

Tuolumne County Superintendent of Schools

2022/2023 Comprehensive School Safety Plan

This Comprehensive School Safety Plan was developed collaboratively with all district schools and adopted by the Board of Trustees of the Tuolumne County Board of Education on: _____

Comprehensive Safety Plan Purpose and Compliance

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

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

The Tuolumne County Board of Education recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The County Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

The Tuolumne County Superintendent of Schools Office (TCSOS) desires 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.

TCSOS 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.

The school/program sites shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including

communication skills, anger management, bias reduction and mediation skills. Staff shall receive training that implements and supports conflict resolution and positive behavior support techniques-

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school/program site. The Tuolumne County Superintendent of Schools or designee may initiate campus beautification projects, buddy systems, vandalism prevention campaigns and other similar programs. Staff shall encourage and reward success and achievement, participation in community projects and positive student conduct.

SB 187: School Safety Plan

Small school districts (with an enrollment of 2,500 students or less) may develop a comprehensive safety plan to encompass all schools within the district, which would fulfill each individual school's comprehensive safety plan requirement. It is not required that small school districts have their safety plans developed or approved by site councils or designated safety committees, the plan must be approved by the Board of Trustees.

The written plan will be distributed to all departments and will be made available to all staff, students, parents, and the community to review in the main offices.

Comprehensive School Safety Plan
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School Sites Where TCSOS Operates Programs:

The Tuolumne County Superintendent of Schools Office operates programs at various school districts and school sites within the county. While our Safe Schools Plan addresses the necessary guidance to maintain safe and orderly learning environments, in many cases, we collaborate with the Comprehensive Safe Schools Plan at the school sites where we are located. As a small school LEA (enrollment of 2,500 or below), the TCSOS Comprehensive District Safety Plan encompasses all sites. Site-specific procedures to implement the components of this plan will be included within the body or appendices of this document.

Tuolumne Learning Center

The Tuolumne County Superintendent of Schools Office operates two Community Schools serving expelled youth grades 6-8 & 9-12, and an Independent Study program. Students who are expelled, probation referred or SARB referred by their district of residence are placed in the program to help the student earn credits toward graduation and to meet their district mandated rehabilitation plan. The Middle School Community School Program and the Independent Study program are operated at the Tuolumne Learning Center located at: 13885 Mono Way, Sonora, CA. 95370. The High School Community School Program is located at: 21125 Shaws Flat School Road, Sonora, CA. 95370

Gold Ridge Education Center

Located in the Mother Lode Regional Juvenile Detention Facility, Gold Ridge Education Center serves incarcerated youth up to the age of 18, inclusive. The program is designed to meet the unique needs of students who seek credit recovery toward graduation, vocational skills training, and transition support for when the youth returns to the comprehensive school site.

Special Education Programs

The Tuolumne County Superintendent of Schools Office collaborates with the County SELPA to provide services to eligible students at the follow school sites:

- **Soulsbyville School:** K- 8th grade moderate to severely handicapped Independent Living Skills (ILS)
- **Sonora Elementary School:** Preschool programs
- **Jamestown School:** K – 8th grade NeXus
- **Sonora High School:** 9-12 NeXus and independent living skills
- **Columbia College:** Preschool Program (TBD)
- **Transition School:** 18 year old – 22 year old transition program

Assessment of Student Misconduct and Intervention

The following strategies are implemented at TCSOS sponsored programs to support a safe learning environment:

- Law Enforcement: The Tuolumne County Sheriff's Office (TCSO) and the Sonora Police Department (SPD) are a resource to our administrators for any possible threat to student/staff/campus safety.
- Administrative Support: Students and staff have access to site administrators at each school site and access by phone and email to TCSOS administrators. One administrator from TCSOS will always be available as the Administrator of the Day.
- SARB: Student Attendance Review Board is charged with enforcing the compulsory education laws of California. It is comprised of individuals from several local agencies including the county welfare department, law enforcement, public health, schools, mental health, and youth service organizations.
- Support Staff: The Tuolumne County Superintendent of Schools employs support staff that has unique skills to provide intervention and support for at risk students. A directory of staff is available on the TCSOS website at www.tcsos.us.
- Visitor Policy: TCSOS complies with the visitor policy at the school sites where our programs are housed.
- Adherence to School Rules for Student Behavior: Expectations for student behavior are provided to each student.
- Alternative means to correct student behavior in lieu of suspension.
- Special considerations are made in compliance with a student's IEP.
- Students at the Tuolumne Learning Center are provided the following supports:
 - Credit recovery; access to dual enrollment with community college; mental health intervention support; group, family, and individual counseling; job training

2020-2021 Suspension Count by Most Serious Offense Category

Name	Cumulative Enrollment	Total Suspensions	Violent Incident (Injury)	Violent Incident (No Injury)	Weapons Possession	Illicit Drug Related	Defiance Only	Other Reasons
Tuolumne County Superintendent of Schools	154	8	0	6	1	0	0	1
Tuolumne County	5,489	215	7	117	12	59	16	4
Statewide	5,452,126	14,334	1,835	7,023	820	3,071	1,013	572

2020-2021 Expulsion Count by Most Serious Offense Category

Name	Cumulative Enrollment	Total Expulsions	Violent Incident (Injury)	Violent Incident (No Injury)	Weapons Possession	Illicit Drug Related	Defiance Only	Other Reasons
Tuolumne County Superintendent of Schools	154	0	0	0	0	0	0	0
Tuolumne County	5,489	3	0	1	0	2	0	0
Statewide	5,452,126	174	40	50	27	46	0	11

Child Abuse Reporting Procedures

A mandated reporter who knows or reasonably suspects that a minor is the victim of child abuse must report immediately by telephone and in writing by follow-up report within 36 hours to a law enforcement agency. The law penalizes the failure to report by imposing a jail sentence on the defaulting mandated reporter. On the other hand, the law rewards the reporter who meets the reporting obligation by granting absolute immunity from civil or criminal prosecution. (Penal Code Section 11166)

Mandated Reporter: List of persons whose profession qualifies them as “mandated reporters” of child abuse or neglect is found in California Penal Code Section 11165.7. It includes all school/district employees, and administrators.

Required Training: Effective January 1, 2015 all TCSOS is required to train all employees each year on identifying and reporting child abuse and neglect. “All Employees” includes anybody working on the behalf of TCSOS, teachers, paraprofessionals, classified employees, and any other employees that bring them in direct contact and supervision of students. TCSOS employees will receive training within six weeks of hire and annually thereafter. Training is provided annually at the beginning of the school year, online through the Tuolumne County JPA, or the CDE website.

Knowledge of or Reasonably Suspects Child Abuse/and or Neglect: When to report a physical injury inflicted on a child by another person other than by accidental means.

- The sexual abuse, assault, or exploitation of a child.
- The negligent treatment or maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare. This is whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
- The willful harming or endangerment of the person or health of a child, any cruel or inhuman corporal punishment or any injury resulting in a traumatic condition. (cde.ca.gov)

Rights of Confidentiality and Immunity

Mandated reporters are required to give their name; however, the reporter's identity is kept confidential. Mandated reporters have immunity from state criminal or civil liability for reporting required. This is true even if the mandated reporter acquired the knowledge, or suspicion of the abuse or neglect, outside her/her professional capacity or scope of employment.

Consequence of Failing to Report: According to the CDE a person who fails to report is guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine (California Penal Code Section 11166(c)).

To Whom is the Report Made: An oral report to designated law enforcement agencies must be made immediately. The observing employee must contact: The Child Welfare Services (CWS) Unit:

CWS

Address: 20111 Cedar Road North

Sonora, California 95370

Monday – Friday 8 am – 5 pm: (209) 533-5717 After hours, weekends and holidays: (209) 533-HELP (4357)

Fax: 209 533-5742

A follow up written report must be submitted within 36 hours. Forms are available on the Tuolumne County CWS web page:

https://www.tcsos.us/staff-forms_resources/.

School Interview Law: Penal Code 11174.3 imposes both a time sequence and series of duties on school personnel and the law enforcement investigator. This law is limited to child abuse victims only. The law speaks only to abuse which takes place in the home. When law enforcement comes to school to take the child into custody, rather than question the child, the interview procedures do not apply. The child is effectively under arrest.

Law enforcement (sheriff, police or CWS) may interview suspected victims of child abuse on school premises during school hours concerning child abuse in the home. The child may choose to be interviewed in private or may select an adult staff member to be present “to lend support”.

Step One – The investigator comes to school. All investigations begin in the school office. The staff member “in charge” should ask for identification and the purpose of the proposed interview. When it is made clear that the interview will focus on allegation of abuse in the home, the staff member in charge should be present with the child before the interview begins.

Step Two - The investigator must advise the child of the right to choose a staff member to be present during the interview. What the school employee should do if:

1. The child chooses not to have a staff member present?

The staff member should leave the room.

2. The child asks for either the mother or father to be present?

School employees do not grant or deny such requests. This responsibility lies with the investigator.

3. The child changes their mind during the interview?

The law gives the child a continuous option to ask for an adult staff member or to send the staff member away.

Step Three – The child asks for an adult staff member to be present, what can the selected staff member do:

a. The staff member, by law, may decline to sit in the interview

b. The school administrator should inform the selected staff member of their duties during the interview. A copy of Penal Code 11174.3 should be supplied to the staff member who has agreed to be present.

c. The staff member's role is one of a "comforter" during the interview. There is no questioning by the staff member and no discussion of the child abuse incident with the child. There must be no prompting by the staff member. Investigators should not attempt to ask or direct the staff member to coerce, suggest or elicit a response from the child.

d. The law forbids disclosure of what the staff member hears or learns during the interview. This confidentiality disappears when a court orders testimony. No written report is required by the staff member.

California Penal Code 11174.3 "School Interview Law"

11174.3. (a) Whenever a representative of a government agency investigating suspected child abuse or neglect or the State Department of Social Services deems it necessary, a suspected victim of child abuse or neglect may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present at the interview. A representative of the agency investigating suspected child abuse or neglect or the State Department of Social Services shall inform the child of that right prior to the interview. The purpose of the staff person's presence at the interview is to lend support to the child and enable him or her to be as comfortable as possible. However, the member of the staff so elected shall not participate in the interview. The member of the staff so present shall not discuss the facts or circumstances of the case with the child. The member of the staff so present, including, but not limited to, a volunteer aide, is subject to the confidentiality requirements of this article, a violation of which is punishable as specified in Section 11167.5. A representative of the school shall inform a member of the staff so selected by a child of the requirements of this section prior to the interview. A staff member selected by a child may decline the request to be present at the interview. If the staff person selected agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. Failure to comply with the requirements of this section does not affect the admissibility of evidence in a criminal or civil proceeding.

Suspension and Expulsion Policies

The Tuolumne County Board of Education desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The County Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline.

The Tuolumne County Superintendent of Schools or designee shall approve, for each school, a complement of effective, age-appropriate strategies for correcting student behavior. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed. (Education Code [48900.5](#)) Alternative means to suspension shall be implemented whenever possible.

County Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices. The administrative staff may develop disciplinary rules to meet the school's particular needs. However, the rules shall be consistent with law, County Board policy, and TCSOS regulations. The County Board may review, at an open meeting, the approved school discipline rules for consistency with County Board policy and state law. (Education Code [35291.5](#))

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, County Board policy, and administrative regulation. The County Superintendent or designee shall provide professional development as necessary to assist staff in developing consistent classroom management skills, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code [49001](#)) However, corporal punishment

does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code [49001](#))

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians
2. Referral of the student to the school counselor or other school support service personnel for case management and counseling
3. Convening of a study, guidance, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan
5. Enrollment in a program for teaching pro-social behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups
9. Recess restriction as provided in the section below entitled "Recess Restriction"
10. Detention after school hours as provided in the section below entitled "Detention After School"
11. Community service as provided in the section below entitled "Community Service"
12. In accordance with County Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities
13. Reassignment to an alternative educational environment
14. Suspension and expulsion in accordance with law, County Board policy, and administrative regulation

Recess Restriction

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the County Superintendent or Program Administrator of any recess restrictions they impose.

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR [353](#)) If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the County Superintendent or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the County Superintendent or designee notifies the parent/guardian. In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR [307](#), [353](#))

Students shall remain under the supervision of a certificated employee during the period of detention. Students may be offered the choice of serving their detention on Saturday rather than after school.

Community Service

As part of or instead of disciplinary action, the County Board, County Superintendent or designee may, at his/her discretion, require a student to perform community service during non-school hours on school grounds, or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code [48900.6](#))

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code [48915](#). However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension. (Education Code [48900.6](#))

Notice to Parents/Guardians and Students

At the beginning of the school year, the County Superintendent or designee shall notify parents/guardians, in writing, about the availability of TCOS rules related to discipline. (Education Code [35291](#), [48980](#)) The County Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in TCSOS operated programs.

The Tuolumne County Board of Education desires to provide TCSOS students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well being, and promotes their learning and development. The County Board shall develop rules and regulations setting the standards of behavior expected of TCSOS students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

To correct the behavior of any student who is subject to discipline, the Tuolumne County Superintendent of Schools or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1 - Discipline. (Education Code [48900.5](#)) Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be those specified in law and administrative regulation. Program staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with TCSOS's nondiscrimination policies.

Due Process

The County Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The County Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code [48911](#), [48915](#), [48915.5](#))

Removal from Class by a Teacher and Parental Attendance

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code [48900.1](#))

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior. Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code [48900.1](#)) When a teacher requires parental attendance, the County Superintendent or designee shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code [48900.1](#)) A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the County Superintendent or designee. (Education Code [48900.1](#)) At the meeting with the student's parent/guardian, the County Superintendent or designee shall explain

TCSOS operated programs discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct. When a parent/guardian does not respond to the request to attend school, the County Superintendent or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records. District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code [48900.1](#))

Supervised Suspension Classroom

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code [48900](#) and [48900.2](#), but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the County Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law. Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#))

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code [48915](#)(c), the enforcement of an expulsion order shall not be suspended by the County Board. In all other cases of expulsion, the order for expulsion may be suspended by the County Board, on case-by-case basis, pursuant to the requirements of law and administrative regulation.

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code [48925](#))

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 Tuolumne County Board of Education for students of the same grade level.
2. Referral to a certificated employee designated by the Tuolumne County Superintendent of Schools 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 student to the County Superintendent or designee as provided in Education Code [48910](#). Removal from a particular class shall not occur more than once every five school days.
4. Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code [48925](#))
5. Day means a calendar day unless otherwise specifically provided. (Education Code [48925](#))

6. School day means a day upon which the schools of the Tuolumne County Office of Education are in session or weekdays during the summer recess. (Education Code [48925](#))
7. Student includes a student's parent/guardian or legal counsel. (Education Code [48925](#))
8. County Superintendent's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the County Superintendent, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the County Superintendent'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 County Superintendent's office. (Education Code [48911](#))
9. School property, for the purposes described in Education Code [48900](#), includes, but is not limited to, electronic files and databases. (Education Code [48900\(u\)](#))

Notice of Regulations

At the beginning of each school year, the County Superintendent shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code [35291](#), [48900.1](#), [48980](#))

Grounds for Suspension and Expulsion

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code [48900\(a\)](#)). A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code [31](#), may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code [48900\(a\)](#) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code [48900\(t\)](#)).
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 County Superintendent or designee concurrence (Education Code [48900\(b\)](#)).
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code [11053-11058](#), alcoholic beverage, or intoxicant of any kind (Education Code [48900\(c\)](#)).
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code [11053-11058](#), alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code [48900\(d\)](#)).

5. Committed or attempted to commit robbery or extortion (Education Code [48900\(e\)](#)).
6. Caused or attempted to cause damage to school property or private property (Education Code [48900\(f\)](#)).
7. Stole or attempted to steal school property or private property (Education Code [48900\(g\)](#))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, e-cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code [48900\(h\)](#)).
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code [48900\(i\)](#)).
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code [11014.5](#) (Education Code [48900\(j\)](#)).
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties (Education Code [48900\(k\)](#)). (See grade level restrictions)
12. Knowingly received stolen school property or private property (Education Code [48900\(l\)](#))
13. Possessed an imitation firearm (Education Code [48900\(m\)](#)).
Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code [48900\(m\)](#))
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](#) (Education Code [48900\(n\)](#)).
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code [48900\(o\)](#)).
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code [48900\(p\)](#))
17. Engaged in, or attempted to engage in, hazing (Education Code [48900\(q\)](#)). Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events.
18. Engaged in an act of bullying (Education Code [48900\(r\)](#)). Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. Bullying shall include any act of sexual harassment, hate violence, or harassment,

threat, or intimidation, as defined in Education Code [48900.2](#), [48900.3](#), or 48900.4 (items #20-22 below), that has any of the effects described above on a reasonable student. Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code [48900\(r\)](#)).

19. Made terrorist threats against school officials and/or school property. (Education Code [48900.7](#)). A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code [48900.7](#)). A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

20. Committed sexual harassment as defined in Education Code [212.5](#) (Education Code [48900.2](#)). Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code [212.5](#), [48900.2](#))

21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code [233](#) (Education Code [48900.3](#)). Hate violence means any act punishable under Penal Code [422.6](#), [422.7](#), or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code [233](#); Penal Code [422.55](#))

22. Intentionally engaged in harassment, threats, or intimidation against County Office personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code [48900.4](#)). 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 County Office school or within any other school County Office, at any time, including, but not limited to, the following: (Education Code [48900\(s\)](#))

1. While on school grounds
2. While going to or coming from school

3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Removal from Class by a Teacher and Parental Attendance

A teacher may remove any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code [48910](#)). When removing a student from his/her class, the teacher shall immediately report this action to the County Superintendent or designee and send the student to the County Superintendent or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code [48910](#)). As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code [48910](#)). A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the County Superintendent. (Education Code [48910](#)). A student removed from class shall not be placed in another regular class during the period of removal. 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 removed. (Education Code [48910](#)) The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code [48913](#)). Pursuant to County Board policy, a teacher may require the parent/guardian of a student whom the teacher has removed to attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the County Superintendent shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code [48900.1](#))

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter. This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. 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
3. Ask the parent/guardian to meet with the County Superintendent after the visit and before leaving school, as required by Education Code [48900.1](#)

Suspension by County Superintendent or designee

The County Superintendent or designee may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the County Superintendent or designee has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code [48900.5](#)). When other means of correcting a student's behavior are implemented prior to imposing suspension upon the student, including supervised suspension, the County Superintendent or designee shall document the other means of correction used and retain them in the student's record. (Education Code [48900.5](#))

However, the County Superintendent or designee may impose a suspension upon a first offense if he/she determines that the student violated any of items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons. (Education Code [48900.5](#)). In addition, the County Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code [48915](#))

1. Possessing, as verified by a County Office employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the County Superintendent or designee's concurrence
2. Brandishing a knife as defined in Education Code [48915\(g\)](#)
3. Unlawfully selling a controlled substance listed in Health and Safety Code [11053-11058](#)
4. Committing or attempting to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)
5. Possessing an explosive as defined in 18 USC [921](#)

Duration of Suspension

The County Superintendent or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code [48911](#)). A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred 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. (Education Code [48903](#), [48911](#), [48912](#)). TCSOS may count suspensions that occur while a student is enrolled in another school County Office toward the maximum number of days for which the student may be suspended in any school year. (Education Code [48903](#))

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the County Superintendent or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the County Superintendent. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code [48911](#)). This conference may be omitted if the County Superintendent or designee determines that an emergency situation exists involving 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 the 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 a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code [48911](#))
2. Administrative Actions: All requests for student suspension are to be processed by the County Superintendent or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the County Superintendent or designee. (Education Code [48911](#))
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. (Education Code [48911](#)). This notice shall state the specific offense committed by the student. (Education Code [48900.8](#)). In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may 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 cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code [48914](#)) Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied re-admission solely because the parent/guardian failed to attend the conference. (Education Code [48911](#))
5. Extension of Suspension: If the County 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 County Superintendent or designee may, in writing, extend the suspension until such time as the County Board has made a decision. (Education Code [48911](#)) 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 County Superintendent 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. (Education Code [48911](#))

If the student involved is a foster youth, the County Superintendent or designee shall notify the County Office liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code [48853.5](#), [48911](#), 48918.1). In addition to suspending a student, the County Superintendent or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

Supervised Suspension Classroom

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code [48911.1](#))

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 the suspension.
4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) 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 County Superintendent 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. (Education Code [48911.1](#))

Authority to Expel

A student may be expelled only by the County Board. (Education Code [48918\(j\)](#))

The County Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code [48915](#))

For all other grounds listed above under "Grounds for Suspension and Expulsion," the County Board shall order a student expelled upon the recommendation of the County Superintendent or designee, only if the County Board makes a finding of either or both of the following: (Education Code [48915\(b\)](#) and (e))

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

Mandatory Recommendation for Expulsion

Unless the County Superintendent or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code [48915\(a\)](#))

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 Health and Safety Code [11053-11058](#), except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code [240](#) and [242](#), upon any school employee

In determining whether or not to recommend the expulsion of a student, the County Superintendent or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code [48915](#))

Mandatory Recommendation and Mandatory Expulsion

The County Superintendent or designee shall recommend that the County Board expel any student found at school or at a school activity to be: (Education Code [48915\(c\)](#))

1. Possessing, as verified by a County Office employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the County Superintendent or designee's concurrence

However, possession of an imitation firearm, as defined in Education Code [48900\(m\)](#), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.

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 as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)

5. Possessing an explosive as defined in 18 USC [921](#)

Upon finding that the student committed any of the above acts, the County Board shall expel the student. (Education Code [48915](#))

Policy for Notifying Teachers of Dangerous Pupils

Pursuant to Education Code 48267, the Tuolumne County Probation Department notifies the Educational Services Department at the Tuolumne County Superintendent of Schools Office regarding students who have engaged in certain criminal conduct. This information is forwarded to all administrators and the student's teacher, counselor, and the Student Attendance Review Board.

Employee Security

The Tuolumne County Superintendent of Schools Office desires to provide a safe, orderly working environment for all employees. As part of the County Office comprehensive school safety plan, the Tuolumne County Superintendent of Schools or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

The County Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom. When any individual directs violence against an employee and the employee so notifies the County Superintendent or designee, the County Superintendent shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the County Superintendent or designee of a threat of bodily harm, the County Superintendent shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds. The County Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

Reporting of Injurious Objects

The County Superintendent requires all employees to take immediate action upon being made aware that any person is in possession of an injurious object on Office or school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal/program administrator immediately
2. Immediately notify the principal/program administrator, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal/program administrator

When informing the principal/program administrator about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Civility Policy

Members of the Tuolumne County Superintendent of Schools Office (TCSOS) staff will treat parents and other members of the public with respect and expect the same in return. TCSOS is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds. TCSOS staff are expected to conduct themselves in a professional manner, refrain from gossip and from using vulgarity and/or disparaging comments towards staff, students, parents, or the public.

This policy promotes mutual respect, civility and orderly conduct among District employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting TCSOS employees as positive role models to the children in county programs, as well as in the community, TCSOS encourages positive communication, and discourages volatile, hostile or aggressive actions. TCSOS seeks public cooperation with this endeavor.

Disruptions

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on TCSOS property, will be directed to leave the property promptly by the Site Administrator or designee.
2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If the abusing party does not take corrective action, the employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on TCSOS premises, the offending person will be directed to leave promptly.
3. When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the Site Administrator or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Codes 415.5 and 626.7, if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable

period of time, the Site Administrator or designee may notify law enforcement officials. An Incident Report (copy attached) should be completed for the situations as set forth in paragraphs 1 and 2.

Safety and Security

4. The Superintendent or designee will ensure that a safety and/or crisis intervention technique program is provided in order to raise awareness on how to deal with these situations if and when they occur.
5. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement any attack, assault or threat made against them on School/District premises or at School/District sponsored activities.
6. An employee whose person or property is injured or damaged by willful misconduct of a student may ask the district to pursue legal action against the student or the student's parent/guardian.

Documentation

7. When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the Tuolumne County Civility Incident Report (located in the Appendix).

Discrimination and Harassment Policy

Procedures for Handling Complaints

The Tuolumne County Superintendent of Schools or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

Complaint Process

Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

The County Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the County Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR [4964](#)). The County Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code [212.5](#); 5 CCR [4916](#))

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

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, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

School-Level Complaint Process/Grievance Procedure

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

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the program administrator. In addition, any school employee who observes any incident of sexual

harassment involving a student shall, within 24 hours, report this observation to the Program Administrator/Principal, whether or not the victim files a complaint.

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

2. Initiation of Investigation: The Program Administrator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior. If the Program Administrator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

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

4. Investigation Process: The Program Administrator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR [4964](#)) The Program Administrator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Program Administrator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place. When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the County Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

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

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

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

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

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

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

8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Program Administrator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Program Administrator/Principal shall notify the student who complained and explain the reasons for the extension. The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the County Superintendent or designee. In addition, the Program Administrator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Program Administrator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

Enforcement of LEA's Policy

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

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community
5. Taking appropriate disciplinary action

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

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code [48980](#); 5 CCR [4917](#))
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites (Education Code [231.5](#))
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code [231.5](#))
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code [231.5](#))
5. Be included in the student handbook
6. Be provided to employees and employee organization

School wide Dress Code

The Tuolumne County Superintendent of Schools Office desires to keep County Office school/program sites free from the threats or harmful influence of any groups or gangs which exhibit drug use, violence or disruptive behavior. The Tuolumne County Superintendent of Schools or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

The County Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

The County Office realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten. To further discourage the influence of gangs, the County Superintendent or designee shall ensure that school/program site rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

Hate Crime Policies and Procedures

The Tuolumne County Superintendent of Schools Office affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the County Office to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated. Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal/program administrator or designee. If the student believes that the principal/program administrator or designee has not remedied the situation, he/she may file a complaint in accordance with County Office complaint procedures.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal/program administrator, Tuolumne County Superintendent of Schools or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with County Office policy and administrative regulation.

Facts About Bullying

In October, 2010, the U.S. Department of Education issued a "Dear Colleague" letter concerning the school's obligation to protect students from student-on-student harassment on the basis of sex (Title IX of the Education Amendments of 1972), race, color, and national origin (Title VI of the Civil Rights Act of 1964), and disability (Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990). The letter clarifies the relationship between bullying and discriminatory harassment, provides examples of harassment, and illustrates how a school should respond in each case.

The Tuolumne County Superintendent of Schools Office will not tolerate bullying and/or discriminatory harassment, and will uphold our obligation to protect students against bullying and/or discriminatory harassment.

Disaster Procedures

The Tuolumne County Superintendent of Schools Office recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health, or welfare of a student at school/program site or during school-sponsored activities. The Tuolumne County Superintendent of Schools or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when student accidents and injuries occur and that parents/guardians are notified as appropriate. School employees are considered disaster service workers and are subject to disaster service activities assigned to them. For programs located at non-County operated school sites, staff will be trained in the procedures of that site.

Fire Drills

The principal/program administrator shall cause the fire alarm signal to be sounded at least once every month. (Education Code [32001](#))

The principal/program administrator shall also hold fire drills at least once a month at the elementary level, four times every school/program site year at the intermediate level, and not less than twice every school/program site year at the secondary level. (Education Code [32001](#))

1. The principal/program administrator shall notify staff as to the schedule for fire drills.
2. Whenever a fire drill is held, all students, teachers and other employees shall be directed to leave the building. (5 CCR [550](#))
3. Teachers shall ascertain that no student remains in the building.
4. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
5. The principal/program administrator or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Tuolumne County Superintendent of Schools or designee.

Fires

When a fire is discovered in any part of the school/program site, the following actions shall be taken:

1. The principal/program administrator or designee shall sound fire signals, unless the school/program site and/or building is equipped with an automatic fire detection and alarm system. (Education Code [32001](#))
2. The principal/program administrator or designee shall call 911.
3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.

5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. In outside assembly areas, the principal/program administrator, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.
7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

Earthquake Preparedness

Earthquake emergency procedures shall be established in every school/program site building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive school/program site safety plan.

(Education Code [32282](#))

(cf. [0450](#) - Comprehensive Safety Plan)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code [8607](#); 19 CCR [2400-2450](#))

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code [32282](#))

1. A school/program site building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school/program site quarter in elementary school/program sites and at least once each semester in secondary school/program sites.

