

River Oaks Academy Charter



Comprehensive School Safety Plan

SB 187 & SB 334 Compliance Document

2022-2023

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River Oaks Academy Charter

This document is to be maintained for public inspection during business hours

TABLE OF CONTENTS

SECTION 1: GENERAL INFORMATION – SCHOOL SAFETY	4
PART 1: DISTRICT COMMITMENT TO SCHOOL SAFETY	4
PART 2: LEGISLATIVE REQUIREMENTS	5
PART 3: MAINTAINING A SAFE AND ORDERLY ENVIRONMENT.....	6
SECTION 2: CHILD ABUSE REPORTING.....	7
PART 1: CHILD ABUSE REPORTING PROCEDURES.....	7
SECTION 3: DISASTER PROCEDURES.....	14
PART 1: GENERAL INFORMATION - DISASTER	14
PART 2: BIOLOGICAL/CHEMICAL WEAPONS ASSAULT	15
PART 3: BOMB THREAT PROCEDURES	17
PART 4: CHEMICAL OR HAZARDOUS MATERIAL INCIDENT.....	19
PART 5: EARTHQUAKE PROCEDURES.....	20
PART 6: EXPLOSION, AIRCRAFT CRASH OR SIMILAR INCIDENT	21
PART 7: FIRE PROCEDURES.....	22
PART 8: FLOOD PROCEDURES.....	23
PART 9: LOCKDOWN/CIVIL UNREST PROCEDURES	24
PART 10: SEVERE WINDSTORM PROCEDURES	25
SECTION 4: NOTIFICATION OF DANGEROUS PUPILS.....	28
PART 1: NOTIFYING TEACHERS OF DANGEROUS PUPILS.....	28
SECTION 5: SUSPENSION AND EXPULSION/DUE PROCESS	31
PART 1: DEFINITIONS.....	31
SUSPENSION AND EXPULSION/DUE PROCESS.....	31
PART 2: NOTICE OF REGULATIONS	32
PART 3: GROUNDS FOR SUSPENSION AND EXPULSION.....	33
PART 4: REMOVAL FROM CLASS BY A TEACHER/PARENTAL ATTENDANCE.....	36
PART 5: SUSPENSION BY THE DIRECTOR OR DESIGNEE.....	38
PART 6: SUSPENSION BY THE BOARD	41
PART 7: ON-CAMPUS SUSPENSION PROGRAM	42
PART 8: AUTHORITY TO EXPEL	43
PART 10: MANDATORY RECOMMENDATION AND MANDATORY EXPULSION.....	45
PART 11: STUDENT’S RIGHT TO EXPULSION HEARING	46
PART 12: RIGHTS OF COMPLAINING WITNESS	47
PART 13: WRITTEN NOTICE OF THE EXPULSION HEARING	48
PART 14: CONDUCT OF EXPULSION HEARING.....	49
PART 15: ALTERNATIVE EXPULSION HEARING: HEARING OFFICER OR ADMINISTRATIVE PANEL	52
PART 16: FINAL ACTION BY THE BOARD	53
PART 17: WRITTEN NOTICE TO EXPEL.....	54
PART 19: RIGHT TO APPEAL	57
PART 20: POST-EXPULSION ASSIGNMENTS.....	58
PART 21: READMISSION AFTER EXPULSION	59
PART 22: MAINTENANCE OF RECORDS.....	60
PART 23: NOTIFICATIONS TO LAW ENFORCEMENT AUTHORITIES	61
SECTION 6: SEXUAL HARASSMENT POLICY	62
PART 1: GENERAL INFORMATION	62
PART 2: SEXUAL HARASSMENT – ALL PERSONNEL	63
PART 3: SEXUAL HARASSMENT – STUDENTS.....	66
SECTION 7: SCHOOL DRESS AND GROOMING	69
PART 1: BOARD POLICY	69

SECTION 8: SAFE INGRESS AND EGRESS	71
PART 1: GENERAL INFORMATION	71
PART 2: SAFE INGRESS AND EGRESS	72
SECTION 9: RULES AND PROCEDURES OF SCHOOL DISCIPLINE	73
PART 1: SPECIFIC GUIDELINES.....	73
PART 2: SCHOOL STANDARDS FOR PUPILS.....	75
PART 3: DRUGS, TOBACCO, ALCOHOL	76
SECTION 10: CRIME ASSESSMENT	82
PART 1: CRIME ASSESSMENT.....	82
SECTION 11: BULLYING AND INTIMIDATION	83
PART 1: ANTI-INTIMIDATION POLICY AND	83
SECTION 12: APPENDICES	87
APPENDIX A: SB 334 TEXT	87
APPENDIX B: SB 187 TEXT	88
APPENDIX C: EDUCATION CODE SECTIONS 35294 – 35294.9 TEXT	89
APPENDIX D: SUSPECTED CHILD ABUSE REPORT FORM	90
APPENDIX E: EMPLOYEE ACKNOWLEDGEMENT OF CHILD ABUSE REPORTING REQUIREMENTS.....	91
APPENDIX F: DISCIPLINARY & SUSPENSION FORMS.....	92
APPENDIX G: BEHAVIOR CONTRACT.....	93

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 1: General Information – School Safety
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Part 1: District Commitment to School Safety
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River Oaks Academy Charter (ROA) is committed to ensuring that students enrolled in this school, and all employees attend campuses that are safe and secure. ROA believes that a beginning step toward safer schools is the development of a comprehensive plan for school safety by every school within ROA. ROA intends that parents, students, teachers, administrators, counselors, classified personnel, and community agencies develop safe school plans, including local law enforcement. The school site committee will review these safe school plans on an annual basis and proposed changes will be submitted to the Board for approval.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 1: General Information – School Safety
Part 2: Legislative Requirements

The California Education Code (sections 35294-35294.9) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

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

Comprehensive School Safety Plans are required under SB 187/SB 334 to contain the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Sexual harassment policies
- Schoolwide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline

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

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 1: General Information – School Safety
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Part 3: Maintaining a Safe and Orderly Environment
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It is a priority of the administration and staff at ROA that every student who attends our school will be provided with an environment in which the students not only feel physically safe, but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

Our school promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training which implements and supports conflict resolution (California Education Code Sections 32230-32239, 35160, 35160.1, 44806).

ROA remains in compliance with existing laws related to school safety. This manual outlines several elements critical to maintaining a safe school environment.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

Child abuse reporting law (Penal Code Section 11166) requires that any ROA employee who has reason to believe that a child has been subjected to abuse, report the incident to the proper authorities.

At ROA, protecting children from child abuse is a major priority. Each year the Director sets aside time to meet with staff to discuss child abuse indicators and to remind teachers of the procedures to follow when abuse is suspected.

Employees of ROA are familiar with Penal Code Section 11166 and understand the requirement that certificated and classified personnel report suspected child abuse immediately or as soon as practically possible to the Director or to Children’s Protective Services by telephone. They are aware that a call must be followed within at least 36 hours by a written report to the child protective agency.

