

# BERKELEY UNIFIED SCHOOL DISTRICT

## BHS Safety Committee Bylaws

### Contents

Origin of the Safety Committee and Relationship to School Site Council .....	1
II. Charge of the Safety Committee.....	1
III. Contents of the Safety Plan .....	1
IV. Membership.....	1
A. Composition of the Safety Committee.....	1
B. Selection Process for Safety Committee members .....	1
C. Term of Office .....	1
D. Attendance and Removal from Membership on the Safety Committee.....	1
V. Election of Officers and Responsibilities .....	1
A. Election of Officers.....	1
B. Responsibilities of Safety Committee Chair/Co-Chairs .....	1
C. Responsibilities of the Vice Chair .....	1
D. Responsibilities of the Principal’s Designee.....	1
E. Responsibilities of the Lead Safety Officer .....	1
VI. Open Meeting Laws and Rules of Order .....	1
A. Open Meeting Law .....	1
B. Information in Spanish.....	1
C. Accessible meetings.....	1
D. Quorum Requirements .....	1
F. Conduct of meetings .....	1
G. Voting .....	1
H. Record keeping .....	1
VII. All Students versus Targeted Groups of Students .....	1
VIII. Conflict of Interest.....	1
IX. Soliciting Input from the School Community.....	1
X. Approval of the School Safety Plan.....	1
A. Two Readings of Plan.....	1

B. Mid-year Changes to the School Safety Plan..... 2

XI. Dispute Resolution ..... 2

XII. Amendment or Suspension of Bylaws ..... 2

Appendix A ..... 2

    Berkeley High School Safety Committee Calendar..... 2

Appendix B ..... 2

    Sample Recommendations and Assurances page for the BHS Safety Plan..... 2

Appendix C ..... 2

    Relevant Sections of the California Education Code:..... 2

        SECTIONS 32280-32289 ..... 2

        SECTION 35147..... 2

Appendix D: Resources for Safe Schools Planning..... 2

    7-Step Safety Plan Process Cycle ..... 2

    California Department of Education online resources ..... 2

    Alameda County Office of Education..... 2

## I. **Origin of the Safety Committee and Relationship to School Site Council**

The Berkeley High School Site Council [SSC] is required by the Education Code to write and develop a comprehensive School Safety Plan relevant to the needs and resources of the school. The SSC may, and has, delegated this responsibility to the Safety Committee [EC 32281(b)(2)]. At Berkeley High, due to the magnitude of the charge of this committee, the Safety Committee is designated a Standing School Advisory Committee to the SSC [SSC bylaws at XIII].

## II. **Charge of the Safety Committee**

The charge of the Safety Committee is to develop and oversee the implementation of a comprehensive school safety plan relevant to the needs and resources of BHS. The purpose of the Safety Plan is to create a cycle of continuous improvement of school safety and to ensure that all students are guaranteed a safe school learning environment and a school climate and culture that foster learning. The Safety Plan involves a continuous development, implementation, and monitoring cycle. The *Safe Schools: A Planning Guide for Action* serves as a guide for the Safety Committee's work. [EC 32282(b)] Per the "Seven-Step Planning Process for Safe and Effective Schools" outline in the guide, the Safety Committee will:

1. Identify the Committee Members
2. Create a vision of BHS as a place where students are safe to learn and develop.
3. Gather and analyze data about BHS and its community.
4. Identify areas of desired change and set major goals.
5. Select and implement strategies for each safe school component, addressing both school climate and the physical environment.
6. Communicate the safety plan to the public.
7. Monitor implementation of the plan, evaluate progress and revise the plan accordingly, while ensuring that the plan is integrated with other school and community planning efforts.