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

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

The Tuolumne County Superintendent of Schools or designee may work with the California Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code [32282](#)). Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake. Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school/program site when an earthquake occurs. Earthquake emergency procedures shall designate outside areas and alternative areas, which may include areas off campus if necessary, in which students will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school/program site buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris. Earthquake emergency procedures

shall designate evacuation routes and alternative routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes. The County Superintendent or designee shall identify potential earthquake hazards in classrooms and other County Office facilities. Potential hazards may include, but are not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, such shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished if possible before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects and furniture that may fall.
4. After the earthquake, the principal/program administrator or designee shall determine whether planned evacuation routes and assembly areas are safe and shall communicate with teachers and other staff.
5. When directed by the principal/program administrator or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and have the students evacuate the building in an orderly manner.

Earthquake While Outdoors on School Grounds

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school/program site grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

If students are on the school/program site bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety. The driver shall pull to the side of the road, away from any outside hazards if possible, and turn off the ignition. As soon as possible, the driver shall contact the County Superintendent or designee for instructions before proceeding on the route.

Subsequent Emergency Procedures

After the earthquake has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if possible.
2. Staff shall provide assistance to any injured students, take roll, and report missing students to the principal/program administrator or designee.
3. Staff and students shall not light any stoves or burners until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal/program administrator or designee shall post staff at a safe distance from all building entrances and instruct staff and students to not reenter until the buildings are declared safe.
6. The principal/program administrator or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school/program site.
7. The principal/program administrator or designee shall contact the County Superintendent or designee and request further instructions after assessing the earthquake damage.

The Tuolumne County Superintendent of Schools or designee shall periodically evaluate the adequacy and design of existing County Office facilities to determine whether they meet the needs of the instructional program, provide a healthful and pleasing environment for students and staff, and fulfill legal requirements for safety and structural soundness, access for the disabled and energy conservation.

The principal shall also hold fire drills at least once a month at the elementary and intermediate level, and not less than three times every school year at the secondary level. (At least one drill during the time of: before/after school, lunch, instructional time).

2022-2023 Fire Drill Schedule (for independent sites – Gold Ridge Education Center Drills are directed by the Juvenile Detention Facility Staff.)

Month	Date	Time
July	n/a – school not in session	
August	8/26/22	9:00 am
September	9/23/22	9:00 am
October	10/14/22	9:00 am
November	11/18/22	9:00 am
December	12/16/22	9:00 am
January	1/27/23	8:15 am
February	2/10/23	9:00 am
March	3/17/23	11:30 am
April	4/21/23	9:00 am
May	5/26/23	9:00 am
June & July	n/a – school not in session	

2022-23 ALICE and/or Lockdown Drill Schedule (for independent sites – Gold Ridge Education Center Drills are directed by the Juvenile Detention Facility Staff.)

Semester	Date	Time
Before/After School	9/23/22	8:15 am
Lunch	11/18/22	12:15 pm
Instructional Time	10/14/22	9:00 am

2022-23 Earthquake Drill Schedule (for independent sites – Gold Ridge Education Center Drills are directed by the Juvenile Detention Facility Staff.)

Drop, Cover and Hold procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools. (Education Code 32282)

Date	Time
October 2022– Great California Shake Out – 10/20/22	10:20 am
3/17/23	9:00 am
5/26/23	10:15 am

Response to an Active Shooter Event

(Guidance provided by the ALICE Training)

The Tuolumne County Superintendent of Schools will cooperate with law enforcement in any crisis. Collectively, schools across Tuolumne County have implemented training in the ALICE method of response to an active shooter. **Only sites that have implemented ALICE training will respond with the following actions in the case of an armed intruder.** A summary is provided below.

Alert is your first notification of danger: ALERT is when you first become aware of a threat. The sooner you understand that you're in danger, the sooner you can save yourself. A speedy response is critical. Seconds count. Alert is overcoming denial, recognizing the signs of danger and receiving notifications about the danger from others. Alerts should be accepted, taken seriously, and should help you make survival decisions based on your circumstances. Barricade the room. Prepare to EVACUATE or COUNTER if needed.

Lockdown: If EVACUATION is not a safe option, barricade entry points into your room in an effort to create a semi-secure starting point. The ALICE training explains scenarios where Lockdown may be the preferable option and dispels myths about passive, traditional 'lockdown only' procedures that create readily identifiable targets and makes a shooter's mission easier. (See Lockdown Procedure for other instances when Lockdown is used other than Armed Intruder.)*

Inform & Communicate the violent intruder's location and direction in real time. The purpose of **INFORM** is to continue to communicate information in as real time as possible, if it is safe to do so. Armed intruder situations are unpredictable and evolve

quickly, which means that ongoing, real time information is key to making effective survival decisions. Information should always be clear, direct and in plain language, not using codes. If the shooter is known to be in an isolated section of a building, occupants in other words can safely evacuate while those in direct danger can perform enhanced lockdown and prepare to counter. Video surveillance, 911 calls and PA announcements are just a few of the channels that may be used by employees, safety officers, and other personnel to inform others. An emergency response plan should have clear methods outlined for informing school employees, hospital workers, or any other employees of the location of a violent intruder.

Counter: Create Noise, Movement, Distance and Distraction with the intent of reducing the shooter's ability to shoot accurately. Counter is NOT fighting. ALICE Training does not believe that actively confronting a violent intruder is the best method for ensuring the safety of those involved. Counter is a strategy of last resort. Counter focuses on actions that create noise, movement, distance and distraction with the intent of reducing the shooter's ability to shoot accurately. Creating a dynamic environment decreases the shooter's chance of hitting a target and can provide the precious seconds needed in order to evacuate.

Evacuate: When safe to do so, remove yourself from the danger zone. ALICE strategy is to apply techniques for safer and more strategic evacuations. Evacuating to a safe area takes people out of harm's way and hopefully prevents civilians from having to come into any contact with the shooter.

Lockdown Procedure - Other than Armed Intruder (Remain on Site)

An extreme emergency exists when one or more of the following situations occur on campus: (1) drive-by shooting, (2) mass protest, or (3) helicopter searches or SWAT team operations.

1. Imminent Danger Signal – A verbal Lockdown call by the Site Administrator of the host school or TCSOS Designee at TCSOS satellite locations will be made to signal lock down.
2. The Site Administrator or site designee will maintain phone communication with the county office and for internal communications.
3. The County Schools Office will serve as emergency locator to notify parents, guardians.
 1. Teachers who are unassigned should remain in lockdown until the all clear is provided.
 2. When the imminent danger signal is given, teachers should take the following actions:
 - Proceed immediately to homerooms/classrooms
 - Direct as many students as possible into rooms
 - Supervise the area outside room until students are in rooms
 - Lock doors and follow classroom emergency guide instructions
 - Students in rooms are to be seated and sign-up sheets provided so that each student accounts for his/her presence.
 - Students and staff to remain in classroom until the all-clear signal is given
 3. School staff should stay until the crisis is declared over

**State of California Government Code,
Chapter 8, Division IV, Title I**

The State of California Government Code States: that all public employees become emergency service workers in the event of a declared emergency. This means that all school district employees will be required to work in this capacity in case a disaster occurs and a state of emergency is declared.

Evacuation Plans

Each site must have an evacuation plan that consists of two stages:

Stage One Evacuation: All students and staff are evacuated from buildings and stationed at a safe location on campus.

Stage Two Relocation: At the direction of the Site Incident Commander, all students and staff are relocated to a determined location off campus at time of event. Coordinate with transportation department and Police and Fire Department. (Examples: gas leak, fallen aircraft.)

Plans shall be based on the current site plans where programs are housed.

- Detailed campus diagrams that show:
 - Evacuation routes
 - Designated areas for each teacher and class
 - Areas of supervision
 - Transportation points (for both busses and autos)
 - Student Release area
- Emergency cards (Always ready to be taken to student release area)
- Parent/Guardian sign out log or forms
- Impaired mobility list (Location of these students throughout the school day)
- Classroom evacuation materials (laminated guides, “go bags”, binders or boxes that teachers will carry along with their roll books must be located in a standard site in all classrooms. Recommended placement to be next to the classroom exit).
- Communication Plan (How teachers will communicate to the School Leadership team and visa versa)

Threat Assessment Procedures

E.C. 48900.7 Suspension: Terroristic Threats

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

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. (Add. Stats. 1997, Ch. 405).

California Welfare and Institutions Code 5150

When any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, member of the attending staff, as defined by regulation, of an evaluation facility designated by the county, designated members of a mobile crisis team provided by Section 5651.7, or other professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation.

Such facility shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the officer, member of the attending staff, or professional person, and stating that the officer, member of the attending staff, or professional person has probable cause to believe that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the officer, member of the attending staff, or professional person, such person shall be liable in a civil action for intentionally giving a statement, which he or she knows to be false.

Site Threat Assessment Team (STAT)

- Administrator (Principal or Designee)
- Mental Health Professional (School Psychologist or Counselor trained in threat assessment)
- Law Enforcement
- School Nurse, School Social Worker, or other staff designated by the Principal or designee

Step One: Evaluate the Threat

Referral to Administrator:

1. Obtain an account of the threat and the context from the student and witness
2. Write down exact threat
3. Obtain student's explanation of the threat's meaning and his/her intentions
 - a. Threat directed toward others (homicidal)
 - b. Threat directed toward self (suicidal)
4. Obtain witness perceptions of the threat's meaning
5. Administrator to begin consulting Site Threat Assessment Team (STAT) members
6. Administrator may place the student who made the threat on suspension while threat assessment is completed (up to 5 days of suspension).
7. Document information on the Student Threat Inquiry form (supplemental)
 - a. Threat assessment/safety evaluation must be completed, immediately if deemed substantive.
 - b. Threat assessment/safety evaluation must be completed within 2 days if deemed as transient.
 - c. Outcome of threat assessment determines final disciplinary action (if appropriate).

Step Two: Transient or Substantive?

STAT determines whether the threat is **transient** or **substantive**:

Factors to consider when determining type of threat:

- Age of student
- Capability of student to carry out the threat
- Student's discipline history
- Credibility of student and willingness to acknowledge his or her behavior
- Credibility of witness accounts

<u>TRANSIENT</u>	<u>SUBSTANTIVE</u>
Often are rhetorical remarks, not genuine expression of intent to harm	Express intent to physically injure someone else or self beyond the immediate situation
At worst, express temporary feelings of anger or frustration	There is at least some risk the student will carry out the threat to others or self
Usually can be resolved on the scene or in the office	Require that you take protective action, including warning intended victims and parent and/or protection of student from self-harm
After resolution, the threat no longer exists	May be legal violations and require police consultation
Usually ends with an apology or clarification	<u>Serious:</u> Assault threats-"I'm gonna beat him up", "I'm gonna get you"
	<u>Very Serious:</u> (Examples) Threats to kill, rape, or inflict very serious injury Threats involving a weapon Threat to harm self

WHEN IN DOUBT, TREAT THREATS AS SUBSTANTIVE

Step Three: Responding to the Threats

TRANSIENT THREAT	
<p>Responding to transient threat: Typical response may include reprimand, parental notification, or other disciplinary action. Student may need to make amends, attend mediation, and or counseling. Continue to monitor student (school staff follow-up as necessary).</p>	
SUBSTANTIVE THREAT	
<p>Responding to substantive threat: Decide whether the threat is serious or very serious: Assault threats are classified serious (I'm gonna beat him up). Threats to kill, rape, or inflict very serious injury are classified very serious. Threats involving a weapon are considered very serious. Threats to harm self are considered very serious.</p>	
SERIOUS SUBSTANTIVE THREAT	VERY SERIOUS SUBSTANTIVE THREAT
<p>Responding to serious substantive threats: <u>Immediate responses:</u></p> <ul style="list-style-type: none"> ● Take precautions to protect potential victims ● May consult with law enforcement ● Notify intended victim and victim's parents ● Notify student's parents ● Additional interviews as needed (parent, teacher, witnesses) ● Take disciplinary action consistent with school policy 	<p>Responding to very serious substantive threats: <u>Immediate responses:</u></p> <p>Take precautions to protect potential victims If suicidal, take precautions to protect student Contact _____ of incident _____ Consult with law enforcement promptly Notify intended victim and victim's parents Notify student's parents Determine safety during student suspension <u>Determining safety:</u> Site Threat Assessment Team (STAT) Safety</p>

- Determine appropriate intervention for student, such as counseling, or dispute mediation
- Follow up to verify that threat has been resolved and intervention is in progress
- Schedule follow up contact with student to assess current risk and update behavior and wellness plans
- Document behavior and wellness plans on the Student Threat Inquiry form

evaluation conducted by a team:

- Principal/Administrator leads the team
- School Psychologist or other district mental health professional
- conducts Mental Health assessment/extended threat inquiry
- Additional interviews: parents of student, teacher, additional witnesses
- Law Enforcement – expands range of options in dealing with threats of violence
- **Threat assessment/safety evaluation must be completed immediately.**
- Outcome of threat assessment determines disciplinary action.

Consult with Special Education Department Staff:

Individual cases with a mental health basis, and/or low mental functioning and/or emotional disturbance or cases in which there is a high level threat of suicide.

Forms for the Comprehensive School Threat Assessment Guidelines

What is the purpose of these forms?

These forms are used to conduct a threat assessment, as explained in the manual, *Comprehensive School Threat Assessment Guidelines: Intervention and Support to Prevent Violence*¹, or other training resources.

Do I conduct a threat assessment for all threats?

No. It is not feasible or necessary to conduct a formal assessment for clearly insignificant behavior such as playful bantering or joking. Conduct a threat assessment if there is some reason to be concerned about the behavior. When in doubt about a threat, conduct a threat assessment.

Do I use all of these forms for every threat assessment case?

No. Transient cases are documented with only a few pages (Threat Report, Interview(s), Key Observations, Threat Response), whereas only very serious substantive threats are likely to use all of the forms. In large samples, approximately 75% of cases are transient and fewer than 10% are very serious substantive threats.

Do I complete every section of each form?

No. These forms are intended as guidelines to help you consider the most likely aspects of a case, but you will use your judgment as to what is appropriate for your assessment and intervention.

Who completes the forms?

Threat assessment is a team process and can be documented by any member of the team. A transient threat might be handled by just one team member (preferably in consultation with at least one other team member), whereas a substantive threat will likely engage several team members.

Can I modify these forms?

Yes, within reasonable limits that do not significantly alter the CSTAG process. Be sure that changes are approved by your school system. Some school systems will modify the terminology (e.g., 'safety screening' versus "mental health assessment") or make other adjustments. For example, some schools systems add a place to document who carries out each step of the assessment or add a form to track changes when a student receives ongoing services. Schools can use online versions of these forms, too.

¹ The manual is available from School Threat Assessment Consultants LLC at <https://www.schoolta.com/manual> and from Amazon.com.

If a threat is resolved, do I change the threat classification to “no threat”?

No. The threat classification reflects your initial assessment and guides your next steps, regardless of how the threat is resolved. Occasionally, the threat classification might change if you find, for example, that a transient case is more serious than you thought and should be changed to a substantive threat. The resolution of a threat should be recorded in the Case Plan section.

Should I document transient threats?

Yes. If a student later carries out a threat that was previously judged to be transient, you will want documentation to show that you made a defensible effort to assess the threat. If a student makes multiple threats, documentation will provide a useful perspective.

Where should I file these forms?

Follow the guidance of your school system to determine where you file records. Some school systems choose to file some or all of the threat assessment forms in the student’s educational record and others choose to file some or all of the forms outside of the educational record. Any information placed in the student’s educational record is subject to FERPA restrictions.

Threat Assessment and Response Protocol—See Appendix D

REMOVAL OF STUDENT FROM SCHOOL DURING SCHOOL HOURS

The student was removed from _____ School during school hours by _____
(School) (Department) (Title)

making an arrest or taking a child into custody in accordance with the laws of this State and the rules and regulations of this district. (BP/AR 5145.11)

(Student's Name) (Birthdate) (Age)

(Parent/Guardian's Name) (Address) (Phone)

1. _____
(Facility and address where child was taken)

2. Name of Peace Officer _____ Badge No. _____

3. Mental Health/Law Enforcement Agency _____

4. Basis for action (check one)

Section 836 – Penal Code (Arrest without warrant)

Warrant for arrest

Section 5150 – Welfare and Institutions Code – Danger to self/other, gravely disturbed

Section 305 – Welfare and Institutions Code – Without warrant (protective custody)

Section 625 – Welfare and Institutions Code – Without warrant (minor is suspected of a crime)

With express permission of parent

In case of emergency when parent cannot be reached

In case of emergency when rights of one of the persons involved might otherwise be seriously impaired.

5. Parent notified by _____ of the removal and place where student taken. *Except in child abuse investigation Date _____ Time _____ Signature of Principal/Designee: _____

Bomb Threat

Receiving Threats

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line so as to gather information about the location and timing of the bomb and the person(s) responsible. He/she should also try to determine the caller's gender and age and should take note of any distinctive features of voice or speech and any background noises such as music, traffic, machinery or other voices.

Staff members who customarily receive telephone calls or handle packages shall receive training related to bomb threats.

Procedures

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the principal/program administrator or designee. If the threat is in writing, he/she shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee seeing a suspicious package shall promptly notify the principal/program administrator or designee.
3. The principal/program administrator or designee shall immediately use fire drill signals and institute standard evacuation procedures as specified in the emergency plan.
4. The principal/program administrator or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. School police officers may assist in this search. No other school/program site staff shall search for or handle any explosive or incendiary device. No staff or students shall reenter the threatened building(s) until the law enforcement and/or fire department staff advises the principal/program administrator or designee that reentry is safe. Any student who makes a bomb threat shall be subject to disciplinary procedures.

BOMB THREAT ASSESSMENT WORKSHEET

CALLERS VOICE

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Calm | <input type="checkbox"/> Nasal |
| <input type="checkbox"/> Angry | <input type="checkbox"/> Stutter |
| <input type="checkbox"/> Excited | <input type="checkbox"/> Lisp |
| <input type="checkbox"/> Slow | <input type="checkbox"/> Raspy |
| <input type="checkbox"/> Rapid | <input type="checkbox"/> Deep |
| <input type="checkbox"/> Soft | <input type="checkbox"/> Raged |
| <input type="checkbox"/> Loud | <input type="checkbox"/> Clearing Throat |
| <input type="checkbox"/> Laughter | <input type="checkbox"/> Deep Breathing |
| <input type="checkbox"/> Crying | <input type="checkbox"/> Cracking Voice |
| <input type="checkbox"/> Normal | <input type="checkbox"/> Disguised |
| <input type="checkbox"/> Distinct | <input type="checkbox"/> Accent |
| <input type="checkbox"/> Slurred | <input type="checkbox"/> Familiar |

If familiar, who did it sound like? _____

BACKGROUND SOUNDS

- | | |
|---|--|
| <input type="checkbox"/> Street noises | <input type="checkbox"/> Factory machinery |
| <input type="checkbox"/> Outside noises | <input type="checkbox"/> Animal noises |
| <input type="checkbox"/> Voices | <input type="checkbox"/> Clear |
| <input type="checkbox"/> PA System | <input type="checkbox"/> Static |
| <input type="checkbox"/> Music | <input type="checkbox"/> Office machinery |
| <input type="checkbox"/> House noise | <input type="checkbox"/> Other |

THREAT LANGUAGE

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Well spoken
(educated) | <input type="checkbox"/> Incoherent | <input type="checkbox"/> Irrational |
| <input type="checkbox"/> Foul
threat maker_ | <input type="checkbox"/> Taped | <input type="checkbox"/> Message read by |

REPORT CALL IMMEDIATELY TO:

----- Phone
Number _____

QUESTIONS TO ASK

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

EXACT WORDING OF THREAT

CALLER

Sex of caller _____
Age _____
Length of Call _____

Number at which call is received from _____

Time: _____

Date: ____ / ____ / ____

2-WAY RADIO PROCEDURES

IN CASE OF A BOMB THREAT, DO NOT ACTIVATE THESE RADIOS, AS THE FREQUENCY MAY ACTIVATE THE BOMB

SCHOOL SAFETY WALK

Completed with Site Administrator/Designee and Maintenance Director at each site. The "Safety Walk" of the site must be done to assess safety conditions, emergency access, evacuation routes, PA system etc.... This information is vital in the development of your Safety Plan.

<i>Exterior of School Building - Indicate n/a if not applicable</i>	<i>Checked & in order</i>	<i>Needs Attention</i>	<i>WOrder in process</i>
Gates - lockable			
Fences - stable and no broken areas			
Appropriate school zone signs in position - including tobacco free signage			
Free of graffiti			
External utilities secured and locked			
Roof hatches secured and locked			
Shrubs trimmed			
Doors and windows in working order and lockable from inside			
Outdoor lighting illuminates all areas of use during night hours			
Exterior cameras in good working order where applicable			
Playground equipment safe and fall-protection material placed on the ground below equipment			

Athletic facilities & external building are secured & illuminated at night			
Dumpsters and garbage cans are secured			
Parking lots are well-lit			
No parking zones are clearly marked			
Sidewalks free from cracks and tripping hazards			
Fields are free from potholes			
Bike racks secured and placed in a locked cage			
Gym bleachers are safe and in working condition			
<i>Interior of School</i>	<i>Checked & in order</i>	<i>Needs Attention</i>	<i>W-Order in process</i>
Doors and windows are in working order and lockable from inside			
Exit lights in working order			
Universal evacuation signage is posted in every room near the door and in hallways			
The District's and County's Emergency number is posted in every room			
Computer/server rooms secured and appropriately ventilated			
Hallways are free from obstructions			
Visitor pass protocol is in effect			

Staff wear ID badges			
<i>Classroom</i>	<i>Checked & in order</i>	<i>Needs Attention</i>	<i>W-Order in process</i>
Classroom emergency guide is posted			
Emergency folder is easily accessible			
Evacuation map is posted			
Classroom phone has the emergency phone # posted			
Doors and windows are lockable from the inside			
<i>Equipment Needs</i>	<i>Have enough</i>	<i>Need</i>	<i>How many?</i>
Vests			
Radios			
First aid kits			
Other			

Safety Plan Signature Page 2022-2023

The undersigned certify that the requirements for the SB 187 Safety Plan have been met.

Fire Department Representative: _____

Date: _____

Law Enforcement Representative: _____

Date: _____

County Superintendent: _____

Date: _____

Board Clerk: _____

Date: _____

Appendix

- A. Child Abuse Reporting Form
- B. Child Abuse Interview Protocol
- C. Notice of Suspension
- D. Threat Assessment and Response Protocol
- E. Civility Policy and Incident Reporting Form
- F. Expelled Youth Plan
- G. Injury and Illness Prevention Program
- H. Injury and Illness Prevention Program Addendum
- I. Site maps and drill procedures specific to host sites

SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A.	REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY						
		REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO				
		REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE						
B.	REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY								
		<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL			
		OFFICIAL CONTACTED - TITLE					TELEPHONE ()					
C.	VICTIM <small>One report per victim</small>	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY				
		ADDRESS		Street	City	Zip	TELEPHONE ()					
		PRESENT LOCATION OF VICTIM			SCHOOL		CLASS		GRADE			
		<input type="checkbox"/> PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME					
		<input type="checkbox"/> IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME			TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)						
		RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
D.	INVOLVED PARTIES <small>VICTIMS SIBLINGS VICTIMS GUARDIANS PARENTS/GUARDIANS SUSPECT</small>	NAME		BIRTHDATE	SEX	ETHNICITY	NAME		BIRTHDATE	SEX	ETHNICITY	
		1. _____		3. _____		2. _____		4. _____				
		NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY				
		ADDRESS		Street	City	Zip	HOME PHONE ()		BUSINESS PHONE ()			
		NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY				
		ADDRESS		Street	City	Zip	HOME PHONE ()		BUSINESS PHONE ()			
		SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY				
		ADDRESS		Street	City	Zip	TELEPHONE ()					
		OTHER RELEVANT INFORMATION										
		E.	INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____								
DATE / TIME OF INCIDENT				PLACE OF INCIDENT								
NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)												

DEFINITIONS AND INSTRUCTIONS ON REVERSE

SS 8572 (Rev. 12/02)

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY- District Attorney's Office; YELLOW COPY-Reporting Party



Office of the County Counsel

"Providing Quality Legal Services to the County of Tuolumne"

Sarah Carrillo
County Counsel

Attorney Assistant
Leah Moroles

Executive Legal Assistant
Angela Handel

Deputies

Christopher Schmidt
Cody M. Nesper
Maria Sullivan

MEMORANDUM

DATE: June 22, 2021
TO: All Tuolumne County School Superintendents
FROM: Maria Sullivan, Deputy County Counsel
SUBJECT: **CHILD ABUSE INTERVIEWING PROTOCOL**

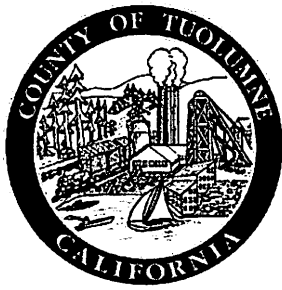
The protocol attached is being distributed to each school district, to Child Welfare Services, and to Law Enforcement. This is an up-to-date reflection of California law. Please circulate this information to your staff so that we can all work together to protect the children of Tuolumne County.

If you have any questions about this information, please feel free to contact me or your own legal counsel.

CC: Cassandra Jenecke, District Attorney
Bill Pooley, Sheriff/Coroner
Cathy Parker, Superintendent of Schools
Turu Vanderwiel, Chief of Police, Sonora
Michelle Clark, Child Welfare Services Deputy Director

If you should have any questions, please advise.

Maria Sullivan



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MEMORANDUM

DATE: June 22, 2021
TO: Tuolumne County Schools, Child Welfare Services
FROM: Maria Sullivan, Deputy County Counsel
SUBJECT: CWS School Interview Protocol

CHILD WELFARE SERVICES SCHOOL INTERVIEW PROTOCOL: **LEGAL**

Increased awareness about child abuse and its mandated reporting laws have raised the number of child abuse reports significantly. The complexity and number of California laws dealing with schools, confidentiality and interviews have also changed dramatically. Child Welfare Services protocol and procedure is taken from California’s Penal Code 11174.3, Education Code, Welfare and Institutions Code, and Evidence Code. It should be noted the following pertains only to investigations, not to dependents of the Juvenile Court.

1. A Child Welfare Services investigating social worker will contact the school to determine whether or not the child is present. If the child is present, the social worker will arrive at the school to conduct an interview. The social worker should identify him/herself to school personnel and explain the purpose of their visit. This introduction should include verification of their employment as a Child Welfare Services representative. If school policy dictates a “sign-in” or “visitor” log, all Child Welfare Services visits should be kept in a confidential book where the names of children visited are not visible to other visitors, parents or children.
2. Child Welfare Services social workers will request the child be produced for the meeting. Unfortunately, under California confidentiality laws, no information regarding the nature of the allegation or meeting may be provided to school officials.
 - a. School personnel is not permitted by law to contact the parents/guardians or child to inform them of or receive permission for the interview.
 - b. School personnel will produce the child as soon as practical. The social worker should understand it may not be appropriate for the child to leave class upon

demand. For example, the student may be involved in testing, assessment, or other special class activity making the interview more appropriate another time.