All staff is aware of the location of a Child Abuse Information Folder that is kept on file in the school office and updated regularly. It includes informational literature, guidelines for recognizing abuse and specific directions for reporting it.

The determination as to who should be contacted will depend greatly upon the situation at hand. The Ventura County Sheriff’s office will dispatch a unit to the school as soon as possible. Children’s services may take much longer to respond. School personnel should always take into consideration the severity of the abuse and the extent to which the student’s safety is at risk. If in doubt, it is better to err to the side of caution by calling the Ventura County Sheriff’s office.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

The requirements of school personnel and the identification and reporting of known or suspected child abuse to a protective agency is mandated by the State of California Penal Code. In fact, failure to do so on the part of school personnel could lead to penalties which might be imposed on these individuals. ROA board policy is continually updated to reflect appropriate legislation. Excerpts from the California Penal Code and ROA Board Policy are presented below.

From California Penal Code Section 11166

...any child care custodian, health practitioner, or employee of a child protective agency who has knowledge or observes a child in his or her professional capacity within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

ROA Board Policy # – Child Abuse Prevention Programs

Recognizing that our responsibility to students includes the protection of their physical and mental well-being, the Governing Board desires to provide whatever opportunities or resources may be available for the prevention of child abuse.

The Board agrees with the Legislature that:

1. Child abuse and neglect is a severe and increasing problem in California.
2. School districts and preschools are able to provide an environment for training of children, parents, and all school district staff.
3. Primary prevention programs in the school districts are an effective and cost-efficient method of reducing the incidence of child abuse and neglect and for promoting healthy family environments.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

ROA Policy– Child Abuse Prevention Programs (Continued)

The Director shall explore funding and assistance available for the establishment of programs directed toward preventing the occurrence of child abuse, including physical abuse, sexual assault, and child neglect, and reducing the general vulnerability of children, including coordination with and training for parents and school staff.

Parents shall be given notice of, and may refuse to have their children participate in, prevention training program.

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within thirty-six hours. The reporting duties are individual and cannot be delegated to another individual.

Definitions

1. “Child Abuse,” as defined by law, pursuant to Penal Code 273 and 11165, and for purposes of this regulation includes the following:
 - a. Physical abuse resulting in a non-accidental physical injury.
 - b. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
 - c. Sexual abuse including both sexual assault and sexual exploitation.
 - d. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
 - e. Severe corporal punishment.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

2. “Mandated Reporters” are those people defined by law as “child care custodian,” “medical practitioners” and non-medical practitioners” and include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated pupil personnel employees, employees of a child care institution, head start teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

3. “Child Protective Agencies” are those law enforcements 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. (California Penal Code 11166)

Reporting Procedures

1. To report known or suspected child abuse, any employee (as defined above) shall report by telephone to the local child protective agency.

The telephone report must be made immediately, or as soon as practically possible, upon suspicion. The verbal report will include:

- a. The name of the person making the report.
- b. The name of the child.
- c. The present location of the child.
- d. The nature and extent of any injury.
- e. Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

ROA– Child Abuse and Neglect (Continued)

At the time the verbal report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Within thirty-six (36) hours of making the telephone report, the mandated reporter will complete and mail a written report to the local child protective agency.

The written report shall include completion of the required standard Department of Justice form (DOJ SS 8572).

The mandated reporter may request and receive copies of the appropriate form either from the school district or directly from the local child protective agency.

Detailed instructions for completion of the form are on the back sheet of the form. Reporters may request assistance from the site administrator in completing and mailing the form; however, the mandated reporter is still responsible for ensuring that the written report is correctly filed.

3. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. The site administration, when notified, shall inform the Superintendent.

Administrators so notified shall provide the mandated reporter with any assistance necessary to ensure that the verbal or written reporting procedures are carried out according to state law and district regulations. If requested by the mandated reporter, the Director may assist in the completion and filing of these forms.

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.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

ROA – Child Abuse and Neglect (Continued)

2. A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six (6) months or by a fine of not more than one thousand dollars (\$1,000) or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report.
3. When two (2) or more persons who are required to report jointly, have knowledge of suspected instance of child abuse, and when there is agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
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.

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the Director shall not notify the parent or guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent or guardian.

It is the responsibility of the peace officer to notify the parent or guardian of the situation. Peace officers will be asked to sign an appropriate release or acceptance of responsibility form (cf. 5145.11 – Questioning and Apprehension).

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 2: Child Abuse Reporting
Part 1: Child Abuse Reporting Procedures

ROA – Child Abuse and Neglect (Continued)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reporters are to (1) identify incidents of suspected child abuse, and (2) comply with laws requiring 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.

Parent/guardians or members of the public accusing school employees of child abuse should be made aware of the ramifications of making false reports and should be provided with information regarding child abuse and child abuse reporting.

Pending the outcome of an investigation by a child protective agency and prior to the filing of formal charges, the employee may be subject to reassignment or a paid leave of absence.

Disciplinary action resulting from the filing of formal charges or upon conviction shall be in accordance with district policies, regulations and/or collective bargaining agreements. The Superintendent or designee should consult with legal counsel in implementing either suspension or dismissal.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 1: General Information - Disaster

ROA will take all necessary measures to keep students, staff and visitors safe in the event of a disaster. The following sections of this plan outline basic responsibilities for all staff for specific incidents

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 2: Biological/Chemical Weapons Assault

Biological and chemical weapons are unconventional warfare tactics that can be deployed upon the public with little or no notice. Such weapons typically involve microscopic materials that may be organic or synthetically manufactured in laboratories. Biological or chemical weapons can be in powder form, liquid, or vaporous. Agents used in biological/chemical attacks include, but are not limited to: anthrax, smallpox, other harmful viruses, various forms of nerve gas, tear gas, and other vaporous irritants. Pranks using stink bombs should also be considered a chemical weapons attack.

There are several possible dispersion techniques to deliver biological and chemical agents. The following procedures should be utilized in the event of an assault involving biological or chemical weapons.

Any possible biological/chemical weapons assault should be reported immediately to the Director.

The Director should notify law enforcement authorities immediately.

As necessary alert all site employees of the situation by intercom.

If the agent is delivered via aircraft:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the Director, Director's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the Director, Director's designee or officers of emergency response agencies.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 3: Disaster Procedures

Part 2: Biological/Chemical Weapons Assault

If the agent is delivered via dispersion device that is outdoors:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the Director, Director's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the Director, Director's designee or officers of emergency response agencies.

If the agent is delivered via dispersion device that is indoors:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the Director, Director's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

If the agent is delivered via the school's HVAC system:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the Director, Director's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

In any situation involving biological or chemical weapons the Director and staff must follow all instructions given by officers of emergency response agencies. ROA will develop an action plan to handle telephone inquiries, rumor control, media relations, public information, employee/student crisis counseling, and facility damage assessment/control

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

If you observe a suspicious object or potential bomb on property, DO NOT HANDLE THE OBJECT, IMMEDIATELY NOTIFY 9-1-1.