The Safety Committee will also use new planning guides as they become available, such as the *Workbook for Improving School Climate & Closing the Achievement Gap: Using Your California Healthy Kids and California School Climate Surveys*, California Department of Education, 2010

It is recommended that topical subcommittees be established for the detailed work of researching and addressing specific goals, assessments, and strategies. No actionable decisions made by a subcommittee will be considered approved by the Safety Committee unless approved by a successful vote in an official Safety Committee meeting with a quorum. These subcommittees can report to the Safety Committee either verbally or in written form. Examples of such subcommittees:

- 1) Bullying and Harassment
- 2) Alcohol, Tobacco, and Other Drugs

- 3) Disaster Preparedness
- 4) Guns and Weapons
- 5) Data: Availability and Analysis

### III. Contents of the Safety Plan

The Education Code lists the required contents of a school's Safety Plan. In addition to the goals and strategies developed through the process explained in *Safe Schools: A Planning Guide for Action*, the Safety Plan shall include, but not be limited to, both of the following:

- 1) Assessing the current status of school crime committed on school campuses and at school-related functions.
- 2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:
  - A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Title 1 of Part 4 of the Penal Code.
  - B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:
    - i) Establishing an earthquake emergency procedure system in every school building having an occupant capacity of 50 or more pupils or more than one classroom. The Berkeley Unified School District or Alameda County Office of Education may work with the California Emergency Management Agency and the Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:
      - I. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.
      - II. A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each semester.
      - III. Protective measures to be taken before, during, and following an earthquake.
      - IV. A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.
    - ii. Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community.

- C) Policies pursuant to subdivision (d) of EC Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27.
- D) Procedures to notify teachers of dangerous pupils pursuant to Education Code Section 49079.
- E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Education Code Chapter 2 (commencing with Section 200) of Part 1.
- F) The provisions of any school-wide dress code, pursuant to Education Code Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any school-wide dress code established pursuant to this section and EC Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For the purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to EC Section 48950.
- G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.
- H) A safe and orderly environment conducive to learning at the school.
- I) The rules and procedures on school discipline adopted pursuant to Education Code Sections 35291 and 35291.5.
- J) Hate crime reporting procedures pursuant to Education Code Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code.

[Source: EC 32282(a)]

## **IV. Membership**

### **A. Composition of the Safety Committee**

The school safety planning committee must include the following members:

- 1) The principal or the principal's designee.
- 2) One teacher who is a representative of the recognized certificated employee organization.
- 3) One parent whose child attends the school.
- 4) One classified employee who is a representative of the recognized classified employee organization. [EC 32281 (b)(2)]

In addition, the Berkeley High Safety Committee includes:

- 1) Student members, when available.
- 2) The Dean of Students (who typically also serves as the principal's designee)

- 3) A Safety Officer
- 4) Other members, if desired, such as community members, and additional representatives of the mandatory categories listed above.
- 5) A liaison to any district-level safety committee or task force.

Joint membership on the SSC and the Safety Committee of at least one member is desirable in order to increase coordination and communication between the two groups.

The safety committee shall also consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan. [EC 32281 (b)(3)]

#### **B. Selection Process for Safety Committee members**

In April, the Safety Committee shall publicize to students, parents, and staff the opportunity to volunteer for Safety Committee membership, together with a brief description of the committee's work and its meeting schedule. The Principal shall be responsible for ensuring that staff are aware of the opportunity and that the school meets its responsibility under the Education Code to have teacher and classified staff representatives. Parent members shall announce the opportunity in the school's etree and request assistance of the PTSA, the school's Parent Resource Office and the District's Parent Outreach Office in publicizing the opportunity to all parents. The Dean of Students and the Student Leadership coordinator shall ensure that all students become aware of the work of the committee and the opportunity to serve on it. The Safety Committee shall set a deadline for submission to the committee Chair and the Principal's designee of statements of interest from candidates. The Committee shall determine that the roster of volunteers meets the representation requirements of the Education Code, preferably with at least two members from each mandatory category to make it easier to attain a quorum each meeting.

The Committee shall hold a mandatory meeting with all volunteers, at which the work of the Committee and its meeting frequency are described in more detail and all questions are answered. Any volunteers wishing to withdraw at that point shall do so. The remaining volunteers, including any current Safety Committee members wishing to continue, shall become the roster of the next year's members. The Safety Committee's Chair shall present this roster to the School Site Council for its review and approval no later than its second meeting in May, to allow for any changes that must be made before the final School Site Council meeting in June.