- 3. The child should be introduced to the social worker by school personnel. The child should NOT be asked if he or she would like to speak with the social worker because such a question may suggest to the child there is something wrong in doing so. If the child refuses to speak with the social worker, the child should be returned to class without further efforts to continue the interview unless the child is being placed into protective custody.**
- 4. The student should be asked by the Child Welfare Services representative in the presence of school personnel whether they are comfortable speaking alone with social worker, or if they would like to have an adult member of the school staff present in the interview.**
 - a. The purpose of the staff person's presence at the interview is solely to lend support to the child and allow him or her to be as comfortable as possible.**
 - b. The staff member may not participate in the interview.**
 - c. The staff member may not discuss the facts or circumstances of the investigation with the child before, during or after the interview.**
 - d. The staff member is subject to the confidentiality requirements of child abuse reporting laws.**
 - e. The staff member may decline the request of the child to be present at the interview.**
 - f. The child may select any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer.**
 - g. If the staff member, employee or volunteer, decline the request of the child to be present at the interview, the Site Administrator, after consultation with the child, may select another certificated or classified District employee or volunteer to be present with the child during the interview.**
- 5. The interview is to be held during school hours and not result in any costs to the school.**
- 6. If the alleged abuse occurs on the school site, the appropriate law enforcement agency shall investigate the child abuse complaint that was filed with a school or an agency against a school employee or other person that commits an act of child abuse against a pupil at a school site, and shall submit a substantiated report of that investigation to the governing board of the appropriate school district or county office of education (Penal Code §11165.14).**
- 7. For all other alleged abuse or neglect, while there is no legal mandate to allow social workers access to students on campus, there is a requirement under Education Code §33282(a)(2)(A) that the School Safety Plan shall include appropriate strategies and programs that will address the school's procedures for complying with existing laws related to child abuse reporting procedures consistent with Article 2.5 (commencing with Section 1164 of Chapter 2 of Title 1 of Part 4 of the Penal Code). Since most abuse and/or neglect occurs at the hands of parents or caregivers, schools are often the only place where a social worker can speak to a child outside of the parent or caregiver's presence.**

Thus, allowing the social worker access on campus to interview a child is sometimes the most appropriate way to prevent abuse or neglect from continuing.

8. Child Welfare Services social workers may not review the student records of the child without written parental consent or a court order, though additional concerns of school staff may be provided.

School personnel are encouraged not to discuss the purpose of the visit or the facts of the investigation with the student. Such discussions could make potential prosecution more difficult and make the school employee a potential witness in the case.

Maria Sullivan

CHILD ABUSE REPORTING

Who Must Report?

- **Mandated Reporters - Penal Code Section 11165.7**
 - **Teacher**
 - **Instructional aide**
 - **Teacher's aide or teacher's assistant employed by a public or private school**
 - **A classified employee of a public school**
 - **An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school**
 - **An administrator or employee of a public or private youth center, youth recreation program, or youth organization**
 - **An administrator, board member, or employee of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency**
 - **An employee of a county office of education or the State Department of Education whose duties bring the employee into contact with children on a regular basis**
 - **A licensee, an administrator, or an employee of a licensed community or child daycare facility**
 - **A Head Start program teacher**
 - **An employee of a childcare institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities**
 - **An employee of a school district police or security department**
 - **A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school**
 - **An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code**
 - **An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive**
 - **Any athletic coach, including, but not limited to, an assistant coach or graduate assistant coach involved in coaching, at public or private postsecondary educational institutions**

- Requirement of signed employment statement as childcare custodian acknowledging duty to report suspected child abuse
 - Childcare custodians hired on or after January 1, 1985
 - Language of statement specified by Penal Code Section 11166.5
- “The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties and no person making such a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article. An internal policy shall not direct an employee to allow the employee’s supervisor to file or process a mandated report under any circumstances.” Penal Code Section 11166(i)(1)
 - The internal procedures shall not require any employee required to make reports pursuant to this article to disclose the employee’s identity to the employer. (Penal Code Section 11166(i)(2))
 - Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9. (Penal Code Section 11166(i)(3))

What Must Be Reported?

- Sexual abuse, including sexual assault, sexual exploitation and commercial sexual exploitation - Penal Code Section 11165.1
- Neglect, severe neglect and general neglect – Penal Code Section 11165.2
- Willful harming or injuring of a child or the endangering of the person or health of a child – Penal Code Section 11165.3
- Unlawful corporal punishment or injury – Penal Code Section 11165.4
- Abuse or neglect in out-of-home care – Penal Code Section 11165.5
- Serious emotional damage (severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others) – OPTIONAL report – Penal Code Section 11166.05

When Must Reports Be Made?

- Reasonable Suspicion - Penal Code Section 11166(a)

- Personal knowledge or direct observation
 - Reasonable Suspicion - “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 or her training and experience, to suspect child abuse.”
- o Time Requirement - Penal Code Section 11166(a)
 - By telephone - immediately or as soon as practically possible
 - Written report - within 36 hours of receiving the information concerning the incident
 - o Contents of Report - Penal Code Section 11167
 - Name, business address and telephone number of mandated reporter
 - Capacity that makes person a mandated reporter
 - Information that gave rise to reasonable suspicion of child abuse or neglect
 - Source(s) of that information
 - Name of the child
 - Child’s address and present location
 - If applicable: school, grade and class
 - Name(s), address(es) and telephone number(s) of the child’s parents or guardians
 - Name, address, telephone number and other relevant personal information about the person or persons who might have abused or neglected the child

Miscellaneous Information

- o Reports of suspected child abuse are confidential - Penal Code Section 11167.5
 - Breaches of confidentiality considered a misdemeanor punishable by up to 6 months in jail or by a fine of \$500 or by both
- o Immunity from liability for reporting suspected child abuse - Penal Code Section 11172(a)
 - No mandated reporter shall be civilly or criminally liable for any required or authorized child abuse report

○ **Failure to make report of suspected child abuse is a crime**

- **“A mandated reporter who fails to report an incident of known or reasonably suspected abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine. If a mandated reporter intentionally conceals the mandated reporter’s failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.” Penal Code Section 11166(c)**

- **“Any mandated reporter who willfully fails to report abuse or neglect, or any person who impedes or inhibits a report of abuse or neglect, in violation of this article, where that abuse or neglect results in death or great bodily injury shall be punished by not more than one year in a county jail, by a fine of not more than five thousand dollars (\$5,000) or by both that fine and imprisonment.” Penal Code Section 11166.01**

THE CHILD ABUSE REPORTING LAW

P.C. 11166 REPORTER RESPONSIBILITIES

Section 11166 of the Penal Code requires any “mandated reporter,” as defined by Penal Code Section 11165.7, who, in their professional capacity or within the scope of their employment, has knowledge or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect, to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible by telephone, and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

The mandated reporter is not required to make an attempt to determine whether or not child abuse or neglect has actually occurred, but shall immediately report upon receiving any indication that such abuse may have occurred.

You are a mandated reporter. As such, you must report any instance where it is possible that the following conditions exist: Physical abuse, neglect, sexual abuse (including assault and exploitation), willful harming/injuring or endangering the health of a child, and unlawful corporal punishment. Your report must be made as soon as you observe, receive knowledge of, or have any reasonable suspicion of the possibility of the existence of child abuse or neglect. **The report must be made immediately by telephone** and may be directed either to Child Welfare Services at 533-5717 (during working hours) or 533-4357 (during non-working hours); if in the county to the Investigation Division of the Tuolumne County Sheriff’s Department at 533-5822 (during working hours) or 533-5815 (during non-working hours); or if within the City of Sonora to the Sonora Police Department at 532-8143 (during working hours). Your report must reflect the nature of the suspected abuse. No supervisor or administrator may impede or inhibit the reporting duties and no person making such a report shall be subject to any sanction for making said report.

The report of a known or suspected incidence of child abuse shall include the name of the person making the report, the name of the child, the present location of the child, the nature and extent of the injury, and any other information, including the information that led that person to suspect child abuse, requested by the child welfare agency.

A written report prior to the expiration of 36 hours pursuant to this section shall be done upon a form approved by the Department of Justice and distributed to the school district by the Tuolumne County Child Welfare Services Agency.

Failure to comply fully with the mandates of this reporting law may subject the mandated reporter to criminal liability and a penalty, which includes up to six months in the county jail or a fine of \$1,000.00.

Any legally mandated reporter would have immunity when making such a report. In the rare event a civil suit is filed against the reporter, reimbursement for fees incurred in the suit will occur up to \$50,000.00.

Patient, client, or other similar confidentiality laws do not apply in suspected child abuse cases. The statutory duty to report suspected child abuse or neglect supersedes the confidentiality privilege. However, the identity of all persons who report under this article shall be confidential and disclosed only among agencies receiving or investigating mandated reports, to the prosecutor in a criminal case, or to counsel to the parties in a resulting family law or juvenile dependency case. No agency with knowledge of the mandated reporter's identity shall disclose the identity of any person under this article to that person's employer, except with the employee's consent or by court order.

STATEMENT OF AWARENESS
P.C. 11166 REPORTER RESPONSIBILITIES

I understand that I am a legally mandated reporter. I have clarified any information listed which I did not understand, and am now aware of any reporting responsibilities and am willing to comply. I have also requested an explanation of the reporting policies within the agency and understand them as well.

Employee

Date

Witness



SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM BCIA 8572

All Penal Code (PC) references are located in Article 2.5 of the California PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://leginfo.ca.gov/faces/codes.xhtml> (specify "Penal Code" and search for sections 11164-11174.3). A mandated reporter must complete and submit form BCIA 8572 even if some of the requested information is not known. (PC section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

Mandated child abuse reporters include all those individuals and entities listed in PC section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC section 11165.9.)

III. REPORTING RESPONSIBILITIES

Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated 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. (PC section 11166(a).)

No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC section 11172(a).)

IV. INSTRUCTIONS

SECTION A – REPORTING PARTY: Enter the mandated reporter's name, title, category (from PC section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes/no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (*continued*)

SECTION B – REPORT NOTIFICATION: Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.

SECTION C – VICTIM (One Report per Victim): Enter the victim's name, birthdate or approximate age, sex, ethnicity, address, telephone number, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes/no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes/no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes/no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.

SECTION D – INVOLVED PARTIES: Enter the requested information for Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).

SECTION E – INCIDENT INFORMATION: If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

Reporting Party: After completing form BCIA 8572, retain a copy for your records and submit copies to the designated agency.

Designated Agency: *Within 36 hours* of receipt of form BCIA 8572, the initial designated agency will send a copy of the completed form to the district attorney and any additional designated agencies in compliance with PC sections 11166(j) and 11166(k).

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

NOTICE OF SUSPENSION

Date: _____ School: _____ Date of Incident: _____
TO THE PARENT/GUARDIAN OF: _____ Student ID #: _____

DOB: _____ Grade: _____ Gender: _____ Special Ed: Yes No Section 504: Yes No

Days suspended for this incident: _____ Start Date: _____ End Date: _____ Total days suspended this year: _____

Per EC 48900(s), students may be suspended or expelled for acts listed below which occur at any time, if the act is related to school activity or school attendance.

Your child is being suspended for violation of Education Code (EC) 48900:

- a.1 Caused, attempted to cause, or threatened to cause physical injury to another person.
- a.2 Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance
- d. Unlawfully offered, arranged or negotiated to sell a controlled substance, alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person an imitation.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school or private property.
- g. Stolen or attempted to steal school or private property.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.
- k. Disrupted school activities or otherwise willfully defied the valid authority of school personnel.
- l. Knowingly received stolen school or private property.
- m. Possessed an imitation firearm.
- n. Committed or attempted to commit a sexual assault or sexual battery.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in, hazing.
- r. Engaged in an act of bullying.
- 48900.2 Committed sexual harassment (Grades 4-12 only).
- 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence (Grades 4-12 only).
- 48900.4 Intentionally harassed, threatened, or intimidated, creating a hostile educational environment (Grades 4-12 only).
- 48900.7 Made terroristic threats against school officials and/or school property.

EC 48915(a)(1) requires a recommendation for expulsion for the following act committed by your child unless expulsion is found to be inappropriate due to the circumstances:

- A. Causing serious physical injury to another person, except in self-defense.
- B. Possession of a knife or other dangerous object.
- C. Unlawful possession of any controlled substance.
- D. Robbery or extortion.
- E. Assault or battery upon a school employee.

EC 48915(c) requires mandatory suspension and a recommendation for expulsion for the following act committed by your child:

- 1. Possessing, selling or otherwise furnishing a firearm.
- 2. Brandishing a knife at another person.
- 3. Unlawfully selling a controlled substance.
- 4. Committing or attempting to commit a sexual assault or sexual battery.
- 5. Possession of an explosive.

Narrative of the incident/supporting information: _____

Note: During this period of suspension, your child is not to come on or near any school campus, nor attend any school or district sponsored event or activity. Failure to adhere to this regulation will result in additional disciplinary action. It is a violation of the suspension terms to loiter on public streets without adult supervision during regular school hours. Supervision of the student during the suspension is the responsibility of the student's parent/guardian.

An informal conference was held with the student prior to the suspension: Yes No
Student was informed of the reason for suspension and was given opportunity to provide an explanation: Yes No

Parent notification by: _____ Phone Letter Conference Reasonable effort _____

Signature of Administrator/Designee: _____ Title: _____

NOTIFICACIÓN DE SUSPENSION

Fecha: _____ Escuela: _____ Fecha del Incidente: _____

AL PADRE/TUTOR DE: _____ ID # del Estudiante: _____

Fecha de Nacimiento: _____ Grado: _____ Sexo: _____ Educación Especial: Sí No Sección 504: Sí No

Días suspendido por este incidente: _____ Fecha empezando: _____ terminando: _____ Días en total suspendido este año: _____

Según CE 48900(s), los alumnos pueden ser suspendidos o expulsados en cualquier momento por los actos descrito abajo si el acto está relacionado con una actividad escolar o la asistencia a la escuela.

Su hijo está suspendido por violación del Código Educativo (CE) 48900:

- a.1 Causó, intentó causar, o amenazó con causar daño físico a otra persona.
- a.2 Uso premeditado de fuerza o violencia a una persona, excepto en defensa propia.
- b. Poseyó, vendió o de otra manera equipó con cualquier arma de fuego, cuchillo, explosivo u otros objetos peligrosos.
- c. Poseyó, usó, vendió, o de otra manera suministró ilegalmente o estaba drogado con, una sustancia controlada.
- d. Ofreció ilegalmente, arregló o negoció vender una sustancia controlada, bebida alcohólica, o cualquier tipo de estupefaciente, y después vendió, proporcionó, o de otra manera suministró a otra persona una imitación.
- e. Cometió o intentó cometer robo o extorsión.
- f. Causó o intentó causar daño a la escuela o a propiedad privada.
- g. Robó o intentó robar propiedad de la escuela o propiedad privada.
- h. Poseyó o usó tabaco, o productos que contiene productos de tabaco o nicotina.
- i. Cometió un acto obsceno o estuvo involucrado en actos habituales de profanidad o vulgaridad.
- j. Poseyó ilegalmente u ofreció ilegalmente, arregló, o negoció vender bienes parafernales.
- k. Interrumpió las actividades escolares o de otra manera desafió tercaamente la autoridad válida del personal escolar.
- l. Recibió a sabiendas propiedad robada de la escuela o propiedad privada.
- m. Poseyó una arma de fuego de imitación.
- n. Cometió o intentó cometer un asalto sexual o agresión sexual.
- o. Acosó, amenazó o intimidó a un alumno que es testigo en un procedimiento disciplinario.
- p. Ofreció, arregló vender, negoció vender, o vendió ilegalmente la droga Soma.
- q. Tomó parte en, o intentó tomar parte en novatadas.
- r. Tomó parte en un acto de hostigamiento.
- 48900.2 Cometió acoso sexual (Solo grados 4-12).
- 48900.3 Causó, intentó causar, amenazó con causar, o participó en un acto de violencia por odio (Solo grados 4-12).
- 48900.4 Tomó parte adrede en acoso, amenaza o intimidación, creando un ambiente educativo hostil (Solo grados 4-12).
- 48900.7 Hizo amenaza terrorista contra los oficiales escolares y/o la propiedad de la escuela.

CE 48915(a)(1) obliga la recomendación para la expulsión por la siguiente violación cometido por su hijo, a menos que se encuentre que la expulsión es poco apropiada debido a una circunstancia particular:

- A. Causar herida física grave a otra persona, excepto en defensa propia.
- B. Posesión de cualquier cuchillo u otro objeto peligroso.
- C. Posesión ilegal de cualquier sustancia controlada.
- D. Robo o extorsión.
- E. Asalto o agresión contra un empleado de la escuela.

CE 48915(c) obliga la suspensión y recomendación para la expulsión por la siguiente violación cometido por su hijo:

- 1. El poseer, vender, o de otra manera equipar con un arma de fuego.
- 2. Blandir un cuchillo a otra persona.
- 3. Vender ilegalmente una sustancia controlada.
- 4. Cometer o intentar cometer un asalto o agresión sexual.
- 5. Posesión de un explosivo.

Narrativa del Incidente/Información de Apoyo: _____

Aviso: Durante este período de suspensión su hijo no podrá estar en o acercarse a ningún plantel ni podrá asistir a ninguna actividad auspiciada por el distrito o la escuela. Falta de adhesión a este reglamento puede resultar en acción disciplinaria adicional. Es una violación de las condiciones de la suspensión perder el tiempo en las calles públicas sin supervisión de un adulto durante las horas de escuela. La supervisión del estudiante durante la suspensión es la responsabilidad del padre/tutor del estudiante.

Tuvo una conferencia informal con el alumno antes de asignar la suspensión: Sí No

El alumno fue avisado de la razón para la suspensión y tenía la oportunidad de proveer una explicación: Sí No

Padre notificado por: _____ Teléfono Carta Conferencia Esfuerzos razonables _____

Firma del Administrador/Designado: _____ Puesto: _____

Forms for the Comprehensive School Threat Assessment Guidelines

What is the purpose of these forms?

These forms are used to conduct a threat assessment, as explained in the manual, *Comprehensive School Threat Assessment Guidelines: Intervention and Support to Prevent Violence*¹, or other training resources.

Do I conduct a threat assessment for all threats?

No. It is not feasible or necessary to conduct a formal assessment for clearly insignificant behavior such as playful bantering or joking. Conduct a threat assessment if there is some reason to be concerned about the behavior. When in doubt about a threat, conduct a threat assessment.

Do I use all of these forms for every threat assessment case?

No. Transient cases are documented with only a few pages (Threat Report, Interview(s), Key Observations, Threat Response), whereas only very serious substantive threats are likely to use all of the forms. In large samples, approximately 75% of cases are transient and fewer than 10% are very serious substantive threats.

Do I complete every section of each form?

No. These forms are intended as guidelines to help you consider the most likely aspects of a case, but you will use your judgment as to what is appropriate for your assessment and intervention.

Who completes the forms?

Threat assessment is a team process and can be documented by any member of the team. A transient threat might be handled by just one team member (preferably in consultation with at least one other team member), whereas a substantive threat will likely engage several team members.

Can I modify these forms?

Yes, within reasonable limits that do not significantly alter the CSTAG process. Be sure that changes are approved by your school system. Some school systems will modify the terminology (e.g., ‘safety screening’ versus ‘mental health assessment’) or make other adjustments. For example, some schools systems add a place to document who carries out each step of the assessment or add a form to track changes when a student receives ongoing services. Schools can use online versions of these forms, too.

If a threat is resolved, do I change the threat classification to “no threat”?

No. The threat classification reflects your initial assessment and guides your next steps, regardless of how the threat is resolved. Occasionally, the threat classification might change if you find, for example, that a transient case is more serious than you thought and should be changed to a substantive threat. The resolution of a threat should be recorded in the Case Plan section.

Should I document transient threats?

Yes. If a student later carries out a threat that was previously judged to be transient, you will want documentation to show that you made a defensible effort to assess the threat. If a student makes multiple threats, documentation will provide a useful perspective.

Where should I file these forms?

Follow the guidance of your school system to determine where you file records. Some school systems choose to file some or all of the threat assessment forms in the student’s educational record and others choose to file some or all of the forms outside of the educational record. Any information placed in the student’s educational record is subject to FERPA restrictions.

¹ The manual is available from School Threat Assessment Consultants LLC at <https://www.schoolta.com/manual> and from Amazon.com.

THREAT ASSESSMENT AND RESPONSE PROTOCOL®

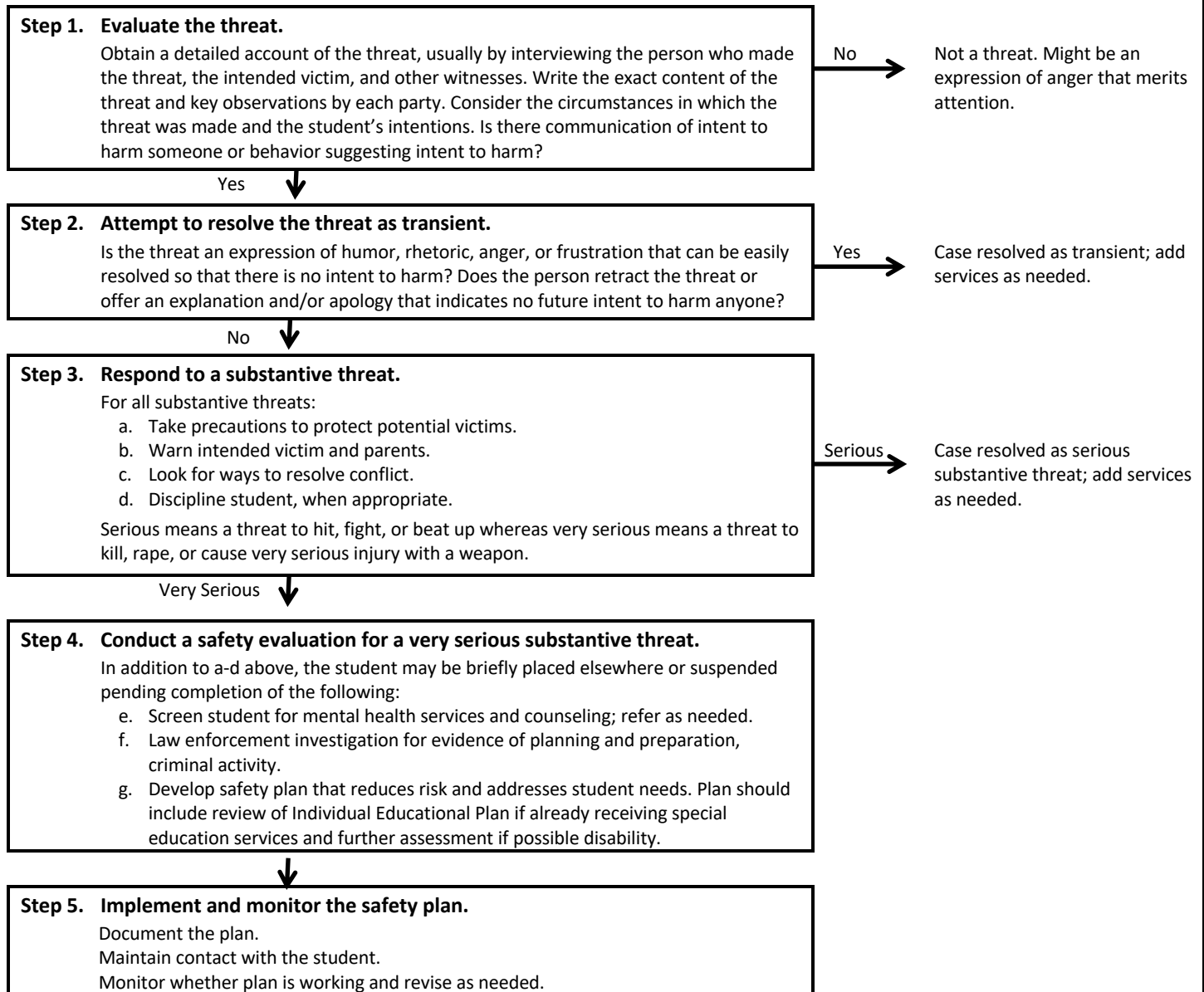
Comprehensive School Threat Assessment Guidelines

OVERVIEW

A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act. When in doubt, treat the communication or behavior as a threat and conduct a threat assessment. Threats that are not easily recognized as harmless (e.g., an obvious joke that worries no one) should be reported to the school administrator or other team members. The administrator or another team member makes a preliminary determination of the seriousness of the threat. The student, targets of the threat, and other witnesses should be interviewed to obtain information using this protocol. A *transient* threat means there is no sustained intent to harm and a *substantive* threat means the intent is present (or not clear) and therefore requires protective action. This form is a guide for conducting a threat assessment, but each case may have unique features that require some modification.

A threat assessment is not a crisis response. If there is indication that violence is imminent (e.g., person has a firearm at school or is on the way to school to attack someone), a crisis response is appropriate. Take immediate action such as calling 911 and follow the school crisis response plan.

School Threat Assessment Decision Tree*



*This 5-step decision tree is a revision of the original 7-step decision tree for the Virginia Student Threat Assessment Guidelines that retains the same information and procedures in a more condensed format.

THREAT REPORT

A threat is an expression of intent to harm someone that may be spoken, written, gestured, or communicated in some other form, such as via text message or email. Threats may be explicit or implied, directed at the intended target or communicated to a third party. Behavior that suggests a threat such as weapon carrying, fighting, or menacing actions should be investigated to determine whether a threat is present.

The process is designed for assessment of threats to harm others and is not intended for individuals who have only threatened to harm themselves. Only a small percentage of cases require both threat assessment and suicide assessment, and in those cases, the team should supplement this form with their choice of a standard suicide assessment protocol.

Name of person reporting threat:	Date/time threat reported:
Affiliation of person reporting threat: <input type="checkbox"/> Student <input type="checkbox"/> Parent <input type="checkbox"/> Staff <input type="checkbox"/> Other:	
Name of person receiving the report:	

INCIDENT or BEHAVIOR OF CONCERN

Name of person making threat:	Date/time threat made:
Affiliation of person making threat: <input type="checkbox"/> Student <input type="checkbox"/> Parent <input type="checkbox"/> Staff <input type="checkbox"/> Other_____	Status: <input type="checkbox"/> Current <input type="checkbox"/> Former
Identification: <input type="checkbox"/> Male <input type="checkbox"/> Female Age: Grade, if student: School program, if student:	
Emergency Contact:	Relationship:
Home Address:	Phone:
Location threat occurred: <input type="checkbox"/> School Building or Grounds <input type="checkbox"/> School Bus/Other Travel <input type="checkbox"/> School-Sponsored Activity <input type="checkbox"/> Digital communication such as text or post <input type="checkbox"/> Other_____	
Summary of the incident or threat. What was reported? Include who said or did what to whom. Who else was present?	

ASSESSMENT FINDINGS (All sources are not needed in most cases.)

Sources of Information	Was information reviewed?	Relevant Findings (use additional pages as needed)
Prior threats	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Prior discipline incidents	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Academic records	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Special education records	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Other records	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Records from other schools	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Records from outside agencies (e.g., social services or mental health)	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Law enforcement records (criminal history, contacts, firearms purchases, etc.)	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	
Employment records (grievances, disciplinary actions, Title IX, etc.)	<input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable <input type="checkbox"/> Not available	

INTERVIEWS

When a threat is identified, obtain a specific account of the threat by interviewing the student or other person who made the threat, if appropriate to the circumstances. Interview the intended victims, and other witnesses. Write the exact content of the threat and statements by each party. Consider the circumstances in which the threat was made and the threatening individual's intentions.

Subject: Person who made threat or engaged in threatening behavior

Subject Name		Refer to prior page for additional identifying information.
Person(s) Conducting Interview		Location, Date of Interview

Use these questions as a guide to interview the person making the threat. Ask other questions as appropriate. Try to use open-ended questions rather than leading questions. Adjust spacing below as needed.

1. Do you know why I want to talk to you? What happened today when you were [place of incident]? (Record person's exact words with quotation marks for key statements if possible.)

2. What exactly did you say? And what exactly did you do?

3. What did you mean when you said or did that?

4. How do you think [person who was threatened] feels about what you said or did? (Probe to see if the subject believes it frightened or intimidated the person.)

5. What was the reason you said or did that? (Probe to find out if there is a prior conflict or history to this threat.)

6. What are you going to do now? (Ask questions to determine if the subject intends to carry out the threat.)

Target (person who was target of threat) Or **Witness** (person with relevant information)

If more than one, complete additional forms. If a group targeted, describe how subject identified the group (e.g., "everyone on this bus") and list all individuals.

Target Name		ID #	
Affiliation	<input type="checkbox"/> Administrator <input type="checkbox"/> Teacher <input type="checkbox"/> Staff <input type="checkbox"/> Student <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Other:	Status	<input type="checkbox"/> Current <input type="checkbox"/> Former Grade (if student):
School		Building/Program	
Emergency Contact		Relation	
Home Address		Phone	
Person(s) Conducting Interview		Location, Date of Interview	

Use these questions as a guide to interview the person targeted by the threat. Ask other questions as appropriate. Try to use open-ended questions rather than leading questions. If target is a minor, record parent under emergency contact. Adjust spacing below as needed.