1. Receiving the Call

Make every attempt to keep the caller on the phone as long as possible to gain information. Try if possible, to determine the gender and age of caller. Try if possible, to get the caller to tell you the exact location of the bomb and the time of threatened detonation.

2. Notification Procedures

School Site, communicate the above information to the following in this order:

- School site Director
- Administrative Assistant
- Teachers.

The Director will notify local law enforcement's office.

Strictly follow the above notification procedures and do not discuss or notify others of the bomb threat since this may create an unwarranted panic response at the facility.

3. Action Plan Procedures

If required to develop an action plan, the Director may consult with the following: other administrators, head counselor, head custodian utilizing their expertise.

If the location of the bomb is not specifically designated, students will be kept in the classroom.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

The Director will make the decision to evacuate the building. However, if possible, this decision should be made in conjunction with law enforcement authorities after they arrive at the site.

The decision to search the building will be made in conjunction with law enforcement authorities and performed by them.

Reoccupation of an evacuated building will be authorized by the Director only after consulting with law enforcement authorities.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 3: Disaster Procedures

Part 4: Chemical or Hazardous Material Incident

If a hazardous material incident occurs off site, stay indoors and close all doors and windows (referred to as taking “Shelter in Place”).

Notify 9-1-1 of the Chemical or Hazardous Material Incident.

If possible, determine the location of the spill in relation to facility buildings and wind direction.

Do not evacuate buildings until you are sure you will not be evacuating into an area which may be more hazardous.

Follow all instructions given by the Fire Department when they arrive at the facility.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 5: Earthquake Procedures

Indoors

DUCK, COVER, AND HOLD.

Get under desk or table. Move away from windows and objects that could fall. Stay under desk or table until shaking stops.

Outdoors

Move away from building, utility poles and vehicles. Avoid all down wires or electrical lines. Do not run.

General

Be prepared for immediate aftershocks and ground motion

Evaluate immediate area for earthquake related hazards (fire, building collapse, gas leaks, broken electrical lines, wires etc.)

Evaluate immediate area (classroom, etc.) for injuries or medical aid situations.

Call 9-1-1, if you have an immediate emergency such as a fire or serious injury.

Assist injured with First Aid treatment

Do not evacuate buildings or vehicles unless you have a hazard-related reason to do so.

Conduct a headcount to account for all personnel and students

Establish communications with your supervisor, Director or District EOC and follow emergency checklist and procedures.

Assist any police or fire units that respond to your location.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 6: Explosion, Aircraft Crash or Similar Incident

If possible, Duck and Cover under a desk or table.

Notify 9-1-1 of the explosion or crash

Assist any injured requiring first aid treatment

If necessary because of fire, building damage etc., evacuate building

Assist any persons who would have physical problems evacuating the building.

Go to an outdoor evacuation/assembly area which is hazard free and not affected by the explosion or crash.

Keep fire lanes, streets and walkways open for emergency responders.

Stay in assembly area and account for all personnel and students.

Do not return to buildings until authorized by fire department or Director.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 7: Fire Procedures

Call 9-1-1 to report a fire, stay one line and give specific information (name, address of school or facility).

Utilize manual pull station to activate building alarm system and evacuate building when you hear an alarm.

In the event of a small fire, notify 9-1-1 and then use the nearest fire extinguisher to control the fire if you have been trained in their use.

Do not attempt to fight large fires, call 9-1-1 and evacuate building.

Assist students in building evacuation and proceed to outdoor school evacuation area or areas.

When evacuating buildings walk, do not run.

Do not use elevators for building evacuation or in an emergency.

If heavy smoke is present, crawl or stay near floor for breathable air.

Assist any individuals who would have physical problems evacuating the building.

Stay in the designated assembly area and account for all personnel and students.

Do not block fire lanes or areas used by the fire department

Do not reenter building until authorized by fire department or the Director.

If the fire is off site, wait for instructions from the Director.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 3: Disaster Procedures

Part 8: Flood Procedures

If a flood warning is received by either one of the resource center sites, notify the Director immediately.

Based upon the specific threat, the Director in conjunction with the Operational Area EOC and SEMS system will develop an action plan to protect personnel, students and facilities.

Evacuation of specific school sites or areas will be directed by the Director EOC in coordination with SEMS.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 9: Lockdown/Civil Unrest Procedures

Any threatening disturbance should be reported immediately to the Director.

If the disturbance is affecting normal school or facility operations, the Director should notify law enforcement authorities immediately.

As necessary, alert all site employees of the situation by intercom, Site staff must follow the instructions below:

If you are inside:

- Close and lock all doors and windows immediately upon notification of situation
- Keep all students inside and take roll
- If feasible, move all students to a center point and keep low to the ground. Stay away from all doors and windows.
- Never open the door or window to anyone
- Keep students inside classroom, regardless of lunch or recess until you are told by the Director or Director's designee that the situation has been resolved.

If you are outside:

- Immediately have students and staff seek shelter if it is safe to do so. Drill with students and staff to go to the nearest room to them.
- If shelter is not available, ensure students lie flat on the ground immediately.
- Children in restrooms should be instructed to stay there until directed to exit by the Director or Director's designee.

If situation is violent and may include the use of firearms, the Director or Director's designee should instruct all staff and students to lie face down on the floor and remain immobile.

Director and staff must follow all instructions given by responding law enforcement.

If the event is major, the Director will activate the District EOC to develop an Action Plan to deal with the situation as well as the following:

- A. Telephone inquiries and rumor control
- B. Media relations and public information
- C. Employee/Student crisis counseling
- D. Facility damage assessment/control

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 3: Disaster Procedures

Part 10: Severe Windstorm Procedures

If a severe wind warning is received at a resource center site, notify the Director immediately.

Based upon the specific threat, the Director EOC in conjunction with the Operational Area EOC or City EOC will develop an action plan to protect personnel, students and facilities.

In general, if severe winds are affecting a school or facility, employees and students should be moved to the interior core area of the building (inside wall on the ground floor) away from outside windows and doors.

Close all windows and blinds and avoid auditoriums, gymnasiums and other building locations that have large roof areas or spans.

Avoid all areas that have large concentrations of electrical equipment or power cables.

Evacuation of specific schools, facilities or areas will be directed by the District EOC in coordination with SEMS.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

All incoming mail and packages should be handled with caution.

Below are Indicators of suspicious mail and steps to take in the event that suspicious mail is received.

Mail that ...

- ... is unexpected or from an unfamiliar source
- ... has excessive postage
- ... is addressed to someone who no longer works at the school
- ... is addressed to a current employee but with the wrong title
- ... contains several misspelled words on the envelope
- ... marked with restrictive endorsements such as "Personal" or "Confidential"
- ... has no return address or an address that cannot be verified
- ... mail that is from a foreign country
- ... shows a city or state in the postmark that doesn't match the return address
- ... is lopsided, oddly shaped, or has an unusual weight, given its size
- ... has protruding wires, strange odors or stains
- ... has powdery substance on the outside
- ... has an unusual amount of tape on it
- ... is ticking or making unusual sounds

Not all mail comes perfectly packaged or with accurate information on it, so it is important that employees handling mail remain sensible in the screening of mail. However, prudent scrutiny conducted in a reasonable manner can greatly reduce the school's chances of becoming the victim of attack by mail.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

What to do with suspicious mail (general response):

- Do not try to open the package or envelope.
- Do not sniff, taste or shake the package.
- Isolate the package.
- Evacuate the immediate area; close the door.
- Contact your supervisor and call 911.

