they have knowledge of or observe a child in the course of their employment whom they know or reasonably suspect to have been the victim of child abuse.

Definitions

1. "Child Abuse" or "neglect" includes the following:
 - a. A physical injury inflicted by other than accidental means on a child by another person.
 - b. Sexual abuse of a child.
 - c. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.
 - d. Unlawful corporal punishment or injury resulting in a traumatic condition.
 - e. Neglect of a child or abuse in out-of-home care.

Child abuse and/or neglect include both acts and omissions on the part of the responsible person.

2. "Mandated Reporters" are those people defined by law as "child care custodians," "health practitioners," "child visitation monitors" and "employees of a child protective agency." All GCC personnel are Mandated Reporters of suspected abuse and/or neglect, including but not limited to: Teachers, specialists, administrators, school psychologists, licensed nurses, counselors, and Para-educators, or other classified. All GCC employees are required to report instances of suspected or known child abuse and/or neglect *immediately* when the employee has knowledge of or observes a child that the employee knows or reasonably suspects has been the victim of child abuse or neglect.
3. "Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.
4. "Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when

appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

5. "Child" means any person less than 18 years of age.

Reporting Procedures

Once an employee witnesses, has been made aware of, has knowledge of, or reasonably suspects that an incident, behavior, or conduct may be an indication of suspected child abuse, the employee shall:

1. **Step #1: Telephone Report-** The telephone report must be made immediately, or as soon as practically possible, upon knowledge or suspicion.
 - a. This report will include:
 1. The name of the person making the report.
 2. The name of the child.
 3. The present location of the child.
 4. The nature and extent of any injury.
 5. Any other information requested by the child protective agency or law enforcement office, including the information that led the Mandated Reporter to gain knowledge of or suspect child abuse.
 - (i) When the verbal report is made, the employee shall note in writing the name of the official contacted, the date and time contacted, and any instructions or advice received.
 - b. Appropriate agency to report to:
 1. If the suspected child abuse has taken place **within** the family,
 - (i) Call Sacramento Child Protective Services at: 916-875-5437
(Note: sites outside Sacramento should contact local CPS)
 2. If the suspected child abuse has taken place **outside** the family,
 - (i) Call the local law enforcement department at:
 - (a) Sacramento Police Department 916-204-5471
 - Within City of Sacramento
 - (b) Sacramento Sheriff's Department 916-874-5115
 - Within Sacramento County
 - (c) Yolo County Sheriff's Department 916-375-6493
 - Within Yolo County
 - (d) West Sacramento Police Department 916-617-4900
 - Within City of West Sacramento
 - c. If the agency asks the child be held until authorities arrive, the employee must remain with the child.
 2. **Step #2: Written Report -** Within 36 hours of hearing about the incident, the employee shall complete and mail to the local child protective agency (or law enforcement as appropriate) a written report, "Suspected Child Abuse Report," which includes a completed Department of Justice form (DOJ SS 8572).

Employees may obtain copies of the above form either from the GCC central office or the local child protective agency. Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the employee is personally

responsible for ensuring that the written report is correctly filed.

a. The written report is to be addressed to the person to whom the telephone report was made.

3. Employees reporting child abuse to a child protective agency or law enforcement agency are directed to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. Administrators so notified shall provide the employee with any assistance necessary to ensure that reporting procedures are carried out in accordance with applicable law and GCC policy and procedure. At the employee's request, the principal may assist in completing and filing these forms. If the employee does not disclose his/her identity to a site or GCC administrator, he/she shall at least provide or mail a copy of the written report to the GCC without his/her signature or name.
4. After completing the process above, the employee's primary responsibility is finished. The employee is not to conduct an investigation regarding the suspected abuse, not to confer with the person(s) alleged, to have mistreated the child, nor contact the child's home or the alleged perpetrator prior to making the report. There is no duty for the reporter to contact the child's parents. In fact, if a child is released to a peace officer or a child protection agency, the reporter shall not notify the parent as required in other instances of removal.

Legal Responsibility and Liability

1. Mandated Reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse. This immunity shall apply even if the Mandated Reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his or her professional capacity or outside the scope of his or her employment.
2. If a Mandated Reporter fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The Mandated Reporter may also be held personally liable for damages resulting from any injury to the child after a failure to report and could incur costs of defense and any subsequent damages to the child.
3. All employees are subject to disciplinary action for failure to report suspected child abuse pursuant to this policy. Moreover, GCC is not obligated to defend an employee who neglects or fails to make a required report.
3. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to do so.
4. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

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

Release of Child to Peace Officer or Child Protective Services Agent

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

Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

When School Employees are Accused of Child Abuse

Regardless of the identity of the suspected child abuser, the major responsibilities of Mandated Reporters are to: 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

The GCC may at any time take action in accordance with the at will nature of GCC employment. Possible employee actions by the GCC may include, but are not limited to, reassignment, leave of absence, or release from employment. The Superintendent or designee may seek legal counsel in connection with employee actions related to this policy.