1. Do you know why I want to talk to you? What happened today when you were [place of incident]? (Record person's exact words with quotation marks for key statements if possible.)
2. What exactly did (subject) say? And what exactly did (subject) do?
3. What did you think he or she meant when he or she said or did that? (Does target believe that subject intends to carry out the threat?)
4. How do you feel about what (subject) said or did?
5. What was the reason (subject) said or did that? (Probe to find out if there is a prior conflict or history to this threat.)
6. What are you going to do now? (Ask questions to determine how target plans to respond to the threat and assist in planning a safe and non-provocative response.) What do you think he/she will do now?

KEY OBSERVATIONS

These items can help assess whether a threat is transient or substantive, but must be considered in the broader context of the situation and other known facts. Regard these items as a checklist to make sure you have considered these aspects of the threat, but they are not to be summed or used as a score.

Threat is likely to be less serious:

1. Subject admits to threat (statement or behavior).	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
2. Subject has explanation for threat as benign (such as joke or figure of speech).	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
3. Subject admits feeling angry toward target at time of threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
4. Subject retracts threat or denies intent to harm.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
5. Subject apologetic or willing to make amends for threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
6. Subject willing to resolve threat through conflict resolution or some other means.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available

Threat is likely to be more serious:

7. Subject continues to feel angry toward target.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
8. Subject expressed threat on more than one occasion.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
9. Subject has specific plan for carrying out the threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
10. Subject engaged in preparation for carrying out the threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
11. Subject has prior conflict with target or other motive.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
12. Subject is suicidal. (Supplement with suicide assessment.)	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
13. Threat involved use of a weapon other than a firearm, such as a knife or club.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
14. Threat involves use of a firearm.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
15. Subject has possession of, or ready access to, a firearm.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
16. Subject has or sought accomplices or audience for carrying out threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
17. Threat involves gang conflict.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available
18. Threat involves peers or others who have encouraged subject in making threat.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available

Other relevant observations

THREAT CLASSIFICATION

Date of initial classification:	<input type="checkbox"/> Not a threat	<input type="checkbox"/> Transient	<input type="checkbox"/> Serious Substantive	<input type="checkbox"/> Very Serious Substantive
Date of change in classification, if any:	<input type="checkbox"/> Not a threat	<input type="checkbox"/> Transient	<input type="checkbox"/> Serious Substantive	<input type="checkbox"/> Very Serious Substantive

Reason for change:

OBSERVATIONS SUGGESTING NEED FOR INTERVENTION

This is an optional form used as needed for intervention planning. Here are some factors to consider in identifying possible interventions to assist the subject and reduce risk. These items are not summed or scored. Use the term "partially" as appropriate to the category to mean the condition is moderate or not clearly present.

1. History of physical violence.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
2. History of criminal acts.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
3. Preoccupation with violence, violent individuals, or groups that advocate violence.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
4. Preoccupation with mass shootings or infamous violent incidents.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
5. History of intense anger or resentment.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
6. Has grievance or feels treated unfairly.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
7. Feels abused, harassed, or bullied.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
8. History of self-injury or suicide ideation or attempts.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
9. Has been seriously depressed.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
10. Experienced serious stressful events or conditions.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
11. Substance abuse history.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
12. History of serious mental illness (symptoms such as delusions or hallucinations).	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
13. Might or does qualify for special education services due to serious emotional/behavioral disturbance.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
14. Prescribed psychotropic medication.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
15. Substantial decline in level of academic or psychosocial adjustment.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
16. Lacks positive relationships with one or more school staff.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
17. Lacks supportive family.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
18. Lacks positive relationships with peers.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	
19. Other factors that suggest need for intervention.	<input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Don't know/Not available	

THREAT RESPONSE

Use additional pages as needed. This is a list of common actions taken in response to a threat. Each case may require a unique set of actions. Add date and signature of person taking action if appropriate. Note if action was recommended but for some reason not completed (e.g., parent refusal).

<input type="checkbox"/>	1. Increased contact/monitoring of subject	
<input type="checkbox"/>	2. Reprimand or warning	
<input type="checkbox"/>	3. Parent conference	
<input type="checkbox"/>	4. Student apology	
<input type="checkbox"/>	5. Contacted target of threat, including parent if target is a minor	
<input type="checkbox"/>	6. Counseling (note number of meetings)	
<input type="checkbox"/>	7. Conflict mediation	
<input type="checkbox"/>	8. Schedule change	
<input type="checkbox"/>	9. Transportation change	
<input type="checkbox"/>	10. Mental health assessment	
<input type="checkbox"/>	11. Mental health services in school	
<input type="checkbox"/>	12. Mental health services outside school	
<input type="checkbox"/>	13. Assess need for special education services	
<input type="checkbox"/>	14. Review of Individualized Education Program (IEP) for students already receiving services	
<input type="checkbox"/>	15. 504 plan or modification of 504 plan.	
<input type="checkbox"/>	16. Behavior Support Plan created or modified	
<input type="checkbox"/>	17. In-school time out or suspension	
<input type="checkbox"/>	18. Out-of-school suspension (number days)	
<input type="checkbox"/>	19. Referral for expulsion	
<input type="checkbox"/>	20. Other disciplinary action	
<input type="checkbox"/>	21. Change in school placement (e.g., transfer, homebound instruction)	
<input type="checkbox"/>	22. Services for other persons affected by threat	
<input type="checkbox"/>	23. Law enforcement consulted	
<input type="checkbox"/>	24. Legal actions (e.g., arrest, detentions, charges)	
<input type="checkbox"/>	25. Other actions	

CASE PLAN

This section can be used to describe the plan for any case and should be completed as Step 5 in cases of a very serious substantive threat.

Case Resolution or Safety Plan

Date

Describe how case was resolved, including any plan for further actions. List persons responsible for each component of plan.

Follow-up or Revision of Plan

Date

Describe current status of plan and any revisions. List persons responsible for each component of revised plan.

Threat Outcome Summary

This information documents outcomes for case review and evaluation purposes. Complete this form after the threat assessment and update at end of school year.

Demographics of person making threat Male Female Other _____ **Age** _____

Race American Indian/Alaska Native Asian Black/African American Nat Hawaiian/Pac Islander White Other Race

Hispanic or Latinx Yes No

If a student: Grade preK K 1 2 3 4 5 6 7 8 9 10 11 12 NA

Individual Educational Program (IEP) at time of threat Yes No **Section 504 Plan at time of threat** Yes No

Eligible for Free/Reduced Price Meals Yes No

Person(s) threatened one person threatened more than one person threatened

Who threatened (check all that apply) student teacher school staff member other

Threat classification Transient Serious Substantive Very Serious Substantive

Threat outcome Threat not attempted Threat attempted but averted (no one assaulted) Threat carried out (someone assaulted)

Most serious injury to person(s) threatened (only answer when threat carried out):

assault with no injury minor injury (bruise, bloody nose) serious injury (e.g., broken bone, hospitalization)

Social-Behavioral Outcomes

Student apologized for threat

Student participated in some form of conflict resolution or mediation

Student participated in counseling or mental health services (beyond conflict resolution or mediation)

Consequences for person making threat (partial list; check all that apply)

Referral for counseling, conflict resolution, or mental health services

In-school suspension for ___ days

Out-of-school suspension for ___ days

Transfer to a different school

In-home instruction, including online program

Expulsion

Arrest by law enforcement Incarceration (e.g., juvenile detention or jail) Charges in juvenile or adult court

Follow-up (completed at end of school year after the year of the threat assessment)

Have any of the following occurred? Check all that apply:

Student has received counseling or mental health services during this year

Student has received special education services during this year

Student has received educational support services (other than SPED) during this year

Student has some other support services during this year (Describe briefly) _____

Student has received a threat assessment for a new threat or incident this year

End of year behavior status

Student has received a threat assessment for a new threat or incident this year

Student engaged in some kind of violent behavior toward others (e.g., a fight)

assault no injury minor injury (bruise, bloody nose) serious injury (e.g., broken bone, hospitalization)

Student has received disciplinary consequences for a new incident/infraction this year

In-school suspension for ___ days

Out-of-school suspension for ___ days

Other removal from school such as transfer to a different school or in-home instruction

Expulsion

Arrest by law enforcement Incarceration (e.g., juvenile detention or jail)

Charges in juvenile or adult court

End of year academic status

Student graduated

Student completed grade and advanced to next grade

Student moved out of attendance zone and has left this school (Any known reasons) _____

Student dropped out of school

Student failed one or more courses

Student failed one or more state achievement tests

MENTAL HEALTH ASSESSMENT/SAFETY PLANNING INTERVIEW

Comprehensive School Threat Assessment Guidelines[®]

A mental health assessment is usually conducted in cases involving a very serious substantive threat. The purpose of the mental health assessment is to maintain the safety and well-being of the student and others. Therefore, the assessment has two objectives:

1. *Treatment and referral needs.* Assess the student's present mental state and determine whether there are urgent mental health needs that require attention, such as risk of suicide, psychosis, or rage. Beyond these immediate needs, consider whether there are other treatment, referral, or support needs.
2. *Threat reduction.* Gather information on the student's motives and intentions in making the threat in order to understand why the threat was made and identify relevant strategies or interventions that have the potential to reduce the risk of violence.

Subject Interview (Person who made threat or engaged in threatening behavior)

Subject Name		See records and additional information obtained by threat assessment team to supplement this assessment.
Person(s) Conducting Interview		Location, Date of Interview

Usually the interview can begin by asking "Do you know why I want to talk to you?" and after the subject has responded, "Let me explain the purpose of our meeting today." Use these questions as a guide to interview the person making the threat. Ask other questions as appropriate. Try to use open-ended questions rather than leading questions. Adjust spacing below as needed.

Review of threat

1. What happened that made others worried that you wanted to harm someone? What exactly did you say or do that made them worried? What did you mean by that?
2. I know you must have had reasons to say (or do) that; can you explain what led up to it?
3. How would you do it? (carry out the threat) (Probe for details of any planning or preparation.) Where did the idea come from?
4. What could happen that would make you want to do it? (carry out the threat)
5. What would happen if you did do it? (review both effects on intended victims and consequences for student)
6. What do you think the school should do in a situation in which a person makes a threat like this?
7. What were you feeling then? How do you feel now?
8. How do you think (the person threatened) felt?

Relationship with intended victim(s)

1. How long have you known this person?
2. What has happened in the past between you and this person?
3. What do you think this person deserves?
4. Do you see any way that things could be improved between you and this person?

Family support

1. Whom do you live with? Are there family members you don't live with? Have there been any changes in the past year?
2. Whom in your home are you close to?
3. How well do your parents/guardians know you?
4. Where do you go after school? Where are your parents/guardians at this time? How much do they keep track of where you are or what you are doing?
5. How strict are your parents/guardians? What do they do if you do something they don't want you to do? When was the last time you got in trouble with them? What was the worst time?
6. How will your parents/guardians react (or how did they react) when they found out about this situation?

Stress and trauma

1. What kinds of things have been going on with you lately? What sorts of things have you worried about?
2. How has your school work been going lately? Are there things you have been worried about with your school work? Other things at school?
3. What is the worst thing that has happened to you lately? Have any other bad things happened? Is there something you regret or wish you could change?
4. Have there been any changes in your family? Has anyone been sick, moved away, or had anything bad happen to them?
5. Do you have any family members in jail or prison?
6. Do you take any medication?
7. Have you been involved in any counseling?

Mood

1. What has your mood been like the past few weeks? Have you felt down or depressed at times? How bad has it been? (Be alert for statements of pessimism and hopelessness that might indicate suicide risk. If there are indications of suicidal thoughts or feelings, there should be a more extensive evaluation of suicide risk. If necessary, develop a plan for protecting the student and making appropriate referrals.)

2. Have you felt nervous or anxious? Irritable or short-tempered? How bad has it been?

3. Have you ever felt like life wasn't worth living? Like maybe you would kill yourself?

4. Have you ever done something to hurt yourself on purpose? Ever cut yourself on purpose?

5. Have you had any problems with your sleep? Appetite? Energy level? Concentration?

6. Have you been taking any medication to help with your mood or for any other reason?

Psychotic symptoms

Ask a few probe questions and follow up if there is any indication of delusions or hallucinations. Phrase questions appropriate to student's age and understanding.

1. Have you had any unusual experiences lately, such as hearing things that others cannot hear or seeing things that others cannot see?

2. Have you felt like someone was out to get you or wanted to harm you? Have you had any other fears that seem strange or out of the ordinary?

3. Do you have any abilities or powers that others do not have, such as ESP or reading minds?

4. Have you felt numb or disconnected from the world, or like you were somehow outside your body?

Note and inquire about any other symptoms of mental disorder.

Weapons

Ask about any weapons mentioned in the threat. As an example, these questions concern a threat made to stab someone.

1. You said that you were going to stab (name of victim). What were you going to stab him with?
2. Do you have a knife? What kind of a knife is it? (Or, how would you get a knife?)
3. Have you ever had to use a knife with someone? What happened?
4. What do you think would happen if you did use a knife with (name of victim)?

Access to firearms

Ask about firearms in all cases, even if no firearm was mentioned. If the threat involved a knife, bomb, or other weapon, ask about that weapon, too.

1. Do you have a gun?
2. Are there guns in your home? Have you ever used a gun for hunting or target shooting?
3. If you wanted a gun, how would you get one?
4. What do you think you might do if you had a gun?
5. Have you ever had to use a gun with someone? Have you ever thought about using a gun with someone?

Aggressive behavior

1. Do people treat you fairly? Who has been unfair with you lately? When people treat you unfairly, what do you do about it?
2. When you get angry, what do you do? Has your temper ever gotten you into trouble?
3. Do you get into fights? When was the last time? What happened?
4. Have you ever threatened to harm anyone before?
5. Have you thought about what it would be like to hurt someone really bad? Have you written any stories or made any drawings that are violent?
6. Have you ever set fire to things?
7. Have you damaged your own property or someone else's property?
8. Have you ever intentionally hurt an animal?

School discipline

1. When was the last time you got into trouble in school? What happened?
2. Have you ever been suspended or expelled?
3. Have your parents ever been called to school because of your behavior?
4. Do you ever cut school or certain classes?
5. Do you feel that the rules at this school are fair? What has been unfair?

Delinquent behavior

1. Have you been in trouble with the law or with police before? What happened?
2. Have you ever gone to juvenile court? What was it about?
3. Have you done things that could have gotten you arrested or in trouble with the law? What was the worst thing? What else?
4. Do you drink beer, wine, or other alcohol? Have you ever? How often do you drink? When was the last time? Tell me about it.
5. Do you smoke marijuana? Have you ever? How often? When was the last time?
6. Have you used any other drugs? How often? When was the last time? Tell me about it.

Exposure to violence

1. Do you see or hear of violence in your neighborhood?
2. Do you know anyone who was shot, stabbed, or beat up real bad?
3. Do people argue much at home? Does anyone get physically aggressive?
4. What kind of movies do like? What kind of video games do you enjoy playing? What are your favorite Internet sites?
5. Ask the student about his/her reactions to any recent acts of violence or to any highly publicized school shootings.

Bullying

Bullying is broadly defined and may include teasing, social exclusion, or other forms of humiliation in addition to physical threats of violence. The student may not use the term "bully," and may be reluctant to admit being the victim of bullying behavior, so be prepared to rephrase questions and probe for victim experiences.

1. Is there anyone who has threatened you recently? Is there anyone who makes you feel afraid? (Ask about sexual threats if appropriate to situation.)
2. Is there anyone who has teased you or picked on you recently? Is there anyone who has beat you up or pushed you around? How about at home?

In response to any positive answer, follow up for more information: How often does it happen? What have you tried to do about it? Did you let any adult know about this, and if so, what happened? Be alert to statements indicating that a bullied student feels like there is no solution to the problem or is contemplating revenge.

Peer relations

1. What are your friends like? Have you had any trouble with your friends lately? Who is your best friend?
2. How would your friends describe you?
3. Do you have a boyfriend/girlfriend? (Keep in mind that the student might not be heterosexual, and there may be concerns in this area.) How are things going with him/her? Did you have one before? What happened in that relationship?
4. Do you have friends who get in trouble?
5. Have you ever joined a gang? Been part of a group like a crew, clique, posse, or mob?
6. Do any of your friends know about (refer to threat situation?) What did they say about it? Anyone who feels the same way you do?

Coping

1. How do you like to spend your free time?
2. What kinds of things do you do well?
3. What are your hobbies and interests? What do you enjoy doing?
4. Can you think of a problem you faced in the past that worked out okay? Can you think of a problem that you solved? Can you think of a time when you went to someone about a problem and that person was able to solve it?
5. What are your plans for the future? What would you like to do when you finish school?
6. What could we do that would help with (refer to the problem that led to the threat)?

Parent/Guardian Interview

Parent Name		Relationship to Student
Person(s) Conducting Interview		Location, Date of Interview

Understandably, parents may feel apprehensive, guilty, or defensive when being interviewed about their child's behavior. It is important that the interviewer find ways to convey respect for the parent, starting from the initial contact and throughout the interview. Also, it should be evident that the interviewer is interested in understanding and helping the parent's child; otherwise, the parent may regard the interview as an investigation designed to uncover evidence of wrongdoing by the student or incompetence by the parent. Overall, the interviewer should make every effort to engage the parent as an ally. Emphasize the common goal of helping their child to be safe and successful in school.

Parent knowledge of the threat

1. What do you (the parent) know about the threat?
2. Have you heard your child (or use child's name) talk about things like this before?
3. Are you familiar with (the intended victim)? (Ask about the child's history with the intended victim—previous relationship and interactions.)
4. (Ask questions to determine if the child has the means to carry out the threat, such as access to firearms.)
5. What are you planning to do about the threat? (Is the parent willing to work with the school to develop a plan to assure the threat will not be carried out and that the student's needs are addressed?)

School adjustment

1. Has your child ever been suspended or expelled from school?
2. Have you ever met with the school (teacher, counselor, principal) about concerns in the past? What happened, what was going on, what was the outcome?
3. Has your child ever needed special help in school? Ever been retained?
4. Has your child ever been tested in school?
5. How does your child like school?
6. How often does your child do homework?
7. What are your child's teachers like?

Family relationships and current stressors

1. Who lives in the home?

2. Are there any important events that have affected your family/child? Ask about any recent or pending changes, such as:
 - Move, divorce/separation, losses
 - Financial status, employment changes for parents
 - Others in home involved with court or the law

3. Who does your child share concerns with? Who is he/she close to?

4. How well does he/she get along with parents? Siblings? Type of conflicts, over what, how resolved?

5. How does your child show anger toward you and other family members?

6. What does your child do after school? Who supervises? What time is your child supposed to be home at night?

7. What responsibilities does your child have at home?

8. Does your child follow rules? What are the consequences for not following the rules?

Peer relations and bullying

1. Has your child reported being teased, intimidated, rejected, or bullied in some other way? (If so, what has the parent done in response?)

2. Who are your child's friends? Are you pleased or displeased with your child's choice of friends?

3. How much is the child influenced by peers? Are there any examples of your child doing something to please peers that got him or her into trouble?

Delinquent behavior

1. Has your child been in trouble with the law or with police before? What happened?
2. Has your child ever gone to juvenile court? What was it about?
3. Has your child done things that could have gotten him or her arrested or in trouble with the law? What was the worst thing? What else?
4. Does your child drink beer, wine, or other alcohol?
5. Does your child smoke marijuana?
6. Has your child used any other drugs?

History of aggression

1. How does your child handle frustration?
2. When your child gets angry, what does he/she do?
3. Has your child gotten into fights in the past? When, where, with whom?
4. Has your child's temper ever gotten him/her into trouble?
5. Has your child ever hit you or other family members?
6. Has your child destroyed his or her own things, or someone else's property?
7. Does your child have any pets? Has he/she ever intentionally hurt the pet or some other animal?

Access to weapons

1. Do you have a gun in your home? Does your child have access to firearms through friends, relatives, or some other source?
2. Does your child have access to weapons other than firearms, such as military knives, martial arts weapons or some other kind of weapon?
3. Has your child ever talked about using a weapon to hurt someone? Ever gotten into trouble for using a weapon, carrying a weapon, or threatening someone with a weapon?
4. What can you do to restrict your child's access to weapons?

Exposure to violence

1. Has your child ever been a victim of abuse?
2. Is your child exposed to violence in the neighborhood?
3. Do people argue much at home? Has there been any physical aggression at home?
4. What kinds of movies, video games, internet sites does your child like? Any parent restrictions? Level of supervision? Child's response?

History

1. Ask about any delays in cognitive, motor, language development. How old was your child when he/she started to walk, talk?
2. Has your child ever had a problem with bedwetting? When, how long? Was anything done for this?
3. Has your child ever been hospitalized? Had any serious illnesses?
4. Has your child had any recent medical treatment? Taking any medications? Obtain diagnoses and medications. Ask for a release.

Mental health

1. Does your child have problems paying attention? Does your child follow directions without repetition and reminders? Does your child complete activities on his/her own? Does your child say things without thinking? Surprised by the consequences of his/her actions?
2. What has your child's mood been like the past few weeks?
3. Has your child been unusually nervous or anxious? Irritable or short-tempered? How bad has it been?
4. Has your child had problems with sleep? Appetite? Energy level? Concentration?
5. Has your child ever talked about hurting himself or herself? Have you ever been concerned that he/she might be suicidal?
6. Have there been any times when your child seemed to be hearing things that weren't there? Has he/she said things that didn't make sense or seemed to believe in things that weren't real?
7. Has your child ever seen a counselor or therapist? Ever taken medication for his/her behavior or mood?
8. Has your child had any involvement with other agencies/programs in the community?

Teacher/Staff Interview

Name of Person Interviewed		Relationship to Student
Person(s) Conducting Interview		Location, Date of Interview

Academics

1. How is this student doing academically? Has there been any change in recent weeks?
2. What are this student's verbal skills? How well can he or she express himself/herself in words?
3. Has this student been considered for special education or placed in special education? What kinds of difficulties does the student have? If a student is receiving special education services, ask about the problem behaviors that are regarded as part of his or her disability.

Teacher knowledge of the threat

1. What do you know about the threat?
2. Have you heard this student talk about things like this before?
3. What have other students told you about this incident?
4. Is there another teacher or staff member who might know something about this?

Student's peer relations

1. How well does this student get along with other students?
2. Who are the student's friends?
3. Are there students who do not get along with this student?
4. Have there been other conflicts or difficulties with peers?
5. Has this student ever complained of being bullied, teased, or treated unfairly by others?

Depression

1. Have there been any apparent changes in the student's mood, demeanor, or activity level? Seemed withdrawn or apathetic?
2. Has the student expressed any attitudes that could imply depression, such as expressions of hopelessness or futility, inadequacy or shame, self-criticism or worthlessness?
3. Has this student shown an increase in irritability or seemed short-tempered?

Discipline

1. What kinds of discipline problems have you experienced with this student?
2. How does this student respond to being corrected by an adult?
3. What are the student's emotional responses to being disciplined?

Aggression

1. How does this student express anger?
2. Does this student seem to hold a grudge? Seem resentful?
3. Has this student done anything that expresses anger or aggression, or has an aggressive theme in written assignments, drawings, class projects, etc.?

Parents

1. Have you had any contact with this student's parents? What happened?

Mental Health Assessment Report Template

Identifying Information

Give the student's name, gender, age, grade, school, and other relevant identifying information.

Reason for Referral

State that this evaluation was requested by the school principal because the student made a threat of violence that was judged to be a very serious, substantive threat. Describe the threat, including the exact statement or threatening behavior, and where and when it took place.

Sources of Information

Describe or list the sources of information used in this report, including information from team interviews with the student, witnesses, and parents, as well as any relevant records or psychological tests.

Major Findings

Describe how the child presented and any important aspects of his or her mental state, including any indications or markers of mental disorder requiring further evaluation or referral. Identify any stresses, conflicts, or unmet needs that affect the child's functioning or bear on the threat incident.

Review the child's understanding of the threat and its meaning from his or her perspective. Note whether the child has a history of violent or aggressive behavior, and any findings from the assessment that raise concerns about the child's potential for violence, such as access to firearms, peer encouragement to fight, drug use, or inadequate home supervision.

Conclusions

In general, the mental health professional should not be expected to make a definitive statement that a child is or is not dangerous; such statements go beyond current knowledge in the field of risk assessment. The report may identify risk factors and protective factors, and express concerns where there appear to be compelling risk factors.

The report should present recommendations aimed at reducing the risk of violence, and they might convey the degree of concern about the potential for violence in general terms, recognizing that a precise measure of risk is not feasible. In all cases, the goal is to reduce the risk of violence rather than to predict violence.

Recommendations may include a wide range of strategies, but should address both any immediate safety needs to protect potential victims and broader efforts to resolve conflicts or problems that precipitated the threat.

There are two basic types of recommendations. First are recommendations for school behavior support, which are actions to be taken at school. The report should identify any signs of disability that would indicate the need for further assessment, child study, or special education evaluation. Second, if appropriate, the report may propose other recommendations for the parents to consider implementing outside of school, such as seeking community-based services for their child.

BEHAVIOR INTERVENTION PLAN

For behavior interfering with the student's learning or the learning of others

Confidential - For Teacher/Staff Use Only

See: www.pent.ca.gov for downloadable forms

This BIP attaches to: IEP date: _____ 504 plan date: _____ Team meeting date:

School Safety plan/Threat Assessment form: date: _____

Student Name _____ **Today's Date** _____ **Next Review Date** _____

1. The behavior impeding learning is (*describe what it looks like*)_

2. It impedes learning of self or others because

3. The need for a Behavior Intervention Plan early stage intervention moderate serious extreme

4. Frequency or intensity or duration of behavior

reported by _____ and/or observed by _____

PREVENTION PART I: ENVIRONMENTAL FACTORS AND NEEDED CHANGES

5. What are the predictors for the behavior? (*Situations in which the behavior is likely to occur: people, time, place, subject, etc.*)

6. What supports the student using the problem behavior? (*What is missing in the environment/curriculum or what is in the environment curriculum that needs changing?*)

Remove student's need to use the problem behavior

7. What environmental changes, structure and supports are needed to remove the student's need to use this behavior?

Who will establish?

Who will monitor?

ALTERNATIVES PART II: FUNCTIONAL FACTORS AND NEW BEHAVIORS TO SUPPORT

8. Team believes the behavior occurs because: (*Function of behavior in terms of obtaining, protesting, or avoiding something*)

Support an alternative behavior that meets same need

9. What team believes the student should do instead of the problem behavior? (*How should the student escape/protest/avoid or get his/her need met in an acceptable way?*)

10. What teaching strategies/curriculum/materials are needed to teach the alternative behavior?

By whom?

How frequent?

11. What are reinforcement procedures to use for establishing, maintaining, and generalizing the new behavior(s)?

Selection of reinforcer based on:

- reinforcer for using replacement behavior
- reinforcer for general increase in positive behaviors

By whom?

Frequency?

REACTIONS PART III: STRATEGIES FOR RESPONDING TO PROBLEM RECURRENCE

12. What strategies will be employed if the problem behavior occurs again? (Prompt student to switch to the replacement behavior, review negative consequences of undesirable behavior)

Personnel?

OUTCOME PART IV: BEHAVIORAL GOALS

13. Behavioral Goal(s)

The above behavioral goal(s) are to: Reduce frequency of problem behavior Increase use of replacement behavior

Develop new general skills that remove student's need to use the problem behavior

Conclusions

Are curriculum accommodations or modifications also necessary? Where described: Yes No

Are environmental supports/changes necessary? Yes No

Is reinforcement of alternative behavior alone enough (no new teaching is necessary)? Yes No

Are both teaching of new alternative behavior AND reinforcement needed? Yes No

This BSP to be coordinated with other agency's service plans? Yes No

Person responsible for contact between agencies

COMMUNICATION PART V: COMMUNICATION PROVISIONS

14. Manner and frequency of communication, all participants:

Between?

Frequency?