Response to mail suspected of delivering biological/chemical agents in powder form:

- Do not open an envelope or package with powder on the outside.
- If powder is spilled from an envelope or package, do not try to clean up the powder.
- Cover the spilled contents immediately with anything (clothing, paper, trash can).
- Do not remove this cover.
- Leave the room and close the door or otherwise prevent access to the room.
- Wash your hands with soap and hot water.
- Ensure that everyone who had contact with the piece of mail washes his/her hands with soap and hot water.
- Notify your supervisor.
- Supervisor should immediately contact the local police (911) or the U.S. Postal Inspection Service (626-405-1200).
- Supervisor should notify the Director's Office.
- Remove heavily contaminated clothing as soon as possible and place inside a plastic bag or some other container that can be sealed. This clothing should be given to the responding emergency response units.
- Shower with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- Make a list of all the people who were in the room or area, especially those who had contact with the envelope or package. Provide this list to the emergency response teams investigating the incident.
- Investigators will remove the envelope or package and conduct a thorough check of the area for contamination.
- If you are prescribed medicine as a result of this exposure, take it until instructed or until it runs out.

NOTE: Contacting the U.S. Postal Service is less likely to create a media event than the local police but their response may be slower.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

When the Director at ROA is aware that a student has caused or tried to cause another person serious bodily injury, or any injury that requires professional medical treatment, a separate and confidential file is created for that child. Information based upon written records or records received from a law enforcement agency are contained in the file.

When such a student is assigned to a teacher's classroom, the Director shall provide the teacher with written notification. The teacher is asked to review the student's separate and confidential file in the office. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Excerpts from the California Education Code, the California Penal Code are presented below.

From California Education Code Section 49079

- (a) A school district shall inform the teacher of every student who has caused or who has attempted to cause serious bodily injury to another person, as defined in paragraphs (5) and (6) of subdivision (e) of Section 243 of the Penal Code, to another person. The District shall provide the information to the teacher based on any written records that the District maintains or receives from a law enforcement agency regarding a student described in this section.
- (b) No school district shall be liable for failure to comply with this section if, in a particular instance, it is demonstrated that the district has made a good faith effort to notify the teacher.
- (c) The information provided shall be from the previous three (3) school years.
- (d) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

From California Penal Code Section 243(e) – Paragraphs 5 and 6

- (5) ... “Injury” means any physical injury which requires professional medical treatment.
- (6) ... “Custodial Officer” means any person who has the responsibilities and duties and who is employed by a law enforcement agency of the city or county or who performs those duties as a volunteer.

Notice Regarding Student Crimes and Offenses

The Director or designee shall inform the teacher of every student who has engaged in, or is reasonably suspected to have engaged in, any act during the previous three years which could constitute grounds for suspension or expulsion, with the exception of the possession or use of tobacco products. This information shall be based upon written district records or records received from a law enforcement agency. (California Education Code 49079).

When informed pursuant to Welfare and Institutions Code 828.1 that a student has committed crimes unrelated to school attendance which do not therefore constitute grounds for suspension or expulsion, the Director or designee may so inform any teacher, counselor or administrator whom he/she believes needs this information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from needless vulnerability. The Director or designee shall consult with the administrator of the resource center, which the student attends in order to identify staff that should be so informed. (California Welfare and Institutions Code 828.1).

Teachers shall receive the above information in confidence and disseminate it no further. (California Education Code 49079, California Welfare and Institutions Code 828.1).

The Director or designee shall maintain the above information in a separate confidential file for each student. When such a student is assigned to a class/program, the Director or designee shall notify the teacher in writing and ask the teacher to initial this notice, return it to the Director or designee, and review the student’s file in the school office. This notification shall not name or otherwise identify the student.

The Director or designee shall notify all certificated personnel who are likely to come into contact with the student, including the student’s homeroom or classroom teachers, special education teachers, coaches and counselors.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

Employee Security (Continued)

The teacher shall initial the student's file when reviewing it in the school office. Once ROA has made a good faith effort to comply with the notification requirement of Education Code 49079, a teacher's failure to review the file may be construed as a waiver of the district's liability.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 1: Definitions

Suspension and Expulsion/Due Process

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, “suspension” does not mean any of the following):

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the governing board for pupils of the same grade level.
2. Referral to a certificated employee designated by the Director or designee to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the pupil to the Director or designee as provided in the California Education Code, Section 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel.

Day means a calendar day unless otherwise specifically provided.

School day means a day upon which the schools of the district are in session or weekdays during summer recess.

Student includes a student’s parent/guardian or legal counsel.

Director’s/designee means any one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the Director, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the Director’s primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the Director’s office.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 2: Notice of Regulations

Suspension and Expulsion/Due Process

At the beginning of each school year, the Director of each resource center site shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment.

Notification shall include information about the availability of individual school rules and all district policies and regulations pertaining to student discipline.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 3: Grounds for Suspension and Expulsion
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Suspension and Expulsion/Due Process

Students may be subject to suspension or expulsion for committing any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Possessed sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee's concurrence.
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance listed in the California Health and Safety Code, Section 11053-11058, alcoholic beverage, or an intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed as defined in Health and Safety Code, Section 11053-11058, an alcoholic beverage, or an intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 3: Grounds for Suspension and Expulsion

11. Disrupted school Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e. a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289 or committed a sexual battery as defined in Penal Code 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.

Students in grades 4 through 12 are also subject to suspension or recommendation for expulsion for any of the acts listed below:

16. Committed sexual harassment as defined in Education Code 212.5.
17. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5.
18. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonable expected effect of materially disrupting classwork, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 3: Grounds for Suspension and Expulsion

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, including but not limited to the following circumstances:

1. While on school grounds.
2. While going to or coming from school.
3. During lunch period.
4. During, going to, or coming from a school-sponsored activity

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 4: Removal from Class by a Teacher/Parental Attendance

Suspension and Expulsion/Due Process

A teacher may suspend any student from his/her class, for the day of suspension and the next day for any act listed in “Grounds for Suspension and Expulsion” above.

A teacher also may refer a student to the Director or designee for consideration of suspension from school.

When removing a student from his/her class, the teacher shall immediately report this action to the Director or designee and send the student to the Director or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student’s parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable. A school administrator may attend the conference if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of suspension without the approval of the teacher of the class and the Director or designee.

A student removed from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was suspended.

The teacher of any class from which a student is removed may require the suspended student to complete any assignments and tests missed during the suspension.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 4: Removal from Class by a Teacher/Parental Attendance

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternative date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the Director or designee after the visit and before leaving school, as required by Education Code 48900.1.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 5: Suspension by the Director or Designee

Suspension and Expulsion/Due Process

The Director or designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion.