Parents, students, and staff who are new to the school the following fall and wish to join the committee should have an opportunity to do so. Since the committee must train its members and begin meeting promptly in September in order to meet its state-imposed deadlines, the Principal shall publicize the Safety Committee opportunity to all new families and staff over the summer and their statements of interest shall be due to the Committee during the first week of school. The second week of school, the committee shall hold a meeting for any such new volunteers, to further explain the nature of the committee's work and its meeting frequency and answer questions. Newcomer volunteers who continue to wish to serve shall be welcomed to attend the committee's trainings and meetings and their names shall be added to a revised membership roster to submit to the School Site Council when it begins to meet in the fall.

#### **C. Term of Office**

The term of office of the Safety Committee shall be from the third Tuesday of September for one year.

#### **D. Attendance and Removal from Membership on the Safety Committee**

Volunteering for membership on the Safety Committee implies a commitment to regularly attend the meetings and to avoid conflicting commitments. If a member must miss a meeting, the

member is expected to notify the Secretary in advance and to make all reasonable efforts to obtain a substitute from his/her membership category in order to preserve the quorum. Regular attendance is necessary in order to understand the committee's business well enough to cast informed votes. In the event that a Safety Committee Member should fail to attend three or more Safety Committee meetings per semester, s/he will be considered to have relinquished his/her post and will be removed from the roster of members. If a majority of the remaining Safety Committee members vote that the absences be excused due to extenuating circumstances, then the former member will be reinstated.

## **V. Election of Officers and Responsibilities**

### **A. Election of Officers**

The Safety Committee shall elect officers with stated responsibilities and authority, including:

- 1) **Chair or Co-Chairs** to preside over meetings. If Co-Chairs are elected, at least one should be a parent. Because the Safety Committee oversees implementation of its goals, it is strongly recommended that staff most directly tasked with carrying out the goals should not serve as Chair.
- 2) **Vice Chair** (if the Committee chooses not to have Co-Chairs): to preside over meetings and represent the Committee when the Chair is unavailable to do so
- 3) **Secretary**: to ensure that meeting minutes are recorded and submitted for approval in a timely fashion.

At the time of elections, those elected shall decide and commit to who will be responsible for the following duties:

- 1) Public notice of meetings, via posting at the school, on the etree, on BMail, and on the daily announcements and
- 2) Posting of updated rosters of members and of minutes and agendas to the PTSA website.

School staff on the committee are the best positioned to take responsibility for some of the record-keeping and notice requirements irrespective of whether they serve in elected positions. The election meeting is also the time to clarify which staff members at the school are responsible for providing and for keeping the records of the committee.

### **B. Responsibilities of Safety Committee Chair/Co-Chairs**

The Chair (or Co-Chairs) shall

- 1) Preside over the meetings of the Safety Committee.
- 2) Set the agenda for each meeting, after receiving input from committee members and after consultation with the principal's designee, Lead Safety Officer, and Secretary.
- 3) With the Safety Committee members, publicize the opportunity to volunteer for service on the committee, via a welcoming letter to parents and staff, announcements and tables at PTA meetings and Back-to-School Night, encouraging parents and staff to participate.
- 4) Represent the Safety Committee in presenting its recommendations and concerns to the School Site Council and to the public. The recommendations and opinions presented are to represent those of the Committee as a whole (not the Chair's nor any individual member's opinion), as shall be discerned by discussion and direction of the Safety Committee at a legally convened meeting.

- 5) Sign, on behalf of the Safety Committee, the annual letter which transmits the Committee's *Safety Plan* to the School Site Council for adoption.

### **C. Responsibilities of the Vice Chair**

If the Committee elects a Vice Chair instead of Co-Chairs, then the Vice Chair shall preside over any meetings which the Chair is unable to attend, and shall perform any other duties agreed to at the time of the officer election.

### **D. Responsibilities of the Principal's Designee**

The Principal's designee is a voting member of the Safety Committee and is vital to the success of the planning and implementation of the *Safety Plan*. A principal's leadership is critical to the success of the Safety Committee. The greater the Principal's ability to engage and involve the Safety Committee and other members of the community in planning and program development, the more effectively student safety will be improved at that site.