Training

GCC shall provide training to all new personnel regarding the obligations as Mandatory Reporters and the steps required to report suspected abuse. Employees new to the GCC will receive a more extensive Child Abuse training within 6 weeks of employment. Child abuse reporting procedures are reviewed yearly for all returning GCC employees within the first 6 weeks of the school year. Employees

requiring English translation of the training will be offered translation. Both the employee and translator will sign an acknowledgment form indicating this service was used.

GCC Staff Acknowledgement

As a part of the employee hire packet, employees will sign a Child Abuse Acknowledgement form that outlines their designation as a Mandated Reporter and receipt and understanding of this policy.

GCC ANTI-BULLYING POLICY

Student Policies BP 15-17

Board Policy: ANTI-BULLYING POLICY

The Gateway Community Charters (GCC) Board of Directors prohibits acts of bullying. The board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its student in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students, that may be based on actual or perceived disability, gender, gender identity, gender expression, nationality, race, ethnicity, color, ancestry, religion, sexual orientation, age, marital or parental status, or association with a person or group with one or more of these actual or perceived characteristics. Acts of bullying include hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable student (defined as a student, including, but is not limited to a student with exceptional needs, who exercises average care, skill, and judgement in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience a substantial interference with his or her academic performance.
4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by GCC.

Acts of bullying may include:

- Committing sexual harassment as defined in Education Code Section 212.5. 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.
- Causing, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Education Code Section 233. Hate violence includes any

injury or threat to a person or damage to property based upon perception of a person's race, ethnicity, religion, ancestry, nationality, disability, gender, sexual orientation.

- Bullying through Electronic Acts, including cyber sexual bullying. Electronic Act means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or page. For more information regarding the definitions of Electronic Acts and cyber sexual bullying, please see GCC Board Policy 04-17 Suspension and Expulsion.

Under Assembly Bill 9 (AB9) the “Safe Place to Learn Act”, discrimination, harassment, intimidation and bullying based on actual or perceived characteristics is prohibited. School personnel who witness such acts must take immediate steps to intervene, when safe to do so. Employees of Gateway Community Charters will use existing complaint investigation processes, timelines to investigate, and the appeals process for all such incidents.

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

The Gateway Community Charters Board of Directors expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Gateway Community Charters Board of Directors believes that standards for student behavior must be set cooperatively through interaction among students, parents and guardians, staff, and community members of the GCC, producing an atmosphere that encourages students to grow in self-discipline.

The development of this atmosphere requires respect for self and others, as well as for GCC, charter school and community property on the part of students, staff, and community members.

The Gateway Community Charters Board of Directors believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to *prevent* discipline problems and encourage students’ abilities to develop self-discipline.

Since bystander support of harassment or bullying can support these behaviors, the GCC discourages and provides consequences for both active and passive support for acts of harassment or bullying. The staff should encourage students to support students who walk away from these acts when they see them, constructively attempt to stop them, or report them to the designated authority.

The Gateway Community Charters Board of Directors requires its school administrators to develop and implement procedures that ensure *both* the appropriate consequences *and* remedial responses to a student or staff member who commits one or more acts of harassment or bullying. The following factors may be considered by school administrators in the development of the procedures for

determining appropriate consequences and remedial measures for each act of harassment or bullying.

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Factors for Determining Remedial Measures

Personal

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

Environmental

- School culture
- School climate
- Student-staff relationships and staff behavior toward the student
- General staff management of classrooms or other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood culture
- Family situation

Examples of Possible Consequences

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week or the weekend
- Out-of-school suspension
- Legal action

- Expulsion of student

Examples of Remedial Measures

Personal

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Transformative conferencing/restorative justice
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of an Intervention team, peer mediation etc.
- Behavioral assessment or evaluation, including, but not limited to, a referral to a Student Study Team (SST), as appropriate
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school disciplinarian
- Student counseling
- Parent conferences
- Student treatment
- Student therapy

Environmental (Classroom, school site building)

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- School culture change
- School climate improvement
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Targeted use of monitors (e.g. hallway, cafeteria)
- General professional development programs for certificated and non-certificated staff
- Professional development plans for involved staff
- Disciplinary action for school staff who contributed to the problem
- Parent conferences
- Referral to family counseling
- Involvement of parent-teacher organizations
- Involvement of community-based organizations
- Development of a general bullying response plan
- Peer support groups
- Law enforcement involvement

The Gateway Community Charters Board of Directors requires the principal and/or the

principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or principal's designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

The Gateway Community Charters Board of Directors requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three to five school days after a report or complaint is made.

The Gateway Community Charters Board of Directors prohibits reprisal or retaliation against any person who reports an act of harassment or bullying. The consequences, up to and including expulsion, and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the GCC board or designee after consideration of the nature, severity, and circumstances of the act. Retaliation shall be considered a violation of the following offense under the Suspension and Expulsion policy: "Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both."

The Gateway Community Charters Board of Directors prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action for a *person* found to have falsely accused another as a means of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a school *employee* found to have falsely accused another as a means of harassment or bullying shall be disciplined in accordance with GCC employee policies, procedures and agreements.

The Gateway Community Charters Board of Directors requires school sites to include or reference this policy in handbooks or through other manners annually to all school staff, students, and parents. The school administrator shall develop an annual process for discussing the GCC policy on harassment and bullying with students and staff.

Related Policies: BP 15-17 and BP 11-18