The Director or designee or designee shall immediately suspend any student found at school or at a school activity to be:

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student has obtained prior written permission to possess the item from a certificated school employee, with the Director or designee's concurrence.
2. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.

Suspension also may be imposed upon a first offense if the Director or designee determines the student violated items (1)-(5) listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes danger to persons or property or threatens to disrupt the instructional process.

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion.

1. Informal Conference

Suspension shall be preceded by an informal conference conducted by the Director designee with the student and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Director or designee. At the conference, the student shall be informed of the reason for the disciplinary action and the

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 5: Suspension by the Director or designee

evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense.

This conference may be omitted if the Director or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or 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. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school.

2. Administrative Actions

All requests for student suspension are to be processed by the Director or designee of the school in which the student is enrolled at the time of the misbehavior.

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

3. Notice to Parents/Guardians

At the time of the suspension, a school employee 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 reasons for suspension and 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 also add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference

Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 5: Suspension by the Director or designee

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend.

5. Extension of Suspension

If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Director or designee may, in writing, extend the suspension until such time as the Board has made a decision.

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Director or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 6: Suspension by the Board

Suspension and Expulsion/Due Process

The Board may suspend a student for any of the acts listed in “Grounds for Suspension and Expulsion” above and within the limits specified in “Suspension by the Director or designee” above.

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts enumerated in Education Code 48900 occurred. The suspension shall meet the requirements of Education Code 48915.

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student’s right to privacy under Education Code 49073-49079.

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board’s notice. However, any discussion that conflicts with any other student’s right to privacy still shall be held in closed session.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 7: On-Campus Suspension Program

Suspension and Expulsion/Due Process

Students for whom an action to expel has not been initiated and who pose no imminent danger or threat to the school, students or staff may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply:

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the Director or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 8: Authority to Expel

Suspension and Expulsion/Due Process

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed above under “Grounds for Suspension and Expulsion” upon recommendation by the Director or designee, hearing officer or administrative panel, based on finding either or both of the following:

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 9: Mandatory Recommendation for Expulsion

Suspension and Expulsion/Due Process

Unless the Director or designee finds that expulsion is inappropriate due to particular circumstances, the Director or designee shall recommend a student's expulsion for any of the following acts:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 10: Mandatory Recommendation and Mandatory Expulsion

Suspension and Expulsion/Due Process

The Director or designee shall recommend that the Board expel any student found at school or at a school activity to be:

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certified school employee, with the Director or designee's concurrence.
2. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.

Upon finding that the student committed any of these acts, the Board shall expel the student.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 11: Student's Right to Expulsion Hearing

Suspension and Expulsion/Due Process

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Director or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred.

The student is entitled to one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion.

If the Board finds it impracticable to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 12: Rights of Complaining Witness

Suspension and Expulsion/Due Process

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness.

Whenever the Director or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following:

1. Receive five days notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Director or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 13: Written Notice of the Expulsion Hearing
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Suspension and Expulsion/Due Process

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten calendar days before the date of the hearing. The notice shall include:

1. The date and place of the hearing.
2. A statement of the specific facts and charges upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a).
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 14: Conduct of Expulsion Hearing

Suspension and Expulsion/Due Process

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session.

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television.

2. 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 written and complete transcription of the proceedings can be made.
3. Presentation of Evidence: While technical rules of evidence do not apply to such 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. The decision of the Board to expel must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion."

Findings of fact shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of harm.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 14: Conduct of Expulsion Hearing

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

4. Testimony by Complaining Witnesses: The following shall be observed when hearings involve allegations of sexual assault or sexual battery by a student:
 - a. Any complaining witness shall be given five days notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person who he/she finds disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
 - f. Evidence of specific instances or prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 14: Conduct of Expulsion Hearing

- g. In order to facilitate a free and accurate statement of the experience of the complaining witness and to prevent discouragement of complaints, ROA shall provide a nonthreatening environment.
 - (1) ROA shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.
- 5. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed.
- 6. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 15: Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Suspension and Expulsion/Due Process

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer, or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled.

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in “Conduct of Expulsion Hearing.”

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion to the Board. If expulsion is not recommended, the student shall be immediately reinstated. (See “Final Action by the Board” below.)

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the finding of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order.

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See “Suspension of Expulsion” below.)

The Board shall make its decision about the student’s expulsion within 40 school days after the date of the student’s removal from school unless the student requests in writing that the decision be postponed.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 16: Final Action by the Board

Suspension and Expulsion/Due Process

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting.

When the Board accepts a recommendation against expulsion or decides after the hearing not to expel, this decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs after consulting with district personnel, including the teacher involved, and with the student's parent/guardian.

Upon ordering the expulsion, the Board shall set a date, no later than the last day of the semester following the semester in which the expulsion occurred, when the student may apply for readmission to a school within the district.

1. Periodic review as well as assessment of the student at the time of review for readmission.
2. Recommendation for improved academic performance, tutoring, special education assessments, job training, counseling, community service and other rehabilitative programs.

With parental consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion/Due Process

Part 17: Written Notice to Expel

Suspension and Expulsion/Due Process

The Director or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian.
2. Notice of the right to appeal the expulsion to the County Board of Education.
3. 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 expelling district, pursuant to Education Code 48915.1.
4. Notice of the alternative educational placements available to the student during the time of expulsion.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 18: Suspension of Enforcement of the Expulsion

Suspension and Expulsion/Due Process

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year.

When deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

In cases of mandatory expulsion, the enforcement of an expulsion order shall not be suspended.

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on a probationary status.
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion/Due Process
Part 18: Suspension of Enforcement of the Expulsion

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. Suspension of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.
7. The Director or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion
Part 19: Right to Appeal

Suspension and Expulsion/Due Process

The student or parent/guardian is entitled to file an appeal of the Board’s decision to the County Board of Education. The appeal must be filed within 30 days of the Board’s decision to expel, even if the expulsion action is suspended and the student is placed on probation.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 5: Suspension and Expulsion

Part 20: Post-Expulsion Assignments

Suspension and Expulsion/Due Process

The Board shall refer expelled students to a program of study that meets all the following conditions:

1. Is appropriately prepared to accommodate students who exhibit discipline problems.
2. Is not provided at a comprehensive middle, junior or senior high school, unless the program is offered at a community day school established at such a site.
3. Is not housed at the school site attended by the student at the time of suspension.

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #15 under “Grounds for Suspension and Expulsion” may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion
Part 21: Readmission After Expulsion

Suspension and Expulsion/Due Process

Readmission procedures shall be as follows:

1. On the date set by the Board when it is ordered the expulsion. The district shall consider readmission of the student.
2. The Director or designee shall hold a conference with the parent/guardian and the student. At the conference the conditions for readmission shall be reviewed. The Superintendent or designee shall verify that these conditions have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Director or designee shall transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Director or designee shall notify the student and parent/guardian by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission if it finds that the student had not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees.
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion
Part 22: Maintenance of Records

The Board shall maintain a record of each expulsion, including the cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school.