By law, the principal has no administrative authority over the School Site Council from which the Safety Committee derives its authority. Therefore the principal may not veto decisions made by the Safety Committee nor make changes to the *Safety Plan* after it has been approved by the Safety Committee and School Site Council. Because it is the principal's responsibility to implement the *Safety Plan*, the Safety Committee should give weight and consideration to the principal's view as communicated by the principal's designee.

The principal's designee has the following duties with respect to the development of the School Plan:

- 1) Provide vision, leadership and information to the Safety Committee.
- 2) Provide data to the Safety Committee in a format that allows the data to be used as a basis for decision-making in developing the *Safety Plan*.
- 3) Administer the school-level activities of the approved *Safety Plan*.
- 4) Ensure that District guidelines are followed.
- 5) Together with existing members of the Safety Committee, ensure that the appointment process for the Safety Committee is widely publicized, open, and timely.

### **E. Responsibilities of the Safety Officer**

At Berkeley High, the Safety Officer is a voting member of the Safety Committee and, like the Principal's designee, is vital to the effectiveness of the committee and shares many duties, responsibilities, and roles with the Principal's designee. As the staff member most directly responsible for implementing safety measures at the school, the Safety Officer provides critical leadership and information with regard to the workability of members' suggestions, relevant institutional policy and history with regard to similar ideas, and his or her own suggestions for improvements. As the staff member most directly responsible for completion of the Safety Plan, the Safety Officer provides critical leadership to the Safety Committee in ensuring that all required sections are complete and accurate and that the plan is completed in a timely manner.

## **VI. Open Meeting Laws and Rules of Order**

Because it is performing work that must otherwise be done by the School Site Council, the Safety Committee is governed by the State of California "Open Meeting Law" as applied to school site councils (CA Ed Code 35147) and these Bylaws as follows.



## **A. Open Meeting Law**

The Safety Committee shall meet regularly and as often as needed to accomplish its duties. The Safety Committee meets on the first and third Tuesdays when school is in session, beginning with the third Tuesday of September. Members can vote to meet more or less frequently, as needed. For example, members may choose to dedicate some Tuesdays to subcommittee work. The full committee must meet at least once each month. A calendar of meetings should be established at the first meeting and then published, to allow maximum community participation. Safety Committee meetings must operate according to the following rules:

- Meetings must be open to the public.
- Notice of the meeting must be posted at the school site at least 72 hours before the meeting (preferably longer). Such notice shall be given in the Principal's bulletin, on the school e-tree, and posted in an identified place for meeting notices.
- The notice must specify the date, time, and place of the meeting and the agenda.
- In order to allow for adequate public review and commentary, the Safety Committee cannot take action on an item not described on the posted agenda unless, by unanimous vote, it finds a need for action unknown when the agenda was posted.
- The public may address the Safety Committee on any item within the subject matter jurisdiction of the Safety Committee.
- Questions and brief statements of no impact on students or employees that can be resolved by providing information need not be described on the posted agenda.

If these procedures are violated, upon demand of any person, the Safety Committee must reconsider the item at its next meeting, after allowing for public input on the item.

Any materials provided to the Safety Committee shall be made available to any member of the public who requests the materials.

## **B. Information in Spanish**

Information in the Spanish language about the Safety Committee agendas, minutes and the Safety Plan shall be made available upon request. Meeting notices shall include the contact point to obtain the requested information in Spanish. Spanish translation of the Safety meetings shall also be provided upon the request of interested parties.

## **C. Accessible meetings**

Safety Committee meetings shall be open to the public and conducted in the City of Berkeley in a place which is accessible to the public. Effort should be made to provide an interpreter for the meeting in the event that non-English speaking individuals wish to participate in Safety Committee meetings.

## **D. Quorum Requirements**

A quorum of Safety Committee members must be in attendance to approve any Action of the Safety Committee. A quorum shall consist of no fewer than "one half plus one" of the total number of Safety Committee members. In addition, a quorum shall further require that no fewer than one teacher or other certificated staff member, one classified staff member, one parent, and the principal's designee be in attendance. If members determine that a quorum is not present at the time of a regular meeting, they may take public comment and may proceed with all information items on their agenda but may not take action on any items. Alternately, they may elect to defer the agenda items until the next meeting and hold a workshop on a matter of their choosing.