PARTICIPATION PART VI: PARTICIPANTS IN PLAN DEVELOPMENT

Student:

Parent/Guardian:

Educator and Title:

Educator and Title:

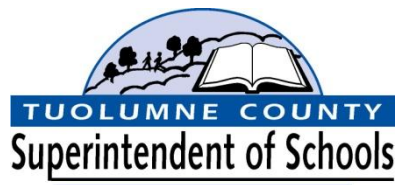
Educator and Title:

Administrator:

Administrator:

Other:

Other:



CIVILITY POLICY

Members of the Tuolumne County Superintendent of Schools Office (TCSOS) staff will treat parents and other members of the public with respect and expect the same in return. TCSOS is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

This policy promotes mutual respect, civility and orderly conduct among District employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting TCSOS employees as positive role models to the children in county programs, as well as in the community, TCSOS encourages positive communication, and discourages volatile, hostile or aggressive actions. TCSOS seeks public cooperation with this endeavor.

(cf. 5137 Positive School Climate)

Disruptions

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on TCSOS property, will be directed to leave the property promptly by the Site Administrator or designee.
2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on TCSOS premises, the offending person will be directed to leave promptly.
3. When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the Site Administrator or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Codes 415.5 and 626.7, if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable period of time, the Site Administrator or designee may notify law enforcement officials. An Incident Report (copy attached) should be completed for the situations as set forth in paragraphs 1 and 2.

(cf. 3515 Disruptions)

(cf. 5131.4 Student Disturbances)

(cf. 9323 Meeting Conduct)

CIVILITY POLICY (Continued)

Safety and Security

4. The Superintendent or designee will ensure that a safety and/or crisis intervention technique program is provided in order to raise awareness on how to deal with these situations if and when they occur.
5. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement any attack, assault or threat made against them on School/District premises or at School/District sponsored activities.
6. An employee whose person or property is injured or damaged by willful misconduct of a student, may ask the district to pursue legal action against the student or the student's parent/guardian.

Documentation

7. When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

Legal Reference:

Education Code

33210 Disturbing School

44014 Assault on Personnel

44810 Person on School Grounds

44811 Insults and Abuses

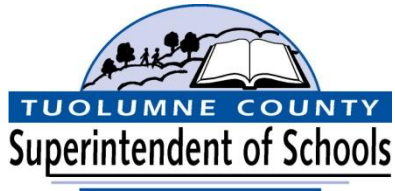
Penal Code

43.5 Arrest on School Grounds

415.5 Fighting on School Grounds

626.8 Entry of School by Person not on Lawful Business

627.7 Refusal to Leave School Grounds



CIVILITY INCIDENT REPORT

Name _____ Site: _____ Date: _____

Date and Time of Incident (approximate) _____

Location of Incident (office, classroom, hallway, etc...) _____

Name of Person you are reporting (if known) _____

Is this person a parent/guardian or a relative to a student at TCSOS? yes no

Did you feel your well being/safety was threatened? yes no

Were there any witnesses to this incident? yes no

Name of Witness(es) _____

Were the police contacted? yes no

Below, please describe what happened:

If you need additional space use the back side of this form, thank you

Signature of person completing this form

A copy of this incident report should be sent to the Superintendent

Plan for Providing Educational Services to Expelled Youth in Tuolumne County

July 1, 2021 – June 30, 2024

Overview:

Legal Basis for Triennial Review of the Plan for Expelled Youth

AB 922 is codified at Section 48926 of the California Education Code, and requires that every three years the county superintendent of schools in counties that operate community schools, in conjunction with superintendents of the school districts within the county, develop a county plan for providing education services to all expelled students. Once developed, the Plan shall be adopted by the governing board of each school district within the county and by the county board of education.

To meet the requirements of Education Code Section 48926, the Plan for Expelled Youth must:

- Enumerate existing educational alternatives for expelled students;
- Identify gaps in educational services to expelled students, and strategies for filling those service gaps; and
- Identify alternative placements for students who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district students, as determined by the governing board.

In addition, the triennial, county-adopted plan must be filed with the Superintendent of Public Instruction by June 30. (See Education Code Section 48926)

Requirement for Educational Program During Expulsion Period

California Education Code Section 48916.1 requires that when a governing board orders that a student be expelled, it must ensure that the student is provided with an education program during the expulsion period. This countywide plan reflects the programs available to expelled youth enrolled in Tuolumne County school districts. Section 48916.1 also requires that districts report annual "outcome data" to the Superintendent of Public Instruction by June 30 (see Education Code Section 48916.1).

Outcome Data Required under Education Code Section 48916.1(d)

The outcome data required under Education Code Section 48916.1(d), to be maintained by each school district, includes the following:

- The number of students recommended for expulsion;
- The grounds for each recommended expulsion;
- Whether the student was subsequently expelled;
- Whether the expulsion order was suspended;
- The type of referral made after the expulsion; and,
- The disposition of the student after the end of the period of expulsion.

Implementation of the Plan

Implementation of the Plan is subject to the State's funding of education during the next three years. Should the State reduce educational dollars resulting in the County program operating at a deficit, the Tuolumne County Superintendent of Schools ("TCSOS") will create an excess cost agreement in consultation with the County school district superintendents between districts and the TCSOS to ensure adequate funding for serving students in the TCSOS Community School Program.

Plan for Tuolumne County:

Tuolumne County Superintendent of Schools Office serves eleven public school districts, (eight K-8 school districts, two 9-12 high school district, one K-12 unified school district, and one charter school). Tuolumne County is home to approximately 6,000 public school students. These young people have special talents, interests, and needs as diverse as the county in which they live.

Both traditional and alternative educational programs are offered within the county. While all of the school districts offer traditional environments, some also offer alternatives such as Independent Study options. The County Superintendent of Schools Office operates a Court School (Gold Ridge Educational Center) and a Community School/Independent Study program.

All school districts within Tuolumne County provide early intervention strategies which include, but are not limited to: individual and group counseling; student study teams; academic and emotional assessment; special education; parent support meetings; in school suspension; off-campus suspension; after school activities; conflict resolution training; and student behavioral contracts. Students in need of additional educational alternatives access these programs through a district and/or County referral process.

Districts within Tuolumne County do not typically expel large number of students. However, Education Code 48916.1 requires each of the eleven governing boards ensure that an educational program is provided to the expelled pupil for the duration of the expulsion.

Existing Educational Alternatives:

School districts located within Tuolumne County offer a range of options for expelled students. Depending on the facts regarding the specific offense, the Education Code violation, and the governing board's order, a governing board may "suspend" the enforcement of the expulsion order and place the student:

- On the same school campus;
- At a different school campus within the district;
- In an alternative education program within the district; or,
- In an independent study program operated by the district.

A governing board may enforce the expulsion order and refer the student to:

- Its district community day school program (if available);
- A district community day school program operated by another district on the condition that an attendance and behavior agreement has been developed by the districts (if available);
- To the TCSOS Community Schools Program; or,
- To a public charter school or to a private school. (The parents/guardians/responsible adults may elect to enroll the student in a private school; however, if they elect to do so, the parents/guardians/responsible adults are responsible for the costs, if any, associated with that private school enrollment.)

Tuolumne County Superintendent of Schools Services for Expelled Students

TCSOS offers educational alternatives through TCSOS Community Schools Program. This Program requires referrals from the school districts, the courts, and/or probation officers. The referral process is as follows:

A. Referral Process for TCSOS Community School Program:

In order to refer a student to the TCSOS Community School Program, it is necessary that a referral form be completed by the student's referring school district or agency.¹ The referral form includes details regarding the student, including:

- Information regarding the student's Section 504 plan or individualized education program ("IEP") status with relevant paperwork, including, but not limited to, the current Section 504 plan or IEP, all assessment reports for assessments conducted over the past three (3) years, progress reports for the

¹ Or any other source allowed by law. The TCSOS Community School Program may accept students who have been expelled (consistent with § 1981(a)), are referred through the School Attendance Review Board ("SARB") (consistent with §1981(b)), are on probation (consistent with § 1981(c)).

past year, and all manifestation determination documentation related to the incident that is resulting in the referral to the TCSOS Community School Program;

- Probation status;
- Dependency status;
- Reason for expulsion with relevant paperwork, including any stipulated expulsion or suspended enforcement agreements;
- Student's progress toward meeting the student's school district of residence's high school graduation requirements, including any relevant information (e.g. adjusted graduation requirements or plan to be a fifth-year senior) related to the student's graduation requirements pursuant to California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, or have attended a juvenile court school;
- Attendance information from the last school year and the current school year, including any information related to Student's participation in the SARB process (letters, court documents, etc.);
- Immunization records;
- ELPAC (or alternative assessment) and CAASPP;
- Information from any Response to Intervention, multi-tiered system of support, and/or other general education interventions in which the student has participated prior to referral; and,
- The date on which the student will be eligible to return to the school district of residence.

The referring school district or agency shall communicate with the student's parents/guardians/responsible adults regarding all aspects of the referral process. Upon the TCSOS's receipt of a referral from the referring school district or agency, TCSOS will determine if it can appropriately serve and/or has space for the student at the TCSOS Community School Program. While TCSOS attempts to serve as many of the referred students as possible; it is not required to take any students and may not be able to serve all students who are referred.

Reasons that a student may not be accepted into the TCSOS Community School Program may include, but are not limited to, the following:

- Insufficient space in the TCSOS Community School Program or in the student's specific grade level at the TCSOS Community School Program;
- A review of the student's referral reveals potential issues related to child find under Section 504 or special education law;
- A review of the student's referral reveals a potential issue related to failure to assess the student for special education (either initial or re-evaluation) in all areas of suspected disability;
- A review of the student's file reveals that the student's special education placement and/or services per the student's IEP or Section 504 plan is likely inappropriate and the student likely cannot be appropriately served at the TCSOS Community School Program;
- A review of the manifestation determination paperwork related to the incident resulting in referral to the TCSOS Community School Program reveals that there may be an error—either procedurally or substantively—with the manifestation determination conducted;
- A victim of the student is already/will be on the Community School Program campus; and/or,
- There is a restraining order involving another student(s) on Community School Program campus.

If the student cannot be appropriately served and/or there is not space available for the student in the TCSOS Community School Program, the TCSOS Community School Program will notify the referring school district or agency in writing with the general reason(s) for denying admission to the Program; should the referring school district or agency wish to obtain further information regarding the denial of admission, they may contact via telephone for further information. The referring school district or agency shall be responsible for notifying the student's parents/guardians/responsible adults that the referral to the Community School Program was denied; TCSOS shall have no responsibility for communicating with the parents/guardians/responsible adults regarding the referral process and/or denial of admission.

If a student is able to be appropriately served and there is space available in the TCSOS Community School Program, the Program will mail the student and his/her parents/guardians/responsible adults notice of the date to report to the school for intake. As part of the intake process, the student, the sending LEA representative, parents/guardians/responsible adults, and TCSOS staff will develop an Individual Learning Plan ("ILP") for the student. In addition to addressing the student's academic plan, the ILP will include the goal of the student's return to the school district of residence after the expulsion term. The ILP shall be in addition to and will not replace or override any of the components of the student's Section 504 plan or IEP.

Placement/Rehabilitation Plans:

A Rehabilitation Plan shall be developed by the district for every expelled student grade 6 – 8 and 9 – 12 who is referred to the County Community School Program or a District Community Day School. Part of this plan will include a review of district rehabilitation directives to be completed prior to readmission to the school district of residence including goals related to behavior and social-emotional concerns and will be part of the TCSOS ILP, if applicable.

School districts will maintain responsibility for developing, directing, and implementing rehabilitation plans for students attending Community Schools and for students with suspended expulsions, including readmission approval/hearing at the conclusion of the expulsion period. School districts will provide the offer of FAPE for the special education needs of students living in their respective districts and attending non-district programs; however, case management and services shall be provided by the County Schools Office.

Staff from the County Superintendent of Schools Office, in conjunction with the County Probation Department and the referring school district will collaboratively develop alternate strategies for those Community School students who have difficulty meeting the terms of their rehabilitation plan or who continue to pose a danger to other students.

B. Transition Process from TCSOS Community School Program

Enrolled students will attend the County Community School Program for the remainder of the expulsion period. At least 30 days prior to the end of the expulsion term, TCSOS shall provide the school district of residence and any referring agency of notice of transition of student back to the school district of residence. Within the last 30 days of the student's term of attendance in the County Community School Program, TCSOS will convene a transition meeting with at least the following invited to attend: the student, at least one of his/her parents/guardians/responsible adults, TCSOS representative(s), and at least one representative of the student's district of residence. Other collaborative partners may be invited to attend this meeting as well. Failure of any invited members, including, but not limited to, the district of residence, to attend this meeting will not prevent the meeting from moving forward. At this meeting, the team will review, and the district of residence will be provided with, a transition report indicating the reason for transition back to the district, transition recommendations, TCSOS Community School Program attendance and the following:

- Information regarding the student's Section 504 plan or IEP status with relevant paperwork;
- Probation status;
- Dependency status;
- Discipline records;
- Student's progress toward meeting the TCSOS Court and Community School high school graduation requirements, including any relevant information (e.g. adjusted graduation requirements or plan to be a fifth-year senior) related to the student's graduation requirements pursuant to California Assembly Bills 1806, 167/216, 2306, 2121, and 365 for students who are homeless, foster youth, have attended a juvenile court school, or are children of migrant or military families;
- Attendance information;
- Immunization records;
- ELPAC (or alternative assessment) and CAASP; and,
- Information from any Response to Intervention, multi-tiered system of support, and/or other general education interventions in which the student has participated in the TCSOS Community School Program.

This process does not replace any other meetings and/or hearings (such as a readmission hearing) that may be convened by the student's district of residence. Any district of residence processes (such as a readmission hearing) should be scheduled and held by the district of residence prior to the TCSOS Community School Program transition meeting.

C. Educational Services Provided to Expelled Students with Exceptional Needs and who are identified as Homeless, Foster Youth, have attended a juvenile court school, or are children of migrant or military families

1. Consistent with state and federal law, a student with exceptional needs (who has a current IEP or Section 504 plan) may be expelled and referred by a school district for placement in the TCSOS Community School Program. Enrollment in the Program will be determined on an individual basis, and is dependent, in part, upon the appropriateness of placement and services available at the TCSOS Community School Program to meet the individual needs of the student as stated in the current IEP or

Section 504 plan. Districts may refer students with exceptional needs provided that:

- all procedural safeguards regarding the discipline of students with special needs have been met, including, but not limited to a procedurally and substantively appropriate manifestation determination meeting;
 - the referring school district or agency has complied with all legal requirements regarding the education of special needs students, e.g., all procedural timelines have been met regarding annual/triennial reviews/assessments (Note: No students will be accepted if they have pending and/or overdue IEP/Section 504 plan assessments, meetings, etc. unless and until all timelines are brought current and/or are completed as specified on the referral form. This means that if anything is overdue or needs to be corrected, the referring school district or, if the student is being referred by an agency, the school district of residence must do so. Moreover, if an assessment is due within 60 days or less or an IEP team or Section 504 team meeting is due within 30 days or less, the referring school district or, if the student is being referred by an agency, the school district of residence must complete these processes.);
 - the referring school district or agency has completed a Community School Referral Form and has provided the required attachments and documents; and,
 - an IEP or Section 504 team has determined that a referral for placement at Community School Program meets the student's needs per the current IEP or Section 504 plan.
2. During enrollment and attendance at the TCSOS Community School Program, the district of residence shall be responsible for any and all requirements under state and federal law related to students who are identified as homeless or foster youth.
 3. If TCSOS receives an initial evaluation request for special education services or a Section 504 Plan for students in TCSOS Community School Program, the district of residence shall follow the TCSOS school calendar in order to comply with state and federal law related to the initial evaluation request and any subsequent IEP or Section 504 team meetings.

D. High School Credits Awarded at TCSOS Community School Program

1. The school district of residence shall calculate and provide all credits earned by the student, including partial credits for the portion of the current semester attended in the school district, to TCSOS Community School Program within five (5) business days of the student's enrollment in the TCSOS Community School Program.
2. The TCSOS Community School Program awards credits to high school students in accordance with the rules and regulations governing court and community schools. If the student does not earn full credits, partial credits will be awarded by the TCSOS Community School Program for the time of attendance in the Community School Program.
3. The school district of residence shall accept any and all partial credits awarded to the student by any school district or the TCSOS Court and Community School Program.
4. TCSOS Community School Program complies with California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, have attended a juvenile court school, or are children of migrant or military families;
5. A student who completes the TCSOS Community School Program graduation requirements during the term of their enrollment in the Community School Program shall be awarded a regular high school diploma by TCSOS and will be exited from the Community School Program. This diploma shall be recognized by the student's school district of residence as a regular high school diploma.

E. The following gaps exist in respect to providing educational services to expelled youth:

1. Students who are expelled vary by age, grade level, and the nature of the offense that led to their expulsion.
2. There are significant geographical distances between local districts. Transportation to the Community School is not provided and is too costly for the program to absorb costs which makes it difficult for parents to transport.
3. No district operates a Community Day Schools;
4. There is no program in the county or at school districts for expelled students in the TK – 5 grade span;
5. State funding sources may not be sufficient or reliable limiting the ability for districts to operate alternative education setting.

Strategies for Addressing Identified Gaps in Service

The strategies for addressing the identified gaps in education alternative service for expelled youth are:

1. Use the district Community Day School model as a source of service for TK - 5 students in districts;
2. Provide a modified program at the school district that meets the needs of the students through a change in hours of attendance or any range of educational options unique to the student's needs;
3. Refer expelled students, grades 6 – 8 and 9 – 12, to the Tuolumne County Community School and/or Independent Study Program for districts not operating a district-sponsored alternative (see below for additional gaps/strategies);
4. The county will consult with districts who need to refer a student in 5th grade who has been expelled to the Tuolumne County Community School in the second semester of the student's 5th grade year in certain circumstances;
5. Adhere to the established intake/exit procedures for all students attending any district operated or county operated program, including accountability of the rehabilitation plan requirements;
6. Include within the rehabilitation plan clear behavioral and social-emotional goals;
7. Adhere to a transition plan that will assist students in the return to the regular education program.

Other Identified Gaps in Educational Services:

Due to the small number of grade 6-8 and 7-12 students expelled and the legal requirement that such students be served in a separate program, service delivery can be problematic.

County/District Strategy for Addressing this Gap: Only a few schools operate Opportunity Programs.

Consequently, as a way to pool resources for expelled youth in grades 6 – 8 and 9 – 12, all school districts will collaborate to fund a County Community School model for district expelled youth and refer eligible Type A, B, and C students, in grades 6

– 8 and 9 – 12, for alternative program placement at the TCSOS Community School. Qualifying pupils are categorized as follows:

- a) Type A – Expelled for less serious offenses
- b) Type B – SARB (Student Attendance Review Board) referred
- c) Type C – On probation, on parole, expelled for serious offenses and probation referred under Section 300, 601, 602, and 654 of the Welfare and Institutions Code

– Additionally, if there is available space, referrals for at-promise students and certain 5th grade students who have been expelled will be accepted.

Lack of confirmation of enrollment at a receiving school for students dis-enrolling from TCSOS Community School Program.

County/District Strategy for Addressing this Gap: When a student leaves the TCSOS Community School Program for any reason, the TCOS program registrar will contact the student's school district of residence and, if applicable, the referring agency to advise them of the change, including if the student is incarcerated in juvenile hall or intends to enroll in a charter school. Once a student leaves TCSOS Community School Program, he/she will no longer be the responsibility of TCSOS Community School Program for any reason.

Students referred to the TCSOS Community School Program fail to attend intake or fail to attend class.

County/District Strategy for Addressing this Gap: Currently, upon referral, students assigned to the TCSOS Community School Program receive a letter instructing them to report to intake on a specific date and time. TCSOS Community School Program staff will courtesy-copy the referring school district or agency on the notice of intake letter so that the referring school district or agency knows it has been sent; the referring school district or agency staff and TCSOS staff will both telephone each family to remind them of the intake date and time. The parents/guardians/responsible adults of a student who fails to report for intake at the assigned time and location will receive a second letter that will also be courtesy-copied to the referring school district or agency. Students who enroll but do not ever attend the TCSOS Community School Program shall be disenrolled from the TCSOS Community School Program after five (5) consecutive days of non-enrollment. Students will be considered enrolled in the TCSOS Community School Program once they attend the first day of instruction following the intake. If this student subsequently fails to attend school at least 80% of the time, the school district of residence will be contacted for a joint effort to obtain student's at least 80% attendance at the TCSOS Community School Program, including, for example: phone calls, emails, and text messages to the student's parents/guardians/responsible adults; home visits by TCSOS Community School Program staff; home visits by district home-school liaisons; Probation Department intervention; Department of Family and Children Services intervention; and/or court intervention. Any and all SARB processes (including, but not limited to written notices) and proceedings shall be the responsibility of the TCSOS program.

School Attendance Review Board (SARB):

The Tuolumne County SARB has aligned its practice with the State SARB guidelines. All districts in Tuolumne County have been trained in the SARB process and a consistent set of forms, practices, and hearing procedures have been established.

In an effort to reduce truancy and behavior issues, the County SARB coordinates its activity with a board of individuals from local agencies. This board includes representation from the social, welfare, mental health, law enforcement and educational agencies in the County. The Board meets monthly to establish intervention plans for individuals or families referred by any of the agencies or SARB.

Students going through SARB are referred to the most appropriate agencies that can provide a variety of interventions prior to placement in any alternative education program. Interventions may include counseling, parenting support, health care, educational assessment or mental health assessment. In some instances, placement in alternative education occurs simultaneous with agency referrals. The District Attorney works with the SARB to ensure compliance with the directives establishing these interventions.

F. District Level Behavioral Intervention Approaches: Options to Minimize Number of Suspensions Leading to Expulsions and Expulsions Ordered; Support for Students Returning to Home Schools following Expulsion

Character Education Program: Character development programs that focus on creating a positive school climate while helping students achieve social and emotional learning goals, improve academics, assist teachers with classroom management skills, and reduce incidents of bullying and misbehavior.

Child Welfare & Attendance Specialists: Serving students districtwide, CWA focus on supporting students with chronic attendance issues and connecting them to community and site-based resources to improve attendance and behavior.

SEL Collaboration Team & Mental Health Coalition: The Collaboration Team & Coalition includes the school psychologist, school social worker, school counselor, counseling groups, and mental health professionals focusing on social skills.

Behavior Intervention/Support Plan: Behavior intervention/support plans are individual plans specialized to support a student's classroom success. A multi-disciplinary team, including the parent, develops the plan collaboratively.

Girl Circle/Boys Council: This program assists young teenage girls and boys to build self-esteem, develop leadership skills and recognize the value of community service.

Individualized Education Program (IEP) Team Meetings: IEP team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for special education.

Involuntary Transfers: Students are transferred to a continuation or community day school.

Link Crew: Link Crew develops student mentors for middle and high schools who work to create positive, healthy, educational campuses.

Positive Behavioral Interventions and Support (PBIS) : Is a proactive, multi-tiered behavior framework that, when implemented well, can establish positive social learning environments. The model emphasizes implementation of evidence-based practices by defining, teaching, and acknowledging student behaviors. The tiered framework builds a continuum of positive behavior support for all students in instructional and non-instructional settings. Schools and educational organizations (including alternative and community day schools), establish school-wide systems of support (Tier I), targeted interventions (Tier II), and individual systems of support (Tier III) that improve the well-being of children and youth by making problem behaviors less effective. An essential feature of SWPBIS is the use of data for decision-making and self-assessment of adult's efforts towards action planning and effective implementation on an ongoing basis.

School Attendance Review Board (SARB) : The SARB is comprised of representatives from various school sites and includes school district personnel, probation and the courts who come together with families to put together a plan to improve attendance and behavior with a goal of reducing the expulsion rate. SARB's focus is to assist parents/guardians/responsible adults and students to recognize and eliminate the barriers that inhibit regular attendance.

School Counselors: Provide Social Emotional Support in group and individual settings. Counselors also provide suicide prevention, intervention and postvention services.

Section 504 Team Meetings: Section 504 team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for such a plan.

Student Study/Success Teams (SST): The SST process emphasizes that early intervention for struggling students is a function of the general education program. The SST is a school-based problem-solving team composed primarily of general educators who provide support to teachers to improve the quality of the general education program and reduce the underachievement of students. An SST is a “think-tank”, a peer support group, or a forum for structured and routine focus on addressing student needs. The intervention team is a common sense approach that offers a systematic process to successfully close the gap through which students have traditionally fallen. The team is not so much a “new” service, but rather it builds on existing services and efforts in order to upgrade the school’s ability to respond effectively to student needs. The SST has a vital role in creating a high achieving school as expressed in the following goals: 1) enable teachers to teach students more effectively, 2) enable students to acquire academic and social competencies, achieve standards, become independent learners for life, and 3) create a collaborative culture among all staff.

Suicide Prevention Training: Suicide prevention training teaches best and evidence-based suicide prevention practices, warning signs for youth suicide, prevention and postvention principles, how to reintegrate a student after a suicide attempt, dealing with traumatic loss, risk factors for youth suicide, how to assess a youth at risk, how to work with parents of a youth at risk, creating safety contracts for youth at risk, and contagion.

G. District Responsibilities

In accordance with Sections 48916 and 48916.1 of the Education Code, the school district of residence will be responsible for: 1) recommending a rehabilitation plan for expelled students; 2) ensuring that an educational program is provided to expelled students; and 3) complying with the state reporting requirements.

H. Suspension and Expulsion Data*

Tuolumne County	2018/19
Enrollment	6429
Suspensions	767
Suspension Rate	6.9% (Statewide 3.5%)
Expulsion	20 – Does not include students who have had extended expulsions.
Expulsion Rate	.30% (Statewide .08%)

*Most recent data available from the California Department of Education.

Appendix A: Relevant Education Codes

Cal Ed Code § 48926 County plan for educational services to expelled pupils

Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of the school districts within the county, shall develop a plan for providing education services to all expelled pupils in that county. The plan shall be adopted by the governing board of each school district within the county and by the county board of education.

The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to all expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to Section 48916.1, on June 30th thereafter.

Cal Ed Code § 48916.1 District to ensure provision of educational program for expelled pupils; Data and reports

(a) At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provisions of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both

(b) Notwithstanding any other provision of law, any educational program provided pursuant to subdivision (a) may be operated by the school district, the county superintendent of schools, or a consortium of districts or in joint agreement with the county superintendent of schools.

(c) Any educational program provided pursuant to subdivision (b) may not be situated within or on the grounds of the school from which the pupil was expelled.

(d) If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) may not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.

(e) (1) Each school district shall maintain the following data:

- (A) The number of pupils recommended for expulsion.
- (B) The grounds for each recommended expulsion.
- (C) Whether the pupil was subsequently expelled.
- (D) Whether the expulsion order was suspended.
- (E) The type of referral made after the expulsion.
- (F) The disposition of the pupil after the end of the period of expulsion.

(2) The Superintendent may require a school district to report this data as part of the coordinated compliance review. If a school district does not report outcome data as required by this subdivision, the Superintendent may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the Superintendent shall give written notice to the governing board of the school district that the school district has failed to report the data required by paragraph (1) and that the school district has 30 calendar days from the date of the written notice of noncompliance to report the requested data and thereby avoid the withholding of the apportionment of funds.

Cal Ed Code § 1980 A county board of education MAY establish and maintain one or more community schools.