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 5: Suspension and Expulsion
Part 23: Notifications to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the school Director or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245.

The Director or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 6: Sexual Harassment Policy
Part 1: General Information

The administration, teachers and staff at **River Oaks Academy Charter** actively strive to eliminate acts of sexual harassment at the school. All personnel are aware of the mandates from the State of California, the California Department of Education, and the Board of Education of the **River Oaks Academy Charter** and support them fully. All personnel have received instruction regarding the recognition, prevention, and reporting of acts of sexual harassment. It is important that parents understand the provisions regarding sexual harassment and, in particular, student-to-student harassment. In recent years, this area of sexual harassment has been more clearly delineated in federal and state legislation as well as in ROA's policies.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 6: Sexual Harassment Policy

Part 2: Sexual Harassment – All Personnel

The Governing Board prohibits sexual harassment in the working environment of district employees or applicants by any person in any form.

Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal.

Any employee or applicant for employment who feels that he/she or another individual in the district is being sexually harassed should immediately contact his/her supervisor, Director, other district administrator, or the Superintendent or designee in order to obtain procedures for reporting a complaint.

Any supervisor who receives a harassment complaint shall notify the Superintendent or designee, who shall ensure that the complaint is appropriately investigated.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is made either expressly or by implication in terms or condition of any individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile, or offensive working or educational environment, or of adversely affecting the student or employee's performance, evaluation, advancement, assigned duties, or any other condition of education, employment or career development.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 6: Sexual Harassment Policy
Part 2: Sexual Harassment – All Personnel

4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Other examples of sexual harassment, whether committed by a supervisor or any other employee, are:

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking of normal movements.
8. Displaying sexually suggestive objects in the educational or work environment.
9. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment.

The Director or designee has the responsibility of maintaining an educational and work environment free of sexual harassment. This responsibility includes and/or discussing the district's sexual harassment policy with his/her students and/or employees and assuring them that they are not required to endure sexually insulting, degrading, or exploitive treatment or any other form of sexual harassment.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 6: Sexual Harassment Policy
Part 2: Sexual Harassment – All Personnel

Notifications

A copy of the district's policy on Harassment in Employment shall:

1. Be displayed in a prominent location near each school Director's office.
2. Be provided to each faculty member, all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of district information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment with examples.
4. The district's complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission.
6. Direction on how to contact the Fair Employment and Housing Department and Commission.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 6: Sexual Harassment Policy

Part 3: Sexual Harassment – Students

The Governing Board prohibits unlawful sexual harassment of or by any student by anyone in or from the district.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

Any student who engages in the sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

The Board expects students or staff to immediately report incidents of sexual harassment to the Director or designee or to another district administrator.

Any student who feels that he/she is being harassed should immediately contact the Director or designee or another district administrator in order to obtain a copy of AR 1312.3 – Uniform Complaint Procedures. Complaints of harassment can be filed in accordance with these procedures.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 6: Sexual Harassment Policy
Part 3: Sexual Harassment – Students

3. The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school.

Other types of conduct which are prohibited in the district and which may constitute sexual harassment include:

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class.
7. Touching an individual's body or clothes in a sexual way.
8. Purposefully limiting a student's access to educational tools.
9. Cornering or blocking of normal movements.
10. Displaying sexually suggestive objects in the educational environment.
11. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 6: Sexual Harassment Policy
Part 3: Sexual Harassment – Students

Notifications

A copy of the district’s sexual harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
2. Be displayed in a prominent location near each school Director’s office.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session.
4. Appear in any school or district publication that sets forth the school or district’s comprehensive rules, regulations, procedures, and standards of conduct.

Enforcement

The Director or designee shall take appropriate actions to reinforce the district’s sexual harassment policy. These actions may include:

1. Removing vulgar or offending graffiti.
2. Providing staff inservice and student instruction or counseling.
3. Taking appropriate disciplinary action as needed.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 7: School Dress and Grooming

Part 1: Board Policy

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction, which would interfere with the educational process.

When gangs constitute a danger to students, the Director or designee may restrict student dress and grooming as necessary to comply with Board policy related to gang activity.

Students and parents/guardians shall be informed about the school dress code at the beginning of the school year and when revised. A student who violates the dress code shall be subject to appropriate disciplinary action.

River Oaks has a Dress Code Policy that was board approved in November 2019.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 7: School Dress and Grooming
Part 1: Board Policy

Local law enforcement officials indicate that certain types of dress contribute to gang association and violence. Students wearing gang attire become targets for violence even though they are not gang members. In addition, the baggy, oversized clothing now identified as gang related, presents a safety hazard since it allows students to more readily conceal dangerous objects such as knives, and other weapons or provide hiding places for drugs and drug paraphernalia. Accordingly, the following types of clothing have been identified as gang related:

- Oversized, baggy pants
- Excessively large shirts and jackets
- Military style and/or steel-toed boots
- Oversized belts and/or initial on buckles
- Caps/hats
- Shirts depicting or promoting violence towards police and/or others and/or graffiti or “tagging”
- Clothing which features lewd or obscene language

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 8: Safe Ingress and Egress
Part 1: General Information

River Oaks Academy Charter takes pride in being a school that has a mission to provide a safe environment for all students, parents, and school employees. Our School will take measures to ensure safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. The school will ensure that all passageways to and from school buildings, corridors within school buildings and emergency exits remain clear of all obstruction to allow flow of pedestrian and vehicular traffic. The school will also ensure that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies and the city of Thousand Oaks and Oxnard to ensure that the school's immediate community is safe.

Through the joint efforts of **River Oaks Academy Charter** administrators, faculty, PAC, and others, **River Oaks Academy Charter** has developed a plan to ensure the safe arrival and departure of students, staff, and visitors. **River Oaks Academy Charter** encourages input from our community and reviews this plan on an annual basis.

Any problems associated with safe ingress and egress will be addressed immediately.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 8: Safe Ingress and Egress
Part 2: Safe Ingress and Egress

River Oaks Academy Charter (Westlake) has two entrances. One door is in the front accessible from the public walkway and one in the back from the parking garage. All students enter from the front entrance. Some staff enters from the garage entrance. The front door can be locked manually from the inside and with a key from the outside. The same with the door to the garage. Both doors open outward for emergency exits.

River Oaks Academy Charter (Oxnard) has two entrances. The doors can be locked from the inside and outside with a key. The front doors open outwards and inwards; the back door opens outward for an emergency exist.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 1: Specific Guidelines

DETENTION

Students may be detained after school for 15 minutes without parent notification. Detention lasting longer requires parent notification. Children who attend child care must notify them or stay for detention at another time.

DO NOT LEAVE CHILDREN IN THE CLASSROOM WITHOUT ADULT SUPERVISION.

PERMITS

All high school students leaving campus must have an “Open Campus” policy signed by their parents on file at the office. K-8 grade students must be signed in and out by their parent at all times and may not leave campus otherwise.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 1: Specific Guidelines

COMMUNICATIONS

Any notes sent home to parents, other than a routine communication, should be cleared with the Director. All communication must be translated into Spanish unless you are certain only English is spoken in the home.