## F. Conduct of meetings

Safety Committee meetings are public meetings; the regulations and procedures governing meetings of other public bodies (such as Robert's Rules of Order) generally apply to meetings of the Safety Committee, though each year's Safety Committee may determine the level of formality it wishes to use for its meetings, so long as the requirements of these bylaws and the Education Code are met. Safety Committee meetings should be conducted in an open, civil manner.

## G. Voting

When a vote is taken, it must be open and recorded; secret ballots are not permitted. Although reaching consensus in decision-making is desirable, a majority vote (one-half + 1) of those present is required to approve Action Items.

## H. Record keeping

Public records require safekeeping. Safety Committee records should be filed in a secure place which shall be available to the Safety Committee members. Safety Committee records must be made available for public review upon request. The Safety Committee shall maintain records of the following:

- Officer Elections
- Official correspondence
- Agendas of Safety Committee meetings
- Evidence of input from school advisory committees and groups
- Minutes of meetings, recording attendance, discussions, recommendations, and actions
- Copies of current and prior year *Safety Plans*

After each Safety Committee meeting, minutes shall be completed in a timely manner and made accessible to the public in both electronic and printed copy.

## VII. All Students versus Targeted Groups of Students

The *Safety Plan* must benefit all the students at the school, although particular school goals may be targeted toward special purposes. Not every goal or program that the school develops must directly benefit every child. The Safety Committee's decisions should consider qualitative and quantitative data that may determine the needs of all the school's students.

## VIII. Conflict of Interest

"Conflict-of-interest" laws are based on the notion that members of a body responsible for making decisions about public funds, owe their paramount loyalty to the public, and that personal or private financial considerations should not be allowed to enter the decision making process."<sup>18</sup>

<sup>18</sup> *Conflicts of Interest*, Office of the Attorney General, Preface by Bill Lockyer, Attorney General, January 1, 2004 <sup>19</sup> Government Code Section 87103.

"A public official has a financial interest in a decision within the meaning of Government Code Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, or a member of his or her immediate family."<sup>19</sup>

The "public interest" of the Safety Committee includes work to identify and recommend allocations of staff resources, without personal bias, to programs which lead to creating a school cli-

mate and culture in which all students and staff both feel and are safe and supported in their educational tasks. A conflict-of-interest occurs when a Safety Committee member participates in making a particular decision in which s/he or an individual in the member's immediate family stands to gain financially from adoption of that particular decision. The Safety Committee does not allocate funds; however, such conflicts would occur if the Safety Committee voted to recommend the cessation or elevation of a position occupied by a Safety Committee member or his/her immediate family.

If the Safety Committee votes to recommend a change in the job duties of a member of the Committee and that member disagrees with the recommendation, that member shall have the opportunity to present his/her objections to the School Site Council at the time the recommendation is presented in the School Safety Plan.

If needed, arbitration of "conflict of interest" disputes alleged by an individual or the Safety Committee shall be resolved through the dispute resolution procedures approved in these Bylaws.

## **IX. Soliciting Input from the School Community**

Prior to adopting the School Plan each year, The Safety Committee shall hold a meeting in order to allow members of the public to express opinions about the current school safety plan. [EC 32288] This meeting shall be held no later than November of each school year so that the opinions expressed can serve to inform the committee's deliberations before it submits a revised plan to the SSC in January or early February. The committee shall invite the following to the meeting:

- A) The mayor of Berkeley.
- B) A representative of the Berkeley Federation of Teachers and of the [Classified Union]
- C) A representative of each parent organization at the school site, including the PTSA.
- D) A representative of each teacher organization at the school site.
- E) A representative of the student body government.
- F) All persons who have indicated they want to be notified.

The Safety Committee is encouraged to also notify, in writing, the following persons and entities, if available, of the public meeting:

- A) A representative of the local churches.
- B) Local civic leaders.
- C) Local business organizations.
- D) City council members
- E) Student and adult members of school conflict resolution organizations

Notice shall also be communicated through the school's etree, BMail, and daily announcements.

In addition, at other times, the Safety Committee may solicit input from members of the school community, advisory groups, teachers, administrators, parents and students, when appropriate, regarding the status, performance and needs of the students and school. Such solicitation may come through surveys, informational meetings, and the exchange of information with all the stakeholders in the school.