SIGNATURES:

DocuSigned by:
Cathy Parker
Cathy A. Parker, County Superintendent

DocuSigned by:
Michael Merrill
Mike Merrill, Summerville Union High School District

DocuSigned by:
Joseph Aldridge
Joseph Aldridge, Columbia Union School District

DocuSigned by:
Jeff Winfield
Jeff Winfield, Soulsbyville School District

DocuSigned by:
John Baker
John Baker, Sonora School District

DocuSigned by:
Wynette Hilton
Wynette Hilton, Big Oak Flat Groveland School

DocuSigned by:
Ron Hamilton
Ron Hamilton, Gold Rush Charter School

DocuSigned by:
Ed Pelfrey
Ed Pelfrey, Sonora Union High School District

DocuSigned by:
Rick Hennes
Rick Hennes, Twain Harte School District

DocuSigned by:
Terri Bell
Terri Bell, Curtis Creek School District

DocuSigned by:
Contessa Pelfrey
Contessa Pelfrey, Jamestown School District

DocuSigned by:
Ben Howell
Ben Howell, Summerville School District

DocuSigned by:
Carla Haakma
Carla Haakma, Belleview School District

Revised _____

Community School Referral

District Name: _____
Contact Name: _____
Contact Number: _____
REFERRAL DATE: _____

STUDENT INFORMATION

STUDENT NAME (first, last) _____
 Male: _____ Female: _____ Other: _____
 Student CSIS Number: _____ DOB: _____
 Resides with: Father _____ Mother _____ Both Other: _____

PARENT GUARDIAN INFORMATION

NAME: Mr. Mrs. Mr. and Mrs. Ms. _____
 Address: _____
 City/Zip : _____ Home Language: _____
 Phone Number: HOME _____ WORK _____ Highest Grade of Parent: _____

BASIS FOR REFERRAL Check all that apply and attach the required documentation

_____ **EXPELLED** from a school Section 48915 (a) _____ (c) _____; 48900 _____ (need secondary findings)
Required Documentation
 _____ *Petition for Expulsion* _____ *Hearing Findings* _____ *District statement of Ed. Code violation* _____ *Rehabilitation Plan*

_____ **ON PROBATION**, with or without the supervision of a probation officer and consistent with an order of a juvenile court, who are considered to be wards of the court under Sections 601 and 602 of the Welfare and Institutions Code and ordered placed pursuant to Sections 725, 729.2, and 791 of, and paragraph (2) of subdivision (a) of Section 727 of the Welfare and Institutions Code; or pursuant to Section 654 of the Welfare and Institutions Code, **with the consent** of the minor and the minor’s parent or guardian.

Circle Status 601 602 654.2
Required Documentation
 Copy of court order _____ Yes _____ No _____ N.A Gang Affiliation: _____
 School related infraction(s) prompting placement: _____
 Probation Officer’s Name _____ Phone: _____

_____ **REFERRED** from the “District” as a result of the recommendation by SARB or by agreement of the collaborative placement team (Pursuant to SB1111 requirements addressing pupil safety, geographic accessibility, inability to transport, pupil educational needs. – Director has final approval authority)

FACTORS AFFECTING SCHOOL ACHIEVEMENT

IEP SERVICES: _____ YES _____ NO If yes, attach the current IEP including goals, objectives, BIP, etc.

Has Change of Placement meeting been held at which a TCSOS representative is in attendance? _____ YES _____ NO *The student may not be enrolled until the Change of Placement IEP has been held.*

Name of Case Manager: _____ Phone: _____ Email: _____

SECTION 504 ACCOMMODATION PLAN: _____ YES _____ NO
 If yes, attach the plan.

MENTAL HEALTH SERVICES: _____ YES _____ NO

ENGLISH LEARNER: _____ YES _____ NO

 Signature of Special Education Designee Date

MONTH OF ANTICIPATED COMPLETION: _____
 READMISSION CONFERENCE DATE: _____

 Signature of Authorized District Designee Date

REQUIRED STUDENT RECORDS
_____ TRANSCRIPTS
_____ ATTENDANCE RECORDS
_____ BEHAVIOR HISTORY
_____ REHABILITATION PLAN
_____ OTHER DOCUMENTATION

Court Community School Referral Procedures for Completion

School districts, probation or other referring agency may request the Community School Referral from the Tuolumne County Superintendent of Schools Office of Educational Services Office. All referrals are made through the Education Services Office and approved by the Director of Student Support Services, **not through individual School sites or instructors.**

The completed Community School Referral and additional documentation should be sent to the Educational Services Office. **A referral becomes activated only upon receipt of the complete referral packet with all required documentation.**

All **Community School Referrals** must have the following documentation:

- Academic transcripts and accompanying CAASPP achievement results
- Immunization Record
- Vision and hearing screening
- District statement of Education Code violation
- Copy of Rehabilitation plan describing reasonable and attainable academic and behavior goals the student must meet in order to be re-admitted to district.
- CELDT/ELPAC and primary language assessment results and copy of parent notification letters, if applicable.
- IEP documentation, if applicable
- Documentation of all efforts made to solve problems within the school, including how 504 issues have been addressed

THE FOLLOWING DOCUMENTATION IS NECESSARY PENDING TYPE OF REFERRAL:

EXPELLED STUDENT

- Petition for expulsion and hearing findings, need secondary finding if not mandatorily expelled.

SARB REFERRED or DISTRICT REFERRED STUDENT

- Copy of district SARB contract (where applicable) OR SSTs containing:
 - Identification of behaviors and attendance at school, specifying dates and incidents, documentation of history of failed interventions (if applicable)
 - Documentation of efforts made by district of residence to resolve the problem with the student and parent/guardian.

INDIVIDUALIZED REVIEW AND CERTIFICATION

After receiving the Referral and all required documentation to Tuolumne County Superintendent of Schools Educational Services Department, an Individualized Review and Certification will be completed.

Documentation Checklist for Individualized Review and Certification

Student Demographics

- Name
- Grade
- Referring District Name
- District Contact Name
- District Contact Telephone

Expulsion from School

- District statement of Education Code Violation
- Petition for expulsion
- Hearing findings

Discipline History

- Date and description of incident(s)
- School action(s)
- Other Pertinent background information about behavior patterns
- School interventions
- List and/or explanation of non-disciplinary interventions
- Most recent incident (if not an expulsion)
- Date and description of incident that caused referral to Alternative Education Program

Attendance History (if applicable and may not be initial reason for referral)

- Summary of number of days of absence
- Referral to SARB and/or District Attorney for truancy

INDIVIDUALIZED REVIEW AND CERTIFICATION

It is the policy of the Tuolumne County Superintendent of School Office Education to have all students reviewed for appropriateness of enrollment in Tuolumne County’s community school programs. In addition to this local enrollment policy, the California Education Code identifies additional review and certification requirements for those students enrolled pursuant to Section 1981(c). This Individualized Review and Certification for Community School Enrollment form is designed to satisfy both local requirements and state level requirements associated with California Education Code Sections 1981, 1982.5, and 42238.18(c).

Student Name _____ M__ F__ Referral date _____ DOB _____
 Parent or Legal Guardian _____ School District _____ Grade _____

California Education Code Section 1981 identifies classifications of students who are eligible for community school enrollment. The checked category identifies the qualifying criteria for the above-named student for community school enrollment.

- EXPULSION**
- REFERRED** from the “District” as a result of the recommendation by SARB or collaborative placement Team (meeting with Placement Team **MUST** be held prior to placement)
- ON PROBATION**

A preliminary review of the above-named student was completed. This activity included a review of the student’s 1) current conditions, 2) attendance, behavior and performance history, and 3) personal orientation with the student and parent/legal guardian. Based on that review, it has been determined that the enrollment in the community school program is appropriate and in the best interest of the student.

Brief description of school related problem(s):

School District actions(s) prior to referral to Alternative Education Programs Community School:

- | | |
|--|---|
| Referral to other alternative education program: _____ | ___ School administrator conference with parent and student |
| ___ Opportunity class | ___ Student Study or Student Success Team |
| ___ Continuation School | ___ Provision of counseling |
| ___ Independent Study | ___ IEP Assessment |
| | ___ Intradistrict Transfer |
| | ___ SARB Review |

In addition to the local review requirements, the following state level certification requirements must also be documented (if applicable):

California Education Code Section 1981(b)

*The above-named student was enrolled in the community school program pursuant to Education Code Section 1981(b), satisfying the enrollment requirements established by California Education Code and the California State Board of Education. California Education Code Section 1981(c)

*The above-named student was enrolled in the community school program pursuant to Education Code Section 1981(c), stating that the student must 1) be expelled for an offense identified in Education Code Section 48915(c), or 2) be probation referred, have an assigned probation officer and have undergone an individualized review consistent with the requirements of Education Code Section 42238.18(c).

*The above-named student was probation referred pursuant to Welfare and Institutions Code Sections 601, 602 or 654, and an individualized review and certification has been completed by representatives of the court, the county office of education, the probation department and the district of residence.

The above-named student has been certified by the below listed agency signatures:

Court/Probation _____
 District of Residence _____
 County Office of Education _____

RETURN TO DISTRICT ELIGIBILITY DATE	
HS Semester Spring _____	Fall _____
Middle School Trimester	
Fall _____	Winter _____
Spring _____	
School Year _____	

Processing the Referral

1. The referral form is received, dated, stamped, and checked for completeness by the Educational Services Administrative Assistant or Designee. District staff will be notified of incomplete referral packets – missing documentation must be received before the referral can be processed.
2. Upon receipt of a completed referral packet and after attending an enrollment meeting, students are assigned to Community School and classroom on a space available basis. Enrollment meetings are held weekly beginning in August and continuing through May. Attendance by student and parent/guardian and district staff is mandatory to complete enrollment. The Probation Officer or Social Worker is also invited to attend, if applicable. Site Administrators of the referring school are required to attend. At the enrollment meeting, the student and parent/guardian are apprised of school rules, are provided information about the Community School academic program, support services and complete required paperwork.
3. If the student does not attend a scheduled enrollment meeting, the Alternative Education Designee will contact the referring party for additional contact information. If the student fails to appear after three notices of registration meetings the district will be notified so that truancy notices can be generated.
4. An Individual Learning Plan (ILP) will be established for each student within 30 days of enrollment. This plan is based on assessments in language arts and math, age-appropriate course completion requirements, Return to District Criteria if applicable, and student's educational goals and Transition/Rehabilitation plan. The ILP will be reviewed with the student and parent once each semester.
5. If within the first 30 days of enrollment, it becomes clear that Community School is an inappropriate placement for the student, the district of residence (DOR) will be contacted. The DOR's school psychologist and resource specialist will be available to meet with district representatives to make recommendations for further evaluation and more appropriate placement of students with an IEP.

Transition Plan

It is the goal of Alternative Education Programs to prepare every student for transition to a successful future and lifelong learning (higher education, vocational training, military service or the world of work). In order to be recommended **without hesitation** for the Re-admission Conference, students are expected to:

- maintain a 90% rate of attendance,
- achieve a minimum 2.0 grade point average
- obtain 25 credits per semester or equivalent,
- complete counseling, community service
- avoid suspension or other disciplinary interventions

Prior to the end of each semester, referring districts will participate in a meeting to assess the appropriateness of a district placement for eligible students or to determine if extension of expulsion is necessary.

Exit Procedures

Students enrolled in the Community School Program may be exited in several ways, including:

- Completion of high school graduation requirements
- Passing the GED/HISET or CHSPE
- Successful completion of Rehabilitation Plan requirements
- Return to district of residence due to inappropriateness of placement or failure to comply with expectations of Community School Placement

- o Community School will notify District of Residence and establish a timeline for termination of enrollment

NOTIFICATION OF ENROLLMENT TERMINATION

STUDENT INFORMATION

STUDENT NAME (first, last) _____

Male: _____ Female: _____ Other: _____

Student CSIS Number: _____ DOB: _____

Resides with: Father Mother Both Other: _____

District of Residence: _____

PARENT GUARDIAN INFORMATION

NAME: Mr. Mrs. Mr. and Mrs. Ms. _____

Address: _____

City/Zip : _____ Home Language: _____

Phone Number: HOME _____ WORK _____ Highest Grade of Parent: _____

BASIS FOR TERMINATION

____ Habitual Truancy

____ Failure to avail self for learning

____ Incurrable behavior disrupting classroom instruction

____ Failure of student to respond to interventions and supports

TERMINATION DATE

____ Date District of Residence Notified of Termination

____ Date of Dis-enrollment

Community School Referral Student Profile

The following information is **required** prior to agreement to place a student in the County Community School Program.

Student Name:	District:	Contact:	Phone Number:	Date:
Student History				
<u>Behaviors</u>			<u>Attendance</u>	
INTERVENTIONS - strategic instruction, intervention services, and supports				
Student Study Teams Held (Summary attached) Daily Progress Reports School - Home Manifest Determination 504 in place SARB <input type="checkbox"/> Other			<u>OUTCOMES</u>	
Description of offenses leading to expulsion * * *			<u>OUTCOMES</u>	
TIER 3 INTERVENTIONS - intensive individual intervention				
Individual Counseling Mental Health Referral Functional Behavior Assessment (FBA) Positive Behavior Intervention Plan Relevant Health Information:			<u>OUTCOMES</u>	
Placement Recommendation of Sending District:				
Explanation for missing documentation:				

TUOLUMNE COUNTY SUPERINTENDENT OF SCHOOLS
SCHOOL DISTRICT

INJURY AND ILLNESS PREVENTION PROGRAM

Revision: 2/2006; 3/2018, 1/21/2020

Approved 3/7/2018, 1/21/2020

Signature: Cathy Parker

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I. DISTRICT COMMITMENT TO SAFETY AND HEALTH

A. Safety and Health Statement of Intent

It is the intent of the Tuolumne County Superintendent of Schools (called the "District" hereafter) to provide safe working conditions for all employees and to promote continuing, vital SAFETY AWARENESS at all levels, from top management to the individual worker. It is our belief that SAFETY AWARENESS is the basis on which a safety program must be founded, and it results in the creation of a SAFETY CULTURE.

The District recognizes its responsibility to furnish a place of employment free from hazards and unsafe conditions, which shall be safe for employees and visitors; to provide safety devices and mechanical safeguards; to use methods and processes to protect the life, health and safety and welfare of employees, visitors and the general public, and to maintain and enforce a program to fulfill this responsibility.

Employees at every level have a special obligation to examine everything they do with a consciousness which ensures that safety is not compromised. Inherently, safety is everyone's responsibility. In fact, safe performance of duties is an integral part of overall job performance.

Therefore, it shall be considered each person's responsibility not only to assure his/her own personal safety, but to develop a concern for safety for all who work with him/her, and to eliminate unsafe acts wherever they are found.

Employees shall, at all times, while on District property, conduct themselves and perform work in a safe manner consistent with existing safety rules.

B. Objectives of the Injury and Illness Prevention Program (IIPP)

The Injury and Illness Prevention Program (IIPP) is designed to prevent injuries, illnesses and accidents in the work place by eliminating unsafe acts and unsafe conditions. The primary purpose of the program is to ensure a safe and healthful work environment.

C. Location of the Written Injury and Illness Prevention Program (IIPP)

A copy of the written Injury and Illness Prevention Program (IIPP) shall be kept at the district office. Documentation of training and routine inspections including any related completed work orders, hazard reporting forms, inspection summary sheets, accident investigation reports, and training sign-up sheets will be kept by the District Safety Officer at the District Office.

D. Responsibilities for Safety and Health

District employees at every level have a special obligation to work safely and maintain a safe and healthful work environment. Each employee is fully responsible for implementing the provisions of this program as it pertains to operations under his/her jurisdiction.

DISTRICT SAFETY OFFICER

The person with overall responsibility and authority for implementing the Injury and Illness Prevention Program is the Superintendent. He has appointed a District Safety Officer. This person, listed below, has been delegated the responsibility and authority for this program.

**ELIZABETH RICO
DEPUTY SUPERINTENDENT, BUSINESS SERVICES
(209)536-2020**

The District Safety Officer's duties include, but are not limited to:

- a. Maintaining a safety program that incorporates the current practices and policies adopted by the safety profession and Cal/OSHA as being most effective in preventing injuries, occupational diseases, vehicular collisions, liabilities and damage to equipment and material.
- b. Consulting directly with management personnel and employees on loss prevention matters and provide guidance necessary to assure effective administration of this program.
- c. Periodically evaluating compliance with the program within the district. Make periodic inspections of worker compliance with Cal/OSHA standards. The Officer has full authority to stop jobs when safety precautions are not being observed. The verbal notification to stop a job must be followed by a written report directly to the Superintendent.
- d. Evaluating the effectiveness of the communication system between management and employees.
- e. Ensuring that managers and supervisors are trained in work place safety and are familiar with the safety and health hazards to which employees under their immediate direction or control may be exposed, as well as applicable laws, regulations and District safety rules and policies.
- f. Ensuring that employees are trained in accordance with this Program.
- g. Ensuring that inspections and accident investigations are completed in a timely manner.
- h. Ensuring that work place hazards are abated in a timely and effective manner. This includes review of inspection reports requiring action, review of hazard reporting forms, and review of accident investigations including implementation of any identified actions.
- i. Verifying that effective safety meetings are being held as required.
- j. Maintaining documentation of the IIPP.
- k. Recommending recognition for exemplary employees.
- l. Periodically reviewing the overall effectiveness of the IIPP.

The District Safety Officer may delegate all or some of these tasks to other individuals.

SUPERINTENDENT

Management, at all levels, has the responsibility to provide employees and students with a safe school and work environment by promoting safe practices and maintaining safe facility conditions. Although personnel exposure varies widely from department to department, an unrelenting effort is directed toward controlling injuries, collisions, liabilities and waste of materials within the district. In meeting this goal, management will, to the best of their knowledge and ability:

- a. Ensure that the policies and procedures set forth herein are complied with by all personnel under their direction. Ensure adherence to all safety directives and standards.
- b. Provide the leadership and direction necessary for administering school and/or departmental safety policies such as rules and regulations.
- c. Devote a portion of staff meetings, as necessary, to review departmental accidents and to discuss plans to reduce losses.
- d. Promote safety training and education.

- e. Require a program of regular safety inspections of equipment, facilities and crews to ensure the safe operation and protection of District personnel and assets and complies with Federal, State and local safety standards and regulations.
- f. Ensure that the District has an effective Hazard Communication Program in place.
- g. Ensure that all accidents are immediately investigated and reported promptly. Vehicular accidents must be reported immediately following notification to law enforcement authorities.
- h. Review all accident investigations for verification of a proper response.
- i. Hold each principal/department head/supervisor fully accountable for an explanation of the preventable injuries, collisions and liabilities incurred by his/her employee. An excessive number is an indication that some management policies and practices need reevaluation.

PRINCIPALS/DEPARTMENT HEADS/SUPERVISORS

Each Principal/Department Head/Supervisor is fully responsible and accountable to the Superintendent for compliance with the provisions of the program within his/her department. He/She ensures that:

- a. All personnel are briefed and fully understand work procedures and policies and enforce their use for each job class.
- b. All employees, full-time or part-time, permanent or temporary, are trained upon hire and retrained, when necessary, in the way each job must be accomplished.
- c. All employees are instructed and understand the use and need for protective equipment relating to the job.
- d. Necessary safety equipment and protective devices for each job are available and used properly.
- e. Initiative is taken in recommending correction of deficiencies noted in facilities, work procedures, employee job knowledge, or attitudes that adversely affect district loss control efforts.
- f. Safety meetings are conducted, as necessary, to review accidents, analyze their causes, and promote a free discussion of hazardous work problems and possible solutions.
- g. All serious accidents are thoroughly investigated, recorded and promptly reported. All accidents with the potential of becoming liability claims must be reported immediately.
- h. Prompt, corrective action is taken wherever hazards are recognized or unsafe acts are observed. Each principal/department head/supervisor is accountable for the preventable injuries, collisions and liabilities incurred by his/her employees.
- i. Written documentation is maintained reflecting that each employee is fully trained for the job he/she is assigned to do, that he/she is familiar with the published work rules, and that he/she has received information indicating that compliance is mandatory.
- j. Employees are properly evaluated by indicating to the employees that: Following safe work procedures is required of all district employees; adherence to district safety policies is considered on performance evaluations; failure to comply with safety rules is grounds for disciplinary action.
- k. Recommend exemplary employees for recognition.
- l. In-service educational programs are planned at least annually for all employees and that documentation is maintained for all educational activities.
- m. Proper safety procedures are prepared and used for all hazardous operations.
- n. All periodic inspections within his/her jurisdiction are completed as scheduled.
- o. Chemical hazards are known to employees, material safety data sheets are available and employees are trained on the safe use of such chemicals.

EMPLOYEES

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers and to be mentally and physically alert to safety issues. To accomplish this goal, employees will:

- a. Adhere to all safety policies and procedures.
- b. Report potential unsafe conditions to the immediate supervisor.
- c. Keep work areas clean and orderly at all times and use all safeguards and safety equipment.
- d. Wear safety protective devices as necessary (or when instructed to do so).
- e. Report injuries immediately and seek immediate medical attention when required.
- f. Learn to lift and handle materials properly.
- g. Take an active part in the District Safety Program, workshops, training and safety meetings.
- h. Operate only machinery or equipment as authorized by his/her supervisor.
- i. Ask for training if unsure about or are untrained on a task or piece of equipment.
- j. Use only the prescribed equipment for the job and utilize it properly.
- k. Promote safety awareness, and contribute to an overall safety culture.

PARENTS

Parents shall be encouraged to:

- a. Teach safety standards to children in the home.
- b. Support district safety requirements for employees and pupils.
- c. Help the school in its hazard correction activities.
- d. Serve on school safety committees when appointed.

II. HAZARD IDENTIFICATION, EVALUATION AND CONTROL

A. Inspections

1. Purpose

A safety inspection program is essential to disclose unsafe acts or conditions, determine reasons for their existence, and to recommend corrective action.

2. Scheduled Inspections

Inspections of District facilities will be conducted by the responsible party or designee per the following table. Annual reports are due by September 30.

<u>District Facility</u>	<u>Frequency</u>	<u>Responsible Party</u>
School site/Grounds	Check Daily Annual report	Maintenance
Science labs/school shops	Check Daily Annual report	Teacher/ Maintenance
Classrooms	Check Daily Annual report	Teacher

Playgrounds	Check Daily Annual Report	Yard Duty/ Maintenance
Athletic field/Pool/Gym	Check Daily Annual report	Maintenance
Cafeteria	Check Daily Annual report	Food Service Supervisor
Warehouse	Check Daily Annual report	Warehouseman
Transportation shop	Check Daily Annual report	Transportation Supervisor
Maintenance shop	Check Daily Annual report	Maintenance

Inspection reports may be submitted to the Safety Officer in a checklist format. The checklists can be obtained from the Safety Officer.

3. **Unscheduled Inspections**

In addition to scheduled inspections and ongoing review, the District Safety Officer will arrange for unscheduled, unannounced inspections. The list of subjects for these inspections will be chosen randomly, but with particular emphasis on:

- General Housekeeping
- Storage and Handling of Hazardous Materials
- Use of Personal Protective Equipment
- Proper Guarding of Equipment and Machinery
- Playgrounds/Fitness Courses/Athletic Fields

4. **Tagging of Unsafe Facilities or Equipment**

Facilities and equipment noted to be unsafe for use shall be tagged on the spot by the inspector or the employee discovering the hazard. Personnel who continue to use any item that has been so tagged or who willfully removes the tag before the unsafe condition is corrected shall be subject to disciplinary action up to and including dismissal.

5. **Documentation of Inspections**

Copies of completed inspection reports shall be filed with the Injury and Illness Prevention program. For organizational purposes, the inspection reports may be recorded on the Site Inspection Summary Form. If appropriate, a copy of the inspection shall be forwarded to Maintenance and Operations with appropriate work orders.

B. Employee Hazard Reporting Procedure

Employees shall make every effort to correct hazards immediately within their control. Other hazards shall be reported immediately to the employee's supervisor. Employees may also use the Employee Hazard Reporting Form to report hazards (anonymously, if they so wish). These forms will be kept available in employee lounges or other suitable place. The form shall be submitted to The District Safety Officer. The District Safety Officer may wish to consult with the appropriate departments to

determine the proper response. Possible responses can include, but are not limited to, repair, maintenance, purchases, training, policy or procedure clarification, etc... An initial response to the Hazard Reporting Form shall be made to the employee (or posted at the site, for anonymous reporting) within 5 working days. If appropriate, the District Safety Officer shall hold the original Hazard Reporting Form and attach completed work orders (or other pertinent documentation) before signing and filing. Once completed, a written final response shall be provided to the employee or posted at the site.

C. Job Hazard Analysis (JHA)

Each supervisor shall maintain and periodically update a Code of Safe Work Practices for the job classifications within his/her jurisdiction. The Code of Safe Work Practices or Job Hazard Analysis will be used to train new employees and provide on-going training for existing employees. The applicable JHA shall be maintained with the Injury and Illness Prevention Program.

D. Hazard Evaluation and Control

Inspection Forms and Employee Hazard Reporting Forms requiring action shall be forwarded to Maintenance and Operations from the District Safety Officer with related work orders, as appropriate. Any work orders dealing with safety issues are prioritized according to the seriousness of the hazard and completed in a timely manner. Copies of these completed work orders will be returned to the District Safety Officer for filing with the original report/form. The District Safety Officer will not file the original report/form until the completed documentation has been attached.

E. Imminent Hazards

Whenever possible, it is the District's intent to abate immediately any hazard which gives rise to a risk of imminent harm. When such a hazard exists which the District cannot abate immediately without endangering employees and/or property, all exposed personnel will be removed from the area of potential exposure except those necessary to correct the hazardous condition. All employees involved in correcting hazardous conditions will receive appropriate training in how to do so and are provided with necessary safeguards and personal protective equipment.

III. SAFETY AND HEALTH TRAINING

Awareness of potential health and safety hazards, as well as knowledge of how to control such hazards, is critical to maintaining a safe and healthful work environment and preventing injuries, illnesses and accidents in the work place. The District is committed to instructing all employees in safe and healthful work practices. To achieve this goal, the District provides training to each employee with regard to general safety procedures and with regard to any hazards or safety procedures specific to that employee's work assignment. Additional training of new and repeat topics will be provided periodically for each employee.

A. When Required Training Will Occur

Training will be provided as follows:

1. Upon hiring, including the contents of this IIPP;
2. Whenever an employee is given a new job assignment for which training has not previously been provided;
3. Whenever new substances, processes, procedures or equipment which represent a new hazard are introduced into the work place;
4. Whenever the District is made aware of a new or previously unrecognized hazard;
5. Whenever the District, District Safety Officer or Department Manager believes that additional training is necessary; and

6. When periodic training, such as CalOSHA annual training, is required.

B. Training of Supervisors

The District develops and provides formal safety training in specific areas for supervisors, including familiarization of the hazards that their employees may face.

C. Additional Areas of Training

Depending on the requirements of each job, additional training may be provided. The district will stipulate certain additional training for certain jobs, and employees may request additional training. A partial list of possible areas of training is:

1. Hazard Communication, Employee Right-to-Know.
2. Personal Protective Equipment.
3. Hand Tools and Portable Power Tools.
4. Fire Safety.
5. Machinery and Machine Guarding.
6. Office Safety.
7. Back Injury Prevention/Proper Lifting Techniques.
8. Defensive Driving.
9. Cardiac Pulmonary Resuscitation (CPR) and First Aid.
10. Forklift Operators/ Utility Cart Safety Training.
11. Accident Investigation for Supervisors.
12. Blood Borne Pathogens.
13. Other programs as necessary.

D. Documentation of Training

Documentation of safety training is maintained in writing by completing a Training Verification Form and filing it with the master IIPP. A copy may be placed in the employee personnel file.

IV. COMMUNICATION WITH EMPLOYEES ON SAFETY AND HEALTH ISSUES

It is the goal of the District to effectively communicate with its employees on all issues regarding Safety and Health. To achieve this, the District has a written Illness and Injury Prevention program, a Hazardous Substance Communication Program, and may institute other programs that contribute to employee safety. Each employee may obtain a copy of these programs and review the safety procedures specific to that employee's work assignment.

A. Safety Meetings

Safety meetings are conducted by management, or their designee, periodically. Safety meetings may be incorporated into other meetings and will provide time for employees to discuss safety with management. During these meetings, each manager shall discuss with the employees under his or her direct supervision such issues as:

1. New hazard that has been introduced or discovered in the work place;
2. Causes of recent accidents or injuries and the methods adopted by the District to prevent similar incidents in the future; and

3. Any health or safety issue deemed by the manager to require reinforcement.

These safety meetings are documented on a signup sheet as to content and attendance, and the signup sheet is kept with the IIPP.

B. Anonymous Notification Procedure

The District has a system of anonymous notification whereby employees who wish to inform the District of work place hazards may do so anonymously by sending a written notification to the District Safety Officer using the Employee Hazard Report Form. The reporting procedure is covered in Section II.B.

C. Posters/Signs

Where appropriate, signs and posters may be utilized to help maintain a high level of safety awareness on the job.

D. Newsletter

The District may distribute a Wellness and Safety newsletter to all employees in a timely manner. A copy of each issue is maintained in the Injury and Illness Prevention file at the District Office.

E. Training

The District has training requirements designed to instruct each employee on general safety procedures as well as on safety procedures specific to the employee's job. These training requirements are described in greater detail in Section III of this program.