DISCIPLINE

River Oaks Academy Charter uses the Assertive Discipline method, which encourages teacher and student interaction in making classroom rules and consequences. It is important that the positive as well as the negative consequences to each rule are included.

CORPORAL PUNISHMENT IS NOT PERMITTED EVEN WITH PARENT PERMISSION

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 2: School Standards for Pupils

In order to provide a positive, safe environment for children, the school and classroom must establish standards.

1. Toys, radios, tape recorders, or players are not to be brought to school. Knives of any kind, or any dangerous item, are to be confiscated and sent to the Director.

2. Pupils must comply with required classroom standards of behavior, courtesy and proper citizenship, as follows:
 - a) Students are to be punctual.
 - b) Students are to be respectful of all adults in authority.
 - c) Students are expected to be clean and neat in appearance.
 - d) Students must keep language free of profanity and vulgarity.
 - e) Students are expected to take pride in their books, school equipment, classrooms, buildings, and school.

3. Appropriate attire:
Safety and attention to clothing that is free of bizarre and disruptive characteristics is important.
 - a) Socks are to be worn at all times.
 - b) No high-heel shoes are to be worn.
 - c) Earrings may be worn only if they do not dangle.
 - d) Bracelets may be worn – just two at a time.
 - e) No bare midriffs or see-through blouses.
 - f) No short shorts or tight exercise shorts.
 - g) Tee shirts with profanity or beer advertisements are not appropriate.
 - j) Tank tops may be worn if they are not loose at the neckline or under the arm.
Tank tops for girls must cover all underwear.
 - i) Baggy pants, shorts, or overalls are not appropriate.
 - j) Cut-off shorts that are below the knee with high socks are not recommended.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 9: Rules and Procedures of School Discipline
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Part 3: Drugs, Tobacco, Alcohol

Drugs and Alcohol

It shall be the policy of the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances and drug paraphernalia. These substances shall include but not be limited to marijuana, LSD, glue, alcohol, and barbiturates.

Students involved in the possession, sale and/or use of behavior affecting substances as stated above shall be subject to disciplinary procedures, which may result in suspension or expulsion.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel; so long as such inspections are conducted in accordance with constitutional requirements of applicable state law relating to searches and seizures.

Tobacco

The Board recognizes that smoking presents a health hazard which can have serious consequences both for the smoker and the non-smoker and is, therefore of concern to the Board.

Students shall not be allowed to smoke or possess tobacco on school property or during school hours. Students who violate this policy shall be subject to disciplinary procedures, which may result in suspension from school.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 9: Rules and Procedures of School Discipline
--

Part 3: Drugs, Tobacco, Alcohol

Drug Use and Abuse

The administration shall practice the following procedures relative to student drug use and abuse on school property or whenever the student is under the jurisdiction of the schools. Alcohol is a drug, illegal for use by minors. Cases involving alcohol shall be treated in the same manner as for other drugs.

Use of Possession

1. No internal medication is to be administered to students by school personnel except as prescribed by a doctor.
2. Dangerous and narcotic drugs which a student has on prescription for ingestion as prescribed by a doctor must be in their original containers and kept in the nurse's or Director's office, whichever provides greater security.
3. Whenever any staff member has reason to believe that a student may be under drug influence, he/she shall immediately notify the Director. The Director, if in agreement, shall notify the parent to come for the student and to remove the student to his/her home, to the jurisdiction of the police, and/or the paramedics.
4. In severe cases, if the parents or the doctor cannot or will not come to the school, the Director is authorized to call an ambulance to remove the student to a hospital. Parents will be notified of this action and shall be responsible for the incurred expenses.
5. In any first offense in which students illegally use or possess prescription or non-prescription drugs, including alcohol, marijuana, or inhalants, at school or at school activities, the following will result:
 - a. Suspension from school for at least five (5) days.
 - b. Referral to the proper police authority.
 - c. A parent conference.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

- d. A schedule of regular appointments with a school counselor or other school official.

In addition, the following action may be taken:

- a. Transfer to another school or alternative education program as appropriate.
 - b. Recommendation for expulsion.
6. A second incidence of use or possession of illegal drugs within one year at any school or school activity will result in a recommendation for expulsion as provided for in Education Code 48900.

Selling or Providing

When there is reason to believe that a student is selling or is in possession of drugs, the following procedures listed below will be followed:

1. The school administrator shall advise the local juvenile narcotics officer or law enforcement personnel. Juvenile authorities will make the decision as to whether they or the school will notify the parent.
2. The school administrator will escort the student to the school office and confront him/her with the suspicion. The administrator may notify the police before taking the student to the office. The student should be removed from a classroom by a school administrator or designee when there is reasonable cause.
3. For reasonable cause, a search for drugs may be made by the administrator. Such search should be conducted by the administrator with at least one other certificated person as witness. No school staff member should search a student, but may ask student to volunteer for self-search. In cases when a personal search seems to be in order, the administrator should call for a law enforcement officer to make the search. Repeated attempts shall be made to notify the student's parent/guardian before the personal search is made.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

4. The student may be interrogated by the school administrator without notifying the student of his/her rights, but if the administrator believes that a law has been broken, the police will be notified.

When there is good evidence that a student has actually used, sold or is in possession of narcotics or drug paraphernalia on or about school premises or at school-sponsored functions, the police must be notified. Regardless of any legal action taken by the police, **River Oaks Academy Charter** must immediately suspend the student according to the Suspension and Expulsion/Due Process. The school administrator may, at his/her discretion, recommend expulsion to the Governing Board.

Provisions of Board Policy shall be disseminated to student and parents through school newsletters, student handbooks, parent and student meetings, and other means of communications.

Tobacco Use

Possession or use of tobacco on school premises or at school sponsored events by students is a violation of law and Board policy and is not permitted. Students violating this policy will be subject to the following disciplinary procedure:

First Offense:

1. Parent notification.
2. Reprimand by Director or designee. A reprimand is written notification of unacceptable behavior.
3. Suspension (1 day)

Second Offense:

1. Parent notification.
2. Reprimand by Director or designee.
3. Suspension (2 days)
4. Disciplinary probation with behavior contract.

Disciplinary probation is a condition whereby a student must fulfill specific commitments or be denied certain privileges until his/her behavior improves. A behavioral contract is a written agreement among a student, his/her parent/guardian and an administrator. The contract states the conditions that must be met by the student for the period of

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

Disciplinary probation. Failure to comply with the agreed upon terms may result in further disciplinary action against the student.

Subsequent Offenses:

1. Parent notification/written notification of suspension to be sent by mail.
2. Student to be suspended for three (3) days.
3. Parent conference requested before returning to school.
4. Action per Behavioral Contract including possible assignment to an alternative program.

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke.

In the best interests of students, employees, and the general public, the Governing Board, therefore, prohibits the use of tobacco products at all times on **River Oaks Academy Charter** property. This prohibition applies to all employees, students, visitors, and other persons at any school or school-sponsored activity or athletic event.