## **X. Approval of the *School Safety Plan***

### **A. Two Readings of Plan**

The Safety Committee must have two readings of the *School Safety Plan* prior to taking action to approve. Proposals presented by members, school or district staff, or Safety Committee sub-committees must be presented for review and discussion at meetings of the Safety Committee at least one week prior to the meeting where a vote for approval of these recommendations or reports will take place. The *School Safety Plan* may not be approved by a vote of the Safety Committee at the same meeting at which it is presented for the first time.

### **B. Mid-year Changes to the *School Safety Plan***

The Safety Committee may amend the *School Safety Plan* at any time, in accordance with Board of Education policy and School Site Council Bylaws. Whenever the Safety Committee makes a material change to the *School Safety Plan*, the School Site Council and Board of Education must approve the change. Any of the following factors may indicate a need to amend the *School Safety Plan* during the school year: ED CODE CITATION?

- A major service or activity proves ineffective, and students are at risk.
- Loss of funding or other material changes occur that affect school climate or safety.
- Staff, equipment, or materials essential to the *School Safety Plan* cannot be procured.
- School boundaries or demographics suddenly change.
- An activity is found to be non-compliant with state or federal law.
- A planned activity is not supported by staff, parents, or students.

## **XI. Dispute Resolution**

Because the School Board, administration, School Site Council and Safety Committee have separate but related responsibilities for the *School Safety Plan*, they need to work cooperatively. Every effort should be made to resolve disputes regarding the development and implementation of the *School Safety Plan* and Safety Committee compliance issues. Should an impasse occur, remedies available are:

- A) Individuals may file a formal complaint under the district's Complaint Procedure for Parents, Students, Employees and Residents.
- B) If the Safety Committee is in dispute within itself or with the school's implementation of the *School Safety Plan*, then the following process for assistance in resolving the dispute may be observed:
  - 1) Designated representatives of the Safety Committee may request assistance from the Student Services Office in an effort to clarify policy or resolve a dispute.
  - 2) If resolution is not reached, the complaint may be brought to the Superintendent to arbitrate.
  - 3) If the Safety Committee remains divided after the Superintendent's decision, the decision may be appealed to the Board of Education. The Board of Education may establish a rule on the issue involved, and/or may remand the issue back to the Safety Committee with guidelines to resolve the issue.
- C) A complaint of noncompliance with the school safety planning requirements of Title IV of the federal No Child Left Behind Act of 2001, 20 U.S.C. Sec. 7114(d)(7), may be filed

with the California Department of Education under the Uniform Complaint Procedures as set forth in Chapter 5.1 (commencing with Section 4600) of Title 5 of the California Code of Regulations. [EC 32289]

## **XII. Amendment or Suspension of Bylaws**

Amendment or suspension of these Bylaws must be authorized by the Safety Committee. These Bylaws shall remain in effect until amended or rescinded by the Safety Committee.

## **Appendix A**

### **Berkeley High School Safety Committee Recommended Calendar**

#### **July/August**

Administration sends out information about joining Safety Committee to new families and staff members

#### **September**

First week: Deadline for new staff, parents, or students to send notice to Safety Committee indicating desire to join

Second week: Safety Committee representatives meet with potential new members for session about duties, expectations, nature of job. Answer questions. Determine who still wishes to join.

Third week: Tuesday, first meeting of Safety Committee. Devoted to training in relevant Ed Code, bylaws, and Safe Schools Planning Guide, discussion of the year's calendar and sequence, role of subcommittees, and overview of goals.

Fourth week: Principal's designee presents revised list of Safety Committee members to School Site Council for approval

September/early October: optional gathering for members to share their reasons for joining the committee and their hopes for what the committee will achieve during the year. Consider what subcommittees would be needed to support accomplishment of the Safety Plan goals and the members' goals.

#### **October**

First week: Election of officers and self-selection for subcommittees; administration and continuing subcommittees begin review of progress on goals; choose date for November community meeting when desired venue is available; choose group to draft invitation, announcement, flyers

Third week: Approve wording of invitation, announcement, flyer; confirm who is responsible for each communication. Continue familiarization with plan and goals update.