V. ACCIDENT INVESTIGATION

A. Purpose

The purpose of accident investigation is twofold. It is to determine the root causes of accidents, and to eliminate them in order to prevent their reoccurrence. The objective of any investigation is FACT FINDING, NOT FAULT FINDING.

B. District Expectation

All work-related accidents involving employee injuries and/or property damage are investigated by the District in a timely manner. Minor incidents and near misses may be investigated as well as serious accidents. A near miss is an incident which, although not serious in itself, could have resulted in a serious injury or significant property damage. Initial accident investigations are documented in writing using the "Supervisor First Report of Injury", reviewed by the district safety officer, and filed. The District Safety Officer may choose to further investigate using the "Accident Investigation Form" in the IIPP. That form includes recommendations for accident prevention, for action. Upon completion of the investigation, including supporting documentation of any actions taken, the form is signed by the District Safety Officer and filed with the IIPP. See section D below.

C. Responsibility for Accident Investigation

The Principal/Department Head/Supervisor shall be responsible for conducting the accident investigation in a timely manner. Accident Investigation Forms are forwarded to the district safety officer for review. The District Safety Officer is responsible for assessing the results of the investigation and authorizing further action, if needed.

D. Procedures for Investigation of Accidents

In depth accident investigations are initiated by the District Safety Officer. They obtain the Accident Investigation Form from the IIPP and begin to investigate using the following four-step process:

1. The Accident Investigation Form shall be used for investigations as follows:
 - 1.1. **Section 1: Information.** Investigations are best handled by two or more people. When the Worker's Compensation Claim number is known, it should be included for reference.
 - 1.2. **Section 2: Description.** The following facts shall be gathered by the accident investigator:
 - 1.2.1. WHO was involved? Include injured employees and witnesses. Interview as many people as needed to establish the facts of the event.
 - 1.2.2. WHAT happened? Describe what took place and include any equipment/machinery/tools that were involved.
 - 1.2.3. WHEN did the accident occur? What time of day, day of the week, shift, and break period did the accident occur? Was an employee working overtime involved?
 - 1.2.4. WHERE did the accident occur? Describe the location where the accident occurred and any special characteristics.
 - 1.3. **Section 3: Findings.** The causes of the accident shall be determined.
 - 1.3.1. surface causes shall be determined (unsafe acts and unsafe conditions)
 - 1.3.2. Root Causes shall then be determined (policies, procedures, etc...)
 - 1.4. **Section 4: Recommendations.**
 - 1.4.1. HOW could this accident have been prevented? What immediate and long-term actions can be taken to prevent reoccurrence?
 - 1.4.2. It is appropriate to make minor repairs and similar responses at this time. Indicate what was done in this section before forwarding.
 - 1.5. **Section 5: Discussion.**

Use this section to summarize the event and the investigation.

 - 1.5.1. Consider a cost/benefit analysis. Use Worker's Compensation data, frequencies and severities of accidents, regulations, lost time, and other indirect costs, and compare this to the benefits realized by implementing recommendations.
2. The investigator signs the form and forwards it to the District Safety Officer for review.
3. The District Safety Officer reviews the form and implements actions to prevent reoccurrence of the accident. Actions can be the recommendations from the form, or they may be determined by the District Safety Officer. Any actions taken beyond those taken in step 1.4.2 are logged in section VI.
4. Once the actions have been completed and supporting documentation has been received, the form is signed by the District Safety Officer and the Superintendent. The form and related documentation is filed with the master IIPP.

VI. DISTRICT SAFETY RULES

GENERAL SAFETY RULES

For the protection and safety of all employees, the District has established the following rules designed to prevent accidents and injuries. Compliance with these rules is mandatory.

1. All accidents and injuries must be reported to the supervisor at the time of occurrence.
2. Machines or equipment shall not be operated until you have received proper instructions on their operation.
3. Horseplay, throwing things, running in aisles and stairways, distracting employees at work and unnecessary shouting are forbidden.
4. All spilled oil, grease, water and other liquids must be cleaned up immediately.
5. Areas in which overhead maintenance is being performed will be blocked off and posted to prevent possible injury from falling objects. A barricaded or posted area will not be entered except by the workers performing the work.
6. Any defective tool or equipment must be immediately reported to your supervisor.
7. Failure by an employee to comply with the safety rules will be grounds for corrective discipline.
8. Specific Department Safety Rules, when applicable, will be posted in appropriate work areas.

Materials Handling

1. Lifting: Attempting to lift or push an object which is too heavy must be avoided. You must contact the supervisor when help is needed to move a heavy object.
2. Hand trucks will be pulled when in transit except going down an incline or placing a load in position.
3. Hand trucks will be loaded in such a manner as to eliminate the possibility of spilling.
4. When carrying material, caution will be exercised in observance of obstructions, loose material, etc.
5. Protruding nails in boxes, skids or other containers will be removed or made flush.
6. All material will be stacked and stored in proper areas.
7. Material will not be stored in aisles. Aisles must be kept clear at all times.

Protective Equipment

1. Safety glasses will be worn when eye protection is required, i.e. where posted. Photogray or sunglasses will not be allowed in shop areas.
2. Safe shoes will be required. Shoes with exposed heels, toes or archways will not be permitted in a shop area. Shoes constructed from inappropriate materials are prohibited from shop areas.
3. Where there is danger of hair (4" from the scalp in length) entangling in moving machinery or equipment, a hair enclosure (cap or hat) must be worn. (Hairnet not accepted by OSHA.)

Machine Operating

1. Use of a machine or piece of equipment will be restricted to that which employee has been trained, qualified and authorized to operate.
2. Immediate notification must be given to the supervisor for any unsafe equipment which is missing protective guards or has improperly positioned protective guards.
3. Power machinery will be kept free of unnecessary tools, rags, and scrap while in operation.
4. Machinery will be turned off when not in use.
5. Brush, chip hook or rake will be used to remove chips.
6. Work pieces and cutters will be secured before setting machine in motion.
7. Correct speed and feed will be used when operating equipment.

8. Rings, jewelry, watches, gloves, neckties, long sleeves or loose clothing will not be worn when near or when operating machinery.
9. Tampering with or removal of safety guards is prohibited.

Compressed Air

1. Compressed air will not be used to clean floors.
2. When blowing chips from a hole, the hole must be covered with a shop towel.
3. Flow from an air hose will not be directed toward another person or toward the operator of the air hose.
4. Compressed air will not be used to clean clothes, hands or other parts of the body.
5. Where danger of flying particles is present, safety glasses with side shields will be worn by employees working with compressed air hoses.
6. The working pressure of a nozzle will not exceed 30 psi.
7. Altering or tampering with safety air nozzles is forbidden.

Housekeeping

The foundation of a safe, healthful and pleasant place to work is good housekeeping.

1. Materials and equipment will be kept out of aisles.
2. Materials will not be stored against doors or exits, fire ladders or fire extinguisher stations.
3. Tools and other equipment will be returned to their proper storage area after use.
4. Tools will be kept dry; spilling of liquids will be avoided; all spills will be wiped-up immediately.
5. Trash and scrap will be thrown in proper waste containers.
6. Good housekeeping practices will be exercised within each employee's work area.

Chemicals

1. Chemicals will not be purchased and/or brought on site for usage without a current Material Safety Data Sheet.
2. No chemicals meeting the definition of a "Hazardous Material", as defined by the OSHA Safety and Health Regulations, will be used without strict adherence to the data, precautions and procedures for handling, storage, disposal and usage contained on the appropriate Material Safety Data Sheet.
3. All containers will be labeled as to their contents.

Fire Emergency

1. All fires must be reported immediately. Fire emergency number will be called and location of fire given.
2. All employees must know the location of fire extinguisher(s) and other fire equipment.
3. Tampering with fire extinguisher(s) is forbidden.
4. Fire extinguisher(s), sprinklers, fire exits or risers will not be blocked by supplies, stock or parts at any time.
5. Smoking or open flame is prohibited in areas where flammable materials are used or stored.
6. No smoking is allowed on district property, or in district vehicles.
7. Person who is reporting fire must stay on telephone line until released by fire department personnel.

Medical Emergency

1. All medical emergencies will be reported immediately. Medical emergency number must be called and location of emergency given.

VII. EMERGENCIES

A. Emergency Action Plan

The District has an Emergency and Disaster Preparedness Plan.

B. Earthquake Procedures

Procedures to follow during an earthquake are outlined in the Emergency and Disaster Preparedness Plan.

C. Fire Prevention Program

The District maintains a fully automatic fire alarm system. The District also conducts fire drills in accordance with Section 32110 of the California Education Code. Fire evacuation routes are posted in each classroom and facility. Specific responsibilities are outlined in the Disaster Preparedness Plan.

VIII. ENFORCEMENT OF THE SAFETY PROGRAM

A. Incentive Program

The District provides incentive for employees who make safety suggestions adopted by the district and/or who have demonstrated safe and healthful work practices.

B. Disciplinary System

The District has a policy for disciplinary action for employees who fail to comply with oral, written and/or posted safety warnings, the California Education Code, District policies, or other administrative policies and programs.

Any disciplinary action taken shall not violate the employee's rights as defined under General Industry Safety Order 5194, Federal OSHA Title 29, Part 1910, SB 198 or other Cal-OSHA or Fed-OSHA regulation.

Accident Investigation Report

SECTION I. INVESTIGATION INFORMATION

Name of Injured: _____

Accident Number (or claim number): _____

Date of Injury: _____

Accident Investigator: _____

Title: _____

Accident Investigator: _____

Title: _____

SECTION II. DESCRIPTION OF ACCIDENT

(Describe sequence of events and the injuries. Include who, what, where, when, why, and any witnesses)

SECTION III. FINDINGS (Attach separate page if necessary)

Surface Cause: Unsafe Conditions (defective materials, environmental conditions, housekeeping, maintenance, situations)

1. _____

2. _____

3. _____

Surface Cause: Unsafe Acts: (knowledge, motivation, ability, attitudes, attention, physical deficiencies)

1. _____

2. _____

3. _____

Root Cause(s) (Policies, procedures, supervision, training, decision-making, other factors)

- 1. _____

- 2. _____

- 3. _____

SECTION IV. RECOMMENDATIONS (Indicate if any of the corrections have been done) (Attach separate page if necessary)
Immediate Corrections. (To reduce or eliminate unsafe acts and conditions)

- 1. _____

- 2. _____

Long Term Corrections. (Policies, procedures, training, etc. to ensure unsafe conditions and/or practices do not recur.)

- 1. _____

- 2. _____

SECTION V. SUMMARY (Include further information. Weigh costs and benefits. Attach additional sheets if needed)

Prepared by _____ **Title** _____ **Date** _____

*******FORWARD TO THE DISTRICT SAFETY OFFICER*******

SECTION VI. DISTRICT SAFETY OFFICER REVIEW (Review report. Verify appropriate actions taken. Revise if needed.)

Immediate: _____

LongTerm: _____

***** **SIGN ONLY AFTER ALL THE CORRECTIVE ACTIONS HAVE BEEN COMPLETED** *****

Safety Officer: _____ **Date:** _____

Superintendent: _____ **Date:** _____

***** **WHEN COMPLETED, WORK ORDERS ATTACHED, AND SIGNED, FILE WITH THE MASTER IIPP** *****

Report of Unsafe Condition or Hazard

Please submit this report to the District Safety Officer. You will receive a response in five (5) working days.

Optional: Employees may submit this form anonymously.

Employee's Name: _____ Job Title: _____

Location of Condition Believed to Be Unsafe or Hazardous: _____

Date and Time Condition or Hazard Observed: _____

Description of Unsafe Condition or Hazard: _____

What Changes Would You Recommend to Correct the Condition or Hazard?

Optional:

Signature of Employee: _____ Date: _____

School District Response:

Name of Person Investigating Report: _____ Date Received: _____

Results of Investigation (What was found? Was condition unsafe or a hazard?) (Attach additional sheets if necessary):

Action Taken to Correct Hazard or Unsafe Condition, If Appropriate (or, Alternatively, Information provided to Employees as to Why Condition Was Not Unsafe or Hazardous) (attach additional sheets if necessary):

Signature of Person Investigating Report: _____

DSO REVIEW: _____ Date: _____

Date of response to employee (or posting of a copy of this form, for anonymous reports): _____

WHEN COMPLETED, WORK ORDER COPIES ATTACHED, AND REVIEWED BY THE DISTRICT SAFETY OFFICER,
FILE WITH THE MASTER IIPP

Site Inspection Summary Form

District: _____ For School Year: _____

Areas on site: (indicate the amount of all areas found on site)

Classrooms		Offices	
Assembly Areas/Gyms		Science Labs/Shops	
Playgrounds		Athletic Fields/Pools	
Cafeterias		Custodian Shops	
Grounds		Other	
Transportation Shop		Maintenance Shop	

Areas Inspected:

Perform three inspections per each area per year, typically by September 30, January 30, and June 30. Record the area, the date inspected, if any repairs were required and the appropriate work order numbers, and the date the work was completed. Keep the inspection checklists and the completed form with your IIPP. Start a new form each school year.

AREA	DATE	REPAIRS?	DATE COMP.

Verification of Initial Training Form

NAME _____ Job Title _____
Please Print

Work Site _____
Please Print

Supervisor: _____

I agree to follow all Tuolumne County Superintendent of Schools safety and health rules, policies and procedures. I have received training and written materials on the district's following safety policies:

General Safety and Health Issues

- The District's Injury and Illness Program
- District Safety Rules
- Emergency procedures
- Housekeeping
- Personal protective equipment
- Lifting techniques
- Working around equipment
- Reporting unsafe conditions
- General safe work practices
- Job Hazard Analysis

Employee signature

Date

Trainer's name

Trainer's signature

FILE THIS TRAINING FORM WITH THE IIPP. FILE A COPY IN THE EMPLOYEE'S PERSONNEL FILE.



COVID-19 Prevention Program

An Addendum to the Injury and Illness Program

*In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7.
General Industry Safety Orders Section 3205, COVID-19 Prevention*

Tuolumne County Superintendent of Schools

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

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COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

(a) Scope.

(1) This program applies to all employees and all places of employment, with the following exceptions:

- (A) Places of employment with one employee who does not have contact with other persons.
- (B) Employees working from home.
- (C) Employees when covered by section [5199, Aerosol Transmissible Diseases](#).

(b) Definitions. The following definitions apply:

“COVID-19” means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

“COVID-19 case” means a person who:

- (1) Has a positive “COVID-19 test” as defined in this section;
- (2) Is subject to COVID-19-related order to isolate issued by a local or state health official; or
- (3) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

A person is no longer a “COVID-19 case” in this section when a licensed health care professional determines that the person does not have COVID-19, in accordance with recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department.

“COVID-19 exposure” means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

“COVID-19 hazard” means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids, among other things. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

“COVID-19 symptoms” means the following unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.

- fever of 100.4 degrees Fahrenheit or higher
- chills
- cough
- shortness of breath or difficulty breathing
- fatigue
- muscle or body aches
- headache

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

- new loss of taste or smell
- sore throat
- congestion or runny nose
- nausea or vomiting, or diarrhea,

“COVID-19 test” means a viral test for SARS-CoV-2 that is:

- (1) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and
- (2) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

“Exposed workplace” means any work location, working area, or common area at work used or accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The exposed workplace does not include buildings or facilities not entered by a COVID-19 case.

Effective January 1, 2021, the “exposed workplace” also includes but is not limited to the “worksites” of the COVID-19 case as defined by Labor Code section 6409.6(d)(5).

“Face covering” means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.

“High-risk exposure period” means the following time period:

- (1) For persons who develop COVID-19 symptoms: from two days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or
- (2) For persons who test positive who never develop COVID-19 symptoms: from two days before until ten days after the specimen for their first positive test for COVID-19 was collected.

(c) Written COVID-19 Prevention Program Components.

Tuolumne County Superintendent of Schools (TCSOS) has developed this written COVID-19 Prevention Program, in accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention.

TCSOS Prevention Program has been developed in accordance with the issued guidance from the State of California Department of Public Health and Cal/OSHA (Appendix A).

Elements of the COVID-19 Prevention Program include:

(1) System for communicating.

TCSOS will do all of the following in a form readily understandable by employees:

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

(A) Employee Reports:

All employees of TCSOS are to, without fear of reprisal, report to their Supervisor or Manager any of the following:

1. **COVID-19 symptoms:** If any employee is experiencing any of the identified symptoms of COVID-19
2. **Possible COVID-19 exposures:** If any employee has been exposed or possibly exposed to an individual who is positive for, or has been diagnosed with COVID-19.
3. **Possible COVID-19 hazards at the workplace:** If any employee becomes aware of a possible hazard in the workplace that could increase the likelihood of exposure to COVID-19.

Methods of Reporting:

1. **To Whom:** Employee Supervisor, Executive Director of Human Resources
2. **How:** Through daily COVID screening, email, phone call
3. **Where:** Tuolumne County Superintendent of Schools
4. **When:** Through daily screening, contact supervisor/Human Resources anytime.

(B) Procedures for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.

Employees who are at high risk from COVID-19 are entitled to engage in an interactive process meeting with their supervisor, and Human Resources in order to identify and determine appropriate accommodations, if any.

(C) Access to COVID-19 testing.

If testing is required in accordance with this written program, TCSOS shall inform any affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.

Management shall communicate the plan for providing testing and inform employees of the reason for the testing and the possible consequence of a positive test. Resources about where to obtain a voluntary COVID-19 test (non-surveillance) as needed.

(D) COVID-19 hazards and TCOSS's COVID-19 policies and procedures to protect employees and other employers, persons, and entities within or in contact with the employer's workplace.

Refer to: <https://www.tcsos.us/required-postings/>

Refer to: Tuolumne County Superintendent of Schools Back to School Plan,
<https://drive.google.com/drive/folders/1sE4TVtQnQ2eKAg1N0mbvR7hsBc3xLLb8>

NOTE: See subsections (c)(3)(C) and (c)(3)(D) for confidentiality requirements for COVID-19 cases.

(2) Identification and evaluation of COVID-19 hazards.

(A) identification and evaluation of COVID-19 hazards

TCSOS will include opportunities for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards as follows;

TCSOS regularly reviews applicable orders and general and industry-specific guidance from the State of

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention. Orders and guidance are reviewed collaboratively in a variety of countywide group meetings including Superintendents' meetings, Cabinet meetings, Leadership meetings, weekly meetings with Tuolumne County Public Health, Superintendent Council meetings, staff meetings, and other meetings as needed. The Tuolumne County Public Health Department has designated a Public Health Liaison and a Physician as a source of support, guidance, and collaborative communication during the pandemic. Supervisors shall periodically conduct workplace-specific evaluations using **Template I: Identification of COVID-19 Hazards**.

Supervisors shall conduct periodic inspections as needed, to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

Employees are encouraged to participate in the identification and evaluation of potential COVID-19 hazards by maintaining ongoing reciprocal verbal and written communication with supervisors, administration, staff meetings, superintendent council meetings.

Employees shall be educated and empowered by management to respectfully remind others to follow all policies, procedures, and practices adopted related to COVID-19.

(B) Employee Symptom Screening

TCSOS has implemented a process for screening employees for and responding to employees with COVID-19 symptoms.

All TCSOS employees, substitute employees and volunteers determined to be on worksites or remote work are required to affirm by signature that they will engage in daily wellness screening required and established by the Tuolumne County Public Health Department. Screenings shall be completed prior to performing work that includes a self-assessment wellness check that they are free from symptoms consistent with COVID-19 CDC guidelines. Employees may screen through the TCSOS website, Envoy App for smart phones, <https://www.tcsos.us/screening/> or TCSOS office Envoy.

Certain employees will be required to engage in on-site screening procedures consistent with the host school site adopted procedures including but not limited to temperature checks, documentation that they are symptom free, and/or COVID-19 testing.

(C) Response to COVID-19 case

TCSOS has developed COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission of COVID-19 in the workplace.

All employees shall affirm that they will immediately report to their supervisor and School Nurse or Human Resources if they have symptoms of COVID-19, have been diagnosed with COVID-19, have recently had close contact with someone with a confirmed diagnosis of COVID-19.

If an employee is not feeling well and is exhibiting symptoms that may be attributed to COVID-19 and are not due to a known or chronic condition, the employee shall immediately return home, go to a healthcare facility if needed, or self-isolate until they can be safely transported away from the worksite to the appropriate place, ensuring they are wearing a face covering and physically distanced from others.

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

Human Resources, School Nurse, or Supervisor shall inform employees they must go home or to a healthcare facility as needed if they are visibly exhibiting symptoms consistent with COVID-19 and not due to a known or chronic condition.

TCSOS shall provide employees with appropriate resources on COVID-19 including how to seek medical care and what to do in the event they have symptoms, such as that provided on CDC about what to do if you are sick.

Employees with a confirmed positive case of COVID-19 shall be excluded from the workplace until return-to-work requirements consistent with state and local public health guidelines have been met.

A negative COVID-19 test shall not be required for an employee to return to work from isolation.

Return to work criteria for employees with a confirmed positive case of COVID-19 on isolation and who are symptomatic shall include:

- At least 10 days have passed since the date of the onset of symptoms;

- At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medication;

- COVID-19 symptoms have improved.

Return to work criteria for employees with a confirmed positive case of COVID-19 on isolation and who are asymptomatic shall include:

- A minimum of 10 days has passed since the date of the specimen collection of their first positive COVID-19 test.

If an order to isolate or quarantine an employee is issued by the local or state health official, the employee so ordered shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the relevant return-to-work criteria shall be met.

Employees excluded from the workplace due to a positive confirmed case of COVID-19 or a close contact exposure to COVID-19 that has been determined as work-related shall maintain earnings, seniority, and all other employee rights and benefits for the duration of the isolation or quarantine where permitted by law and when not covered by workers' compensation.

Employees excluded from the workplace shall be provided with a staff notification letter within 24 hours from knowledge of the need for exclusion that includes information on where and how free COVID-19 tests can be obtained, available leaves and benefits, and the disinfection and safety plan that TCSOS will implement or complete. See attached: (Notification of Employee Potential Exposure to COVID-19 in the Workplace).

Employees who have had potential exposure to COVID-19 in the workplace, as determined through contact tracing, shall be offered COVID-19 testing at no cost during their established work schedule.

Employees who have had potential exposure to COVID-19 in the workplace shall be provided with information on COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws.

COVID-19 Prevention Program

An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

TCSOS shall work closely with the Tuolumne County Public Health Department so that they may engage in proper contact tracing and timely notification to any individuals who may be affected by a COVID-19 case.

Employee information shared with Public Health may include the employee's work location, work hours, general and specific work duties, if the employee has traveled to multiple worksites recently, and the last day the employee was at work. The employee's name and date of birth will not be disclosed unless asked by the health officials.

Additional information provided to Public Health may include which others have been in close contact with the individual with COVID-19.

Any physical space that has been identified as exposed to an individual with COVID-19 shall be closed for 24 hours and then disinfected by staff trained and wearing proper Personal Protective Equipment (PPE).

(D) Workplace Assessment

TCSOS has conducted a workplace-specific assessment to identify all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards.

TCSOS has taken universal precautions and treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.
2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

Each work location has been reviewed and assessed and modified according to CDC guidelines in mitigating COVID-19 exposure. Continued monitoring will be completed and discussed at departmental meetings, cabinet, leadership, Superintendent council, and staff meetings.

(E) Ventilation Systems

For indoor locations, TCSOS will evaluate how to maximize the quantity of outdoor air and whether it is possible to increase filtration efficiency to the highest level compatible with the existing ventilation system.

Employees shall be informed to keep windows open to the extent feasible.

Employees shall be informed about circumstances where the amount of outside air needs to be minimized due to other hazards such as air pollution including wildfire smoke, and excessive heat or cold.

Air pollution is defined as when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant.

Ventilation systems will receive regular maintenance to ensure cleanliness and functionality.

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An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

Quarterly Assessments will be conducted to determine the possibility to increase filtration efficiency to the highest level compatible with existing ventilation systems. Filters for ventilation systems will be checked and replaced regularly to ensure cleanliness.

In the event of a COVID-19 outbreak, TCSOS shall review best practice for cleaning and sanitization. TCSOS shall regularly review information on CDC and state and local public health guidance on matters of air. Topics reviewed shall include but are not limited to those listed below.

Air filtration.

Natural and forced air circulation.

Natural air and environmental conditions.

(F) Ongoing monitoring and review of orders and guidance

TCSOS will monitor and review applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention, including information of general application and information specific to the employer's industry, location, and operations.

(G) Evaluate existing prevention controls

TCSOS will evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls.

(H) Periodic Inspections

TCSOS will conduct periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with employers' COVID-19 policies and procedures.

(3) Investigating and responding to COVID-19 cases in the workplace.

(A) Procedure to investigate COVID-19 cases in the workplace.

This includes procedures for verifying COVID-19 case status, receiving information regarding COVID-19 test results and onset of COVID-19 symptoms, and identifying and recording COVID-19 cases.

(B) Response to a COVID-19 case in the workplace:

TCSOS will take all of the following steps in response to a COVID-19 case in the workplace.

1. Determine the day and time the COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.
2. Determine who may have had a COVID-19 exposure. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period.

Note: See subsection (c)(10) for exclusion requirements for employees with COVID19 exposure.

3. Give notice of the potential COVID-19 exposure, **within one business day**, in a way that does not reveal any personal identifying information of the COVID-19 case, to the following:
 - a. All employees who may have had COVID-19 exposure and their authorized representatives.

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- b. Independent contractors and other employers present at the workplace during the high-risk exposure period.
4. Offer COVID-19 testing at no cost to employees during their working hours to all employees who had potential COVID-19 exposure in the workplace and provide them with the information on benefits described in subsections (c)(5)(B) and (c)(10)(C).
5. Investigate whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

School Nurse or Executive Director, Human Resources will communicate and investigate each exposure, secured communication method will be maintained between School Nurse and Human Resources.

(C) Confidentiality of Personal Identifying Information

All personally identifying information regarding COVID-19 cases or persons with COVID-19 symptoms shall be kept confidential. All COVID-19 testing or related medical services provided by the employer under this section and sections 3205.1 through 3205.4 shall be provided in a manner that ensures the confidentiality of employees.

EXCEPTION to subsection (c)(3)(C): Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law immediately upon request.

(D) Confidentiality of Employee Medical Records

All Employee medical records are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace.

EXCEPTION 1 to subsection (c)(3)(D): Unredacted medical records shall be provided to the local health department, CDPH, the Division, NIOSH, or as otherwise required by law immediately upon request.

EXCEPTION 2 to subsection (c)(3)(D): This provision does not apply to records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

(4) Correction of COVID-19 hazards.

TCSOS has implemented policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard.

Unsafe or unhealthy work conditions, practices or procedures will be documented reported to the Supervisor and Facilities Maintenance through the TCSOS Help Desk <https://www.tcsos.us/technology-services/tcsos-helpdesk/> Facilities & Maintenance will correct in a timely manner based on the severity of the hazards.

The severity of the unhealthy work conditions, practices or procedures will be assessed through investigation and will be based on compliance with scientific practices known to reduce or prevent the transmission of COVID-19 as determined by state and local health guidance, regulations, and orders.

Interviews with individuals who may be familiar with the condition, practice or procedure being Inspected may be conducted.

Walk-through visits may be conducted, as appropriate.

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Meetings with individual(s) who may have valuable contributions toward the assessment of the conditions, practices or procedures may be conducted.

As a part of the inspection, specific individuals will be identified as responsible for timely correction or improvement of conditions, practices, or procedures, and will be provided instructions for completion. Follow up measures such as check-ins or walk-through visits will be taken to ensure timely implementation of necessary changes.

(5) Training and instruction.

TCSOS will provide training on the following through easy to understand online getsafety trained, verbal, visual, audiovisual, handouts and other resources.

TCSOS has developed a training program for all employees with instruction to employees including, but not limited to, the following:

- TCSOS COVID-19 policies and procedures to protect employees from COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract.
- The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.
- Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment.
- COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID-19 test if the employee has COVID-19 symptoms.

(6) Physical distancing.