Director or designee shall inform students, parents/guardians, employees and the public about this policy. All individuals on district premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

The Director or designee shall maintain a list of clinics and community resources, which assist employees and students who wish to stop using tobacco products.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 9: Rules and Procedures of School Discipline
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Part 3: Drugs, Tobacco, Alcohol

Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property.

Employee Notifications

The Director or designee shall notify employees of the district's tobacco-free policy. The notification shall also inform them of:

1. Their need to abide by district policy as a condition of employment.
2. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students, and the public.
3. Available resources, which may help employees stop using tobacco.
4. Possible disciplinary actions in accordance with Board policy, state law and applicable collective bargaining agreements.

Community members who smoke on **River Oaks Academy Charter** property shall be informed of the tobacco-free school policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:

1. The matter may be referred to the Director or designee responsible for the area or the event.
2. If the person fails to refrain when so requested by the Director or designee, the Director or designee may direct him/her to leave school property.
3. If necessary, the Director or designee may request local law enforcement assistance in removing the person from school premises.
4. When individuals repeatedly violate the tobacco-free school policy, the Director or designee may prohibit them from entering district property for a specified period of time.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 10: Crime Assessment
Part 1: Crime Assessment

In compliance with SB 187 and SB 334, **River Oaks Academy Charter** will compile statistics pertaining to school crime committed on **River Oaks Academy Charter** school campuses and at school-related functions. The school will complete a *California Safe Schools Assessment – School Crime Reporting Form* for each incident that occurs on campus. Copies of these forms shall be inserted in Appendix M of this plan. The school will also insert an annual breakdown of incidents, by month. Information obtained will assist the school and the District in developing programs to reduce the incidence of crime on campus.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 11: Bullying and Intimidation
Part 1: Anti-Intimidation Policy

The **River Oaks Academy Charter** Board of Trustees believes that all students have a right to a safe and healthy school environment. To that end, **River Oaks Academy Charter** and the community have an obligation to promote mutual respect, tolerance, and acceptance. **River Oaks Academy Charter** will not tolerate any act of intimidation including direct physical contact, gestures, comments, threats or actions, either written, verbal or physical, which cause, threaten to cause or are likely to cause bodily harm, social isolation, manipulation, or personal degradation on any **River Oaks Academy Charter** campus, at any school activity whether on or off campus, while traveling to and from school or a school sponsored activity, or during the lunch period, whether on or off campus.

The consequences of these actions may include a broad range of disciplinary measures as appropriate; however, every effort will also be taken to provide or locate appropriate assistance for both the victim and the offender.

Bullying occurs when one or more students threaten, harass, or intimidate another student through words, or actions including continual direct physical contact such as hitting or shoving intentionally.

These incidents will be acted upon when they occur on the school grounds at any time, en route to and from school or a school-sponsored activity, during the lunch period whether on or off campus.

A “school-related” or “school-sponsored” activity is an activity that is approved by the Director or his/her designee and supervised by assigned school personnel.

For the purpose of this administrative regulation, bullying is, but is not limited to, making unsolicited and unwelcome written, verbal, physical and/or threatening visual gestures or contact.

Written – intimidating/threatening letters, notes, or messages

Verbal – intimidating/threatening comments, slurs, innuendos, teasing, jokes, or epithets

Visual – threatening gestures

Physical – hitting, slapping and/or pinching

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 11: Bullying and Intimidation
Part 1: Anti-Intimidation Policy

Making reprisals, threats or reprisal, engaging in coercive behavior to negatively control, influence or affect the health and well being of a student.

Initial Response and Reporting Expectations

River Oaks Academy Charter expects all employees, if they observe or become aware of an act of intimidation, to take immediate, appropriate steps to intervene.

If, in the opinion of the employee, the matter has not been resolved, then the situation shall be reported to an administrator for further investigation.

The District encourages students, parents and other community members who observe or become aware of a serious act of intimidation to report this act to a school administrator for further investigation.

Investigation and Response

Any incident, which may constitute an act of intimidation and is reported to the Director, shall be thoroughly investigated by the site administrator or designee. Consequences shall be commensurate with the results of the investigation. This may include, but is not limited to, counseling, parent conference, detention, involuntary transfer, a formal suspension and/or expulsion of the offender. The parent or guardian shall be contacted and may be asked to attend a conference with school officials.

If the parent or guardian does not attend the conference, the site administrator shall send a letter informing the parent of the actions under consideration and notifying parent of all data pertinent to the action.

Depending on the severity of the incident, the administrator shall take appropriate steps to ensure campus safety. This may include any or all of the following: Implement an immediate safety plan; isolate and supervise involved students; provide staff support for involved students as necessary; report incident to law enforcement if appropriate; notify the parents/guardians of both the offender and the victim and develop supervision plan with parents.

If the act of intimidation is deemed to warrant a suspension, expulsion, or involuntary transfer to another school, then the matter will be processed in accordance with the board policies and pertaining to the suspension/expulsion due process.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 11: Bullying and Intimidation
Part 1: Anti-Intimidation Policy

Assessment and Intervention

An administrative contact will be made with the victim and offender prior to resuming regular schedule of classes. If deemed necessary, the administrator or designee may convene a multidisciplinary team to further assess and determine the need for ongoing support for the victim of the offender.

Depending upon the severity of the intimidation, an investigation may include a review of school records, identification of parent/family issues, and interview with students, parents, and school staff. A multi-disciplinary team consisting of school staff, counselor/psychologist, parent, student, and other agency personnel as appropriate, shall develop a behavior support plan.

The support plan may include any or all of the following: a case manager (special education staff), counseling services (site, and/or community resources), parenting skills classes, and other additional support services as deemed appropriate. The case manager will maintain a record of the services provided.

Each site will identify community resources to be used before, during and after incidents of intimidation.

School Follow-up

The case manager has a responsibility to follow up and evaluate the behavior support plan. The case manager will compile a report to the site administrator on the process, resources used, and the follow up procedure involving the victim and the offender.

A copy of the behavior plan and follow-up report will then be forwarded to the Coordinator of Pupil Services.

Retaliation Prohibited

Retaliation against a student who reports or witnesses bullying is strictly prohibited and is ground for discipline.

Mandated Notification

At the beginning of the school year, each student shall receive an age-appropriate summary of the board policy.

Comprehensive School Safety Plan

River Oaks Academy Charter
Section 11: Bullying and Intimidation
Part 1: Anti-Intimidation Policy and

Each staff member shall be notified of the District’s anti-intimidation board policy.

River Oaks Academy Charter anti-intimidation/bullying board policy shall be included in each school’s comprehensive school safety plan.

Comprehensive School Safety Plan

River Oaks Academy Charter

Section 12: Appendices

Appendix A: SB 334 Text

Appendix C: Education Code Sections 35294 – 35294.9 Text

Appendix D: Suspected Child Abuse Report Form

Appendix E: Employee Acknowledgement of Child Abuse Reporting Requirements

Appendix F: Disciplinary & Suspension Forms

Appendix G: Behavior Contract