(A) All employees will be separated from other persons by at least six feet (except where it can be demonstrated that six feet of separation is not possible, and except for momentary exposure while persons are in movement)

Methods of physical distancing include:

- Telework or other remote work arrangements, where feasible;
- Reducing the number of persons in an area at one time, including visitors;

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- Visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel;
- Staggered arrival, departure, work, and break times;
- Adjusted work processes or procedures, to allow greater distance between employees.

(B) When it is not possible to maintain a distance of at least six feet, individuals shall be as far apart as possible.

TCSOS employees will be provided with information from CDC on physical distancing. Signage reminding employees to maintain physical distancing shall be posted in various visible location at all TCSOS work sites and host school sites.

(7) Face coverings.

(A) TCSOS will:

- Comply with all public health orders regarding face coverings
- Provide face coverings to all employees as needed
- Ensure they are worn by employees over the nose and mouth when;
 - indoors,
 - when outdoors and less than six feet away from another person,
 - and where required by orders from the CDPH or local health department.
- Ensure face coverings are clean and undamaged.
- Ensure face shields are not used as a replacement for face coverings, although they may be worn together for additional protection.
- The following are exceptions to the face coverings requirement:
 1. When an employee is alone in a room.
 2. While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
 3. Employees wearing respiratory protection in accordance with section 5144 or other title 8 safety orders.
 4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
 5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.

NOTE: CDPH has issued guidance for employers that identifies examples when wearing a face covering is likely not feasible.

(B) Employees exempted from wearing face coverings due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.

(C) Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the

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unmasked employee is tested at least twice weekly for COVID-19. COVID-19 testing cannot be used as an alternative to face coverings when face coverings are otherwise required.

(D) TCOS will not prevent any employee from wearing a face covering when required, unless it would create a safety hazard, such as interfering with the safe operation of equipment.

(E) TCSOS will implement the measures to communicate to non-employees the face coverings requirements on their premises through signage and verbal communication.

(F) Disposable face masks shall be available to employees and visitors who do not have a face covering or who forget to bring a face covering with them to the assigned work space or office.

(8) Other engineering controls, administrative controls, and personal protective equipment.

(A) Partitions

At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, TCSOS will install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.

(B) Maximize Outdoor Air

For buildings with mechanical or natural ventilation, or both, the District will maximize the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.

(C) Cleaning and Disinfecting

TCSOS has implemented cleaning and disinfecting procedures, which require:

1. Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels. The District will inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection.
2. Prohibiting the sharing of personal protective equipment and to the extent feasible, items that employees come in regular physical contact with such as phones, headsets, desks, keyboards, writing materials, instruments, and tools. When it is not feasible to prevent sharing, sharing shall be minimized and such items and equipment shall be disinfected between uses by different people. Sharing of vehicles shall be minimized to the extent feasible, and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) shall be disinfected between users.
3. Cleaning and disinfection of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period.

NOTE: Cleaning and disinfecting must be done in a manner that does not create a hazard to employees. See Group 2 and Group 16 of the General Industry Safety Orders for further information.

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(D) Handwashing Facilities

To protect employees from COVID-19 hazards, TCSOS will evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer. Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.

(E) Personal protective equipment.

1. TCSOS will evaluate the need for personal protective equipment to prevent exposure to COVID-19 hazards, such as gloves, goggles, and face shields, and provide such personal protective equipment as needed.
2. TCSOS will evaluate the need for respiratory protection in accordance with section 5144 when the physical distancing requirements in subsection (c)(6) are not feasible or are not maintained.
3. TCSOS will provide and ensure use of respirators in accordance with section 5144 when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.
4. TCSOS will provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

NOTE: Examples of work covered by subsection (c)(8)(E)4. include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

Refer to: Tuolumne County Superintendent of Schools Back to School Plan,
<https://drive.google.com/drive/folders/1sE4TVtQnQ2eKAgIN0mbvR7hsBc3xLLb8>

(9) Reporting, recordkeeping, and access.

(A) Local Public Health

TCSOS will report information about COVID-19 cases at the workplace to the local health department whenever required by law, and shall provide any related information requested by the local health department.

(B) Cal/OSHA

TCSOS will report immediately to the Division any COVID-19-related serious illnesses or death, as defined under section 330(h), of an employee occurring in a place of employment or in connection with any employment.

(C) Injury & Illness Prevention Program

TCSOS will maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).

(D) Access to the COVID-19 Prevention Program

The written COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to representatives of the Division immediately upon request.

(E) Access to COVID-19 Case Records

TCSOS will keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace,

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and the date of a positive COVID-19 test. Medical information shall be kept confidential in accordance with subsections (c)(3)(C) and (c)(3)(D). The information shall be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

Note: Subsection (c)(9)(E) does not alter the right of employees or their representatives to request and obtain an employer's Log of Work-Related Injuries and Illnesses (Log 300), without redaction, or to request and obtain information as otherwise allowed by law.

(10) Exclusion of COVID-19 cases.

The purpose of this section is to limit transmission of COVID-19 in the workplace.

(A) COVID-19 Cases

TCSOS will ensure that COVID-19 cases are excluded from the workplace until the return to work requirements in section 11 are met.

(B) COVID-19 Exposure Cases

TCSOS will exclude employees with COVID-19 exposure from the workplace for 14 days after the last known COVID-19 exposure to a COVID-19 case.

(C) Earnings & Benefits while excluded

For employees excluded from work and otherwise able and available to work, TCSOS will continue and maintain the employee's earnings, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job.

TCSOS may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

EXCEPTION 1: Subsection (c)(10)(C) does not apply to any period of time during which the employee is unable to work for reasons other than protecting persons at the workplace from possible COVID-19 transmission.

EXCEPTION 2: Subsection (c)(10)(C) does not apply where the employer demonstrates that the COVID-19 exposure is not work related.

(D) This section does not limit any other applicable law, employer policy, or collective bargaining agreement that provides for greater protections.

(E) Information on Benefits & Leaves

At the time of exclusion, TCSOS will provide the employee the information on available benefits and leaves as required

EXCEPTION to subsection (c)(10): Employees who have not been excluded or isolated by the local health department need not be excluded by the employer, if they are temporarily reassigned to work where they do not have contact with other persons until the return to work requirements of subsection (c)(11) are met.

Refer to: Tuolumne County Superintendent of Schools Back to School Plan,
<https://drive.google.com/drive/folders/1sE4TVtQnQ2eKAg1N0mbvR7hsBc3xLLb8>

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(11) Return to work criteria.

(A) COVID-19 cases with COVID-19 symptoms shall not return to work until:

1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

(B) COVID-19 cases who tested positive but never developed COVID-19 symptoms

Shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

(C) A negative COVID-19 test shall not be required for an employee to return to work.

(D) If an order to isolate or quarantine an employee is issued by a local or state health official

The employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be:

- 10 days from the time the order to isolate was effective, or
- 14 days from the time the order to quarantine was effective.

Guidance from the California Department of Public Health:

[Guidance on Returning to Work or School Following COVID-19 Diagnosis](#)

[Self-Quarantine Instructions for Individuals Exposed to COVID-19](#)

[Self-Quarantine Guidance for Individuals Exposed to COVID-19](#) These instructions are for people who have been in close contact with someone who has been diagnosed with COVID-19.

[Self-Isolation Instructions for Individuals Who Have or Likely Have COVID-19](#)

[Self-Isolation Guidance for Individuals Who Have or Likely Have COVID-19](#) These instructions are for people who have or likely have COVID-19. They include information for households, families, caregivers, or close contacts.

(E) Division approval of return to work

If there are no violations of local or state health officer orders for isolation or quarantine, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the District will develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not possible, the use of respiratory protection in the workplace.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

Refer to: Tuolumne County Superintendent of Schools Back to School Plan,

<https://drive.google.com/drive/folders/1sE4TVtQnQ2eKAgIN0mbvR7hsBc3xLLb8>

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§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to a place of employment covered by section the District COVID-19 Prevention Program if:

- The exposed workplace has been identified by a local health department as the location of a COVID-19 outbreak or,
- When there are three or more COVID-19 cases in an exposed workplace within a 14-day period.

(2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

(b) COVID-19 testing.

TCSOS will work closely with employees who have had an exposure and provide testing through onsite or the state testing facility <https://www.tcsos.us/screening/tcsos-surveillance-testing/>, <https://lhi.care/start>

(1) The District will provide COVID-19 testing to all employees at the exposed workplace except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period(s) under subsection (a), as applicable. COVID-19 testing shall be provided at no cost to employees during employees' working hours.

(2) COVID-19 testing shall consist of the following:

(A) Immediately upon being covered by this section, all employees in the exposed workplace shall be tested and then tested again one week later. Negative COVID-19 test results of employees with COVID-19 exposure shall not impact the duration of any quarantine period required by, or orders issued by, the local health department.

(B) After the first two COVID-19 tests required by (b)(2)(A), TCSOS will provide continuous COVID-19 testing of employees who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until this section no longer applies pursuant to subsection (a)(2).

(C) TCSOS will provide additional testing when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

(c) Exclusion of COVID-19 cases.

TCSOS will ensure COVID-19 cases and employees who had COVID-19 exposure are excluded from the workplace in accordance with our COVID-19 Prevention Program and local health officer orders if applicable.

(d) Investigation of workplace COVID-19 illness.

TCSOS will immediately investigate and determine possible workplace related factors that contributed to the COVID-19 outbreak in accordance with our COVID-19 Prevention Program.

(e) COVID-19 Investigation, review and hazard correction.

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In addition to the requirements of our COVID-19 Prevention Program TCSOS will immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19. The investigation and review shall be documented and include:

- (1) Investigation of new or unabated COVID-19 hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home when sick; the employer's COVID-19 testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing.
- (2) The review shall be updated every thirty days that the outbreak continues, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.
- (3) TCSOS will implement changes to reduce the transmission of COVID-19 based on the investigation and review required by our COVID-19 Prevention Program. TCSOS will consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as possible, respiratory protection, and other applicable controls.

(f) Notifications to the local health department.

- (1) TCSOS will contact the local health department immediately but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of three or more COVID-19 cases for guidance on preventing the further spread of COVID-19 within the workplace.
- (2) TCSOS will provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case, and any other information requested by the local health department. The District will continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.
- (3) Effective January 1, 2021, the District will provide all information to the local health department required by Labor Code section 6409.6.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to any place of employment covered by our COVID-19 Prevention Program when:

- there are 20 or more COVID-19 cases in an exposed workplace within a 30-day period.

(2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

(b) COVID-19 testing. TCSOS will work closely with employees who have had an exposure and provide testing through onsite or the state testing facility <https://www.tcsos.us/screening/tcsos-surveillance-testing/>, <https://lhi.care/start>

TCSOS will provide twice a week COVID-19 testing, or more frequently if recommended by the local health department, to all employees present at the exposed workplace during the relevant 30-day period(s) and who remain at the workplace.

COVID-19 testing will be provided at no cost to employees during employees' working hours.

(c) Exclusion of COVID-19 cases. TCSOS will ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance with our COVID-19 Prevention Program and any relevant local health department orders.

(d) Investigation of workplace COVID-19 illnesses. TCSOS will comply with the investigation procedures in accordance with our COVID-19 Prevention Program.

(e) COVID-19 hazard correction. In addition to the requirements of our COVID-19 Prevention Program, TCSOS will take the following actions:

(1) In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, employers shall use filters with the highest compatible filtering efficiency. Employers shall also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems would reduce the risk of transmission and shall implement their use to the degree feasible.

(2) TCSOS will determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.

(3) TCSOS will evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.

(4) Any other control measures deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

(f) Notifications to the local health department. Employers shall comply with the requirements of section 3205.1(f).

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Appendix A: Guidance

Employers - General Guidance

- [California Blueprint for a Safer Economy](#) - Find the status of activities in your county
- [Follow the Employer Playbook for a Safe Reopening](#)
- [Industry guidance to reduce risk](#)
- [Guidance on Returning to Work or School Following COVID-19 Diagnosis](#)
- [Responding to COVID-19 in the Workplace for Employers](#)
- [Side by Side Comparison of COVID-19 Paid Leave](#)

Guidance Employers – Office Workspaces

- Follow this [guidance for office workspaces](#) to create a safer environment for workers.
- Review the guidance, prepare a plan, and post the [checklist for office workspaces](#)

Guidance - K-12 Education

- Follow this [guidance for schools and school-based programs](#)
- Review the guidance, prepare a plan, and post the [checklist for schools](#)
- Check the answers to [frequently asked questions](#) about guidance for schools.
- Follow the [guidance related to cohorts](#) of children and youth.
- See the [California Interscholastic Federation statement](#) for information about seasonal sports.
- Some schools may have reopened based on the [COVID-19 and Reopening In-Person Learning Framework for K-12 Schools](#). These schools should follow the guidance on school closure provided in that framework when determining whether to close due to COVID-19 spread.
- Elementary education waiver: See the [Waiver Process Overview](#) for details.
- Local health officers will need to submit the [Waiver Notice Form](#) to CDPH.
- Schools seeking a waiver can use the template [Waiver Letter and Cover Form](#).

Face Covering Information

- [Guidance for the Use of Face Coverings](#)
- [Face coverings, masks, and respirators](#) – Information & Overview
- [Face coverings, masks & respirators](#) - Handout
- [Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](#) – CDC Recommendations
- [Voluntary use of N95 masks](#) - Cal/OSHA

California Healthy Schools Act & Integrated Pest Management (IPM)

- [Do I need training to use a disinfectant?](#)
- [IPM Training for School Staff](#) - Online [Training Options](#)
- [Reminders for Using Disinfectants for Schools and Child Care](#)
- [What About Hand Sanitizers?](#)
- EPA [Approved Cleaners](#)
- [Disinfecting Fogger Tips](#)
- [EPA Supports Healthy Indoor Environments in Schools During COVID-19 Pandemic](#)

Americans with Disabilities Act - U.S. Equal Employment Opportunity Commission

- [Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](#)
- [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#)

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Appendix B: Cal/OSHA Regulations

Subchapter 7. General Industry Safety Orders § 3205. COVID-19 Prevention.

(a) Scope.

(1) This section applies to all employees and places of employment, with the following exceptions:

(A) Places of employment with one employee who does not have contact with other persons.

(B) Employees working from home.

(C) Employees when covered by section 5199.

(2) Nothing in this section is intended to limit more protective or stringent state or local health department mandates or guidance.

(b) Definitions. The following definitions apply to this section and to sections 3205.1 through 3205.4.

“COVID-19” means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

“COVID-19 case” means a person who:

(1) Has a positive “COVID-19 test” as defined in this section;

(2) Is subject to COVID-19-related order to isolate issued by a local or state health official; or

(3) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

A person is no longer a “COVID-19 case” in this section when a licensed health care professional determines that the person does not have COVID-19, in accordance with recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department.

“COVID-19 exposure” means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

“COVID-19 hazard” means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids, among other things. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

“COVID-19 symptoms” means fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.

“COVID-19 test” means a viral test for SARS-CoV-2 that is:

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(1) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and

(2) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

“Exposed workplace” means any work location, working area, or common area at work used or accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The exposed workplace does not include buildings or facilities not entered by a COVID-19 case.

Effective January 1, 2021, the “exposed workplace” also includes but is not limited to the “worksites” of the COVID-19 case as defined by Labor Code section 6409.6(d)(5).

“Face covering” means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.

“High-risk exposure period” means the following time period:

(1) For persons who develop COVID-19 symptoms: from two days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or

(2) For persons who test positive who never develop COVID-19 symptoms: from two days before until ten days after the specimen for their first positive test for COVID-19 was collected.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(1) System for communicating. The employer shall do all of the following in a form readily understandable by employees:

(A) Ask employees to report to the employer, without fear of reprisal, COVID-19 symptoms, possible COVID-19 exposures, and possible COVID-19 hazards at the workplace.

(B) Describe procedures or policies for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.

(C) Provide information about access to COVID-19 testing. If testing is required under this section, section 3205.1, or section 3205.2, the employer shall inform affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.

(D) In accordance with subsection (c)(3)(B)3., communicate information about COVID-19 hazards and the employer's COVID-19 policies and procedures to employees and to other employers, persons, and entities within or in contact with the employer's workplace.

NOTE: See subsections (c)(3)(C) and (c)(3)(D) for confidentiality requirements for COVID-19 cases.

(2) Identification and evaluation of COVID-19 hazards.

(A) The employer shall allow for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards.

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(B) The employer shall develop and implement a process for screening employees for and responding to employees with COVID-19 symptoms. The employer may ask employees to evaluate their own symptoms before reporting to work. If the employer conducts screening at the workplace, the employer shall ensure that face coverings are used during screening by both screeners and employees and, if temperatures are measured, that non-contact thermometers are used.

(C) The employer shall develop COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission of COVID-19 in the workplace.

(D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

(E) For indoor locations, the employer shall evaluate how to maximize the quantity of outdoor air and whether it is possible to increase filtration efficiency to the highest level compatible with the existing ventilation system.

(F) The employer shall review applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention, including information of general application and information specific to the employer's industry, location, and operations.

(G) The employer shall evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls. This includes evaluation of controls in subsections (c)(4), and (c)(6) through (c)(8).

(H) The employer shall conduct periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with employers' COVID-19 policies and procedures.

(3) Investigating and responding to COVID-19 cases in the workplace.

(A) Employers shall have an effective procedure to investigate COVID-19 cases in the workplace. This includes procedures for verifying COVID-19 case status, receiving information regarding COVID-19 test results and onset of COVID-19 symptoms, and identifying and recording COVID-19 cases.

(B) The employer shall take the following actions when there has been a COVID-19 case at the place of employment:

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1. Determine the day and time the COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.

2. Determine who may have had a COVID-19 exposure. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period.

Note: See subsection (c)(10) for exclusion requirements for employees with COVID19 exposure.

3. Give notice of the potential COVID-19 exposure, within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case, to the following:

a. All employees who may have had COVID-19 exposure and their authorized representatives.

b. Independent contractors and other employers present at the workplace during the high-risk exposure period.

4. Offer COVID-19 testing at no cost to employees during their working hours to all employees who had potential COVID-19 exposure in the workplace and provide them with the information on benefits described in subsections (c)(5)(B) and (c)(10)(C).

5. Investigate whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

(C) Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms shall be kept confidential. All COVID-19 testing or related medical services provided by the employer under this section and sections 3205.1 through 3205.4 shall be provided in a manner that ensures the confidentiality of employees.

EXCEPTION to subsection (c)(3)(C): Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law immediately upon request.

(D) The employer shall ensure that all employee medical records required by this section and sections 3205.1 through 3205.4 are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace.

EXCEPTION 1 to subsection (c)(3)(D): Unredacted medical records shall be provided to the local health department, CDPH, the Division, NIOSH, or as otherwise required by law immediately upon request.

EXCEPTION 2 to subsection (c)(3)(D): This provision does not apply to records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

(4) Correction of COVID-19 hazards. Employers shall implement effective policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard. This includes, but is not limited to, implementing controls and/or policies and procedures in response to the evaluations conducted under subsections (c)(2) and (c)(3) and implementing the controls required by subsection (c)(6) through (c)(8).

(5) Training and instruction. The employer shall provide effective training and instruction to employees that includes the following:

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- (A) The employer's COVID-19 policies and procedures to protect employees from COVID-19 hazards.
- (B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract.
- (C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.
- (D) Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
- (E) The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- (F) The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- (G) Proper use of face coverings and the fact that face coverings are not respiratory protective equipment.
- (H) COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID-19 test if the employee has COVID-19 symptoms.

(6) Physical distancing.

- (A) All employees shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not possible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.
- (B) When it is not possible to maintain a distance of at least six feet, individuals shall be as far apart as possible.

(7) Face coverings.

- (A) Employers shall provide face coverings and ensure they are worn by employees over the nose and mouth when indoors, when outdoors and less than six feet away from another person, and where required by orders from the CDPH or local health department. Employers shall ensure face coverings are clean and undamaged. Face shields are not a replacement for face coverings, although they may be worn together for additional protection. The following are exceptions to the face coverings requirement:

1. When an employee is alone in a room.

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2. While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
3. Employees wearing respiratory protection in accordance with section 5144 or other title 8 safety orders.
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.

NOTE: CDPH has issued guidance for employers that identifies examples when wearing a face covering is likely not feasible.

- (B) Employees exempted from wearing face coverings due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.
- (C) Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19. Employers may not use COVID-19 testing as an alternative to face coverings when face coverings are otherwise required by this section.
- (D) No employer shall prevent any employee from wearing a face covering when not required by this section, unless it would create a safety hazard, such as interfering with the safe operation of equipment.
- (E) Employers shall implement measures to communicate to non-employees the face coverings requirements on their premises.
- (F) The employer shall develop COVID-19 policies and procedures to minimize employee exposure to COVID-19 hazards originating from any person not wearing a face covering, including a member of the public.
- (8) Other engineering controls, administrative controls, and personal protective equipment.
 - (A) At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.
 - (B) For buildings with mechanical or natural ventilation, or both, employers shall maximize the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.
 - (C) Employers shall implement cleaning and disinfecting procedures, which require:
 1. Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels. The employer shall inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection.

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2. Prohibiting the sharing of personal protective equipment and to the extent feasible, items that employees come in regular physical contact with such as phones, headsets, desks, keyboards, writing materials, instruments, and tools. When it is not feasible to prevent sharing, sharing shall be minimized and such items and equipment shall be disinfected between uses by different people. Sharing of vehicles shall be minimized to the extent feasible, and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) shall be disinfected between users.

3. Cleaning and disinfection of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period.

NOTE: Cleaning and disinfecting must be done in a manner that does not create a hazard to employees. See Group 2 and Group 16 of the General Industry Safety Orders for further information.

(D) To protect employees from COVID-19 hazards, the employer shall evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer. Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.

(E) Personal protective equipment.

1. Employers shall evaluate the need for personal protective equipment to prevent exposure to COVID-19 hazards, such as gloves, goggles, and face shields, and provide such personal protective equipment as needed.

2. Employers shall evaluate the need for respiratory protection in accordance with section 5144 when the physical distancing requirements in subsection (c)(6) are not feasible or are not maintained.

3. Employers shall provide and ensure use of respirators in accordance with section 5144 when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

4. Employers shall provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

NOTE: Examples of work covered by subsection (c)(8)(E)4. include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

(9) Reporting, recordkeeping, and access.

(A) The employer shall report information about COVID-19 cases at the workplace to the local health department whenever required by law, and shall provide any related information requested by the local health department.

(B) The employer shall report immediately to the Division any COVID-19-related serious illnesses or death, as defined under section 330(h), of an employee occurring in a place of employment or in connection with any employment.

(C) The employer shall maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).

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(D) The written COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to representatives of the Division immediately upon request.

(E) The employer shall keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test. Medical information shall be kept confidential in accordance with subsections (c)(3)(C) and (c)(3)(D). The information shall be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

Note: Subsection (c)(9)(E) does not alter the right of employees or their representatives to request and obtain an employer's Log of Work-Related Injuries and Illnesses (Log 300), without redaction, or to request and obtain information as otherwise allowed by law.

(10) Exclusion of COVID-19 cases. The purpose of this subsection is to limit transmission of COVID-19 in the workplace.

(A) Employers shall ensure that COVID-19 cases are excluded from the workplace until the return to work requirements of subsection (c)(11) are met.

(B) Employers shall exclude employees with COVID-19 exposure from the workplace for 14 days after the last known COVID-19 exposure to a COVID-19 case.

(C) For employees excluded from work under subsection (c)(10) and otherwise able and available to work, employers shall continue and maintain an employee's earnings, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job.

Employers may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

EXCEPTION 1: Subsection (c)(10)(C) does not apply to any period of time during which the employee is unable to work for reasons other than protecting persons at the workplace from possible COVID-19 transmission.

EXCEPTION 2: Subsection (c)(10)(C) does not apply where the employer demonstrates that the COVID-19 exposure is not work related.

(D) Subsection (c)(10) does not limit any other applicable law, employer policy, or collective bargaining agreement that provides for greater protections.

(E) At the time of exclusion, the employer shall provide the employee the information on benefits described in subsections (c)(5)(B) and (c)(10)(C).

EXCEPTION to subsection (c)(10): Employees who have not been excluded or isolated by the local health department need not be excluded by the employer, if they are temporarily reassigned to work where they do not have contact with other persons until the return to work requirements of subsection (c)(11) are met.

(11) Return to work criteria.

(A) COVID-19 cases with COVID-19 symptoms shall not return to work until:

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1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

(B) COVID-19 cases who tested positive but never developed COVID-19 symptoms shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

(C) A negative COVID-19 test shall not be required for an employee to return to work.

(D) If an order to isolate or quarantine an employee is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be 10 days from the time the order to isolate was effective, or 14 days from the time the order to quarantine was effective.

(E) If there are no violations of local or state health officer orders for isolation or quarantine, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the employer shall develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not possible, the use of respiratory protection in the workplace.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to a place of employment covered by section 3205 if it has been identified by a local health department as the location of a COVID-19 outbreak or when there are three or more COVID-19 cases in an exposed workplace within a 14-day period.

(2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

(b) COVID-19 testing.

(1) The employer shall provide COVID-19 testing to all employees at the exposed workplace except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period(s) under subsection (a), as applicable. COVID-19 testing shall be provided at no cost to employees during employees' working hours.

(2) COVID-19 testing shall consist of the following:

(A) Immediately upon being covered by this section, all employees in the exposed workplace shall be tested and then tested again one week later. Negative COVID-19 test results of employees with COVID-19 exposure shall not impact the duration of any quarantine period required by, or orders issued by, the local health department.

(B) After the first two COVID-19 tests required by (b)(2)(A), employers shall provide continuous COVID-19 testing of employees who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until this section no longer applies pursuant to subsection (a)(2).

(C) Employers shall provide additional testing when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

(c) Exclusion of COVID-19 cases. Employers shall ensure COVID-19 cases and employees who had COVID-19 exposure are excluded from the workplace in accordance with subsections 3205(c)(10) and (c)(11) and local health officer orders if applicable.

(d) Investigation of workplace COVID-19 illness. The employer shall immediately investigate and determine possible workplace related factors that contributed to the COVID-19 outbreak in accordance with subsection 3205(c)(3).

(e) COVID-19 Investigation, review and hazard correction. In addition to the requirements of subsection 3205(c)(2) and 3205(c)(4), the employer shall immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19. The investigation and review shall be documented and include:

(1) Investigation of new or unabated COVID-19 hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home when sick; the employer's COVID-19 testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing.

(2) The review shall be updated every thirty days that the outbreak continues, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.

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(3) The employer shall implement changes to reduce the transmission of COVID-19 based on the investigation and review required by subsections (e)(1) and (e)(2). The employer shall consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as possible, respiratory protection, and other applicable controls.

(f) Notifications to the local health department.

(1) The employer shall contact the local health department immediately but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of three or more COVID-19 cases for guidance on preventing the further spread of COVID-19 within the workplace.

(2) The employer shall provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case, and any other information requested by the local health department. The employer shall continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.

(3) Effective January 1, 2021, the employer shall provide all information to the local health department required by Labor Code section 6409.6.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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An Addendum to the Injury and Illness Program: *In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to any place of employment covered by section 3205 when there are 20 or more COVID-19 cases in an exposed workplace within a 30-day period.

(2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

(b) COVID-19 testing. Employers shall provide twice a week COVID-19 testing, or more frequently if recommended by the local health department, to all employees present at the exposed workplace during the relevant 30-day period(s) and who remain at the workplace.

COVID-19 testing shall be provided at no cost to employees during employees' working hours.

(c) Exclusion of COVID-19 cases. Employers shall ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance with subsections 3205(c)(10) and (c)(11) and any relevant local health department orders.

(d) Investigation of workplace COVID-19 illnesses. The employer shall comply with the requirements of subsection 3205(c)(3).

(e) COVID-19 hazard correction. In addition to the requirements of subsection 3205(c)(4), the employer shall take the following actions:

(1) In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, employers shall use filters with the highest compatible filtering efficiency. Employers shall also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems would reduce the risk of transmission and shall implement their use to the degree feasible.

(2) The employer shall determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.

(3) The employer shall evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.

(4) Any other control measures deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

(f) Notifications to the local health department. Employers shall comply with the requirements of section 3205.1(f).

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.