#### **November**

First week: Community meeting to hear community's opinions about safety plan and goals; mandatory attendance by Safety Committee members

Second week: Joint meeting with SSC to discuss community meeting opinions and share ideas about any changes to plan and goals

Third week: discuss proposed changes to goals or plan; invite law enforcement personnel to join discussion of ideas for change

#### **December**

First week: discuss proposed changes to goals or plan; subcommittee reports on related topics; invite law enforcement personnel to join discussion of ideas for change

**January**

First and third week of January: draft revisions to plan and goals; hear staff's year-end reports on incidents, etc.

**February**

First week of February: Final approval of draft plan

Second week of February: Joint SSC/Safety Committee meeting to present and discuss plan

Third week of February: revise plan/goals if necessary to incorporate SSC suggestions

Fourth week of February: SSC votes on Safety Plan

**March**

March 1 : Education Code deadline for school's adoption of school's Safety Plan; Plan sent to district's Office of Student Services on this date

First and third weeks: Subcommittee and administration progress reports; invite speakers if desired

**April**

Advertise opportunity to serve on next year's Safety Committee to students, staff, and parents

Third week: subcommittee and administration progress reports; invite speakers if desired

Fourth week: deadline for expressions of interest in serving; offer training meeting on duties, expectations, nature of job

**May**

First week: assemble final list of members for following year; confirm adequate representation of mandated groups. Subcommittee and staff reports on goals and progress

Second week: present list of next year's members to School Site Council for approval

Third week: Final subcommittee reports, speakers, and administration updates on goals

**June**

First week: Plan any work to be done over the summer; reflect on any changes to be made in next year's schedule or approach

## Appendix B

### Sample Recommendations and Assurances page for the BHS Safety Plan

## Recommendations and Assurances

The School Site Council (SSC) recommends this Comprehensive Safety School plan to the district governing board for approval, and assures the board of the following:

1. The School Site Council is correctly constituted, and was formed in accordance with district governing board policy and state law.
2. Under California Education Code 32281, the School Site Council or its delegates formed a School Site Safety committee with the minimum of the following members:
  - The principal or the principal's designee
  - One teacher who is a representative of the recognized certificated employee organization
  - One parent whose child attends the school
  - One classified employee who is a representative of the recognized classified employee organization
  - Other members, if desired
3. The School Site Council reviewed the content of the Site Safety Plan and believes all requirements as outlined in the Oakland Unified School District Site Safety Plan template have been met.
4. This school plan was adopted by the school site council on:
 

\_\_\_\_\_.

#### Site Safety Plan 2010-2011: Hold Public Meeting for Input

*Ed Code sections 35294.8(b) and 35294.2 (e)*

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The mayor
2. A representative of the school employee organization
3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school site
5. A representative of the student body government (secondary)
6. All persons who have indicated in writing that they want to be notified

**In your Site Safety Plan, include documentation of how you provided an opportunity for public review and how the public can access or review the plan**

1. Safety Committee shares school safety plan at: School Site Council meeting  
 (date) \_\_\_\_\_  
 a. Other \_\_\_\_\_ (date) \_\_\_\_\_
2. How is public alerted about the meeting?  
 a. Fliers in students' home languages (date) \_\_\_\_\_  
 b. Other \_\_\_\_\_ (date) \_\_\_\_\_



- 3. How has the plan been communicated to the public? *Ed Code section 35294.2 (e): "...An updated file of all safety-related plans and materials shall be readily available for inspection by the public."*
  - a. Announcement at the public meeting (date) \_\_\_\_\_
  - b. Other (Notices and Media Announcements) (date) \_\_\_\_\_

In addition, the school site council or safety planning committee **may** notify, in writing, the following entities of the public meeting: (Education Code 32288) **1.** A representative of the local churches **2.** Local civic leaders **3.** Local business organizations.

Attested:

Typed name of school principal	Signature of school principal
Date	
Typed name of SSC chairperson	Signature of SSC chairperson
Date	

## Appendix C

### Relevant Sections of the California Education Code:

#### CALIFORNIA EDUCATION CODE

#### SECTIONS 32280-32289

**32280.** It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

**32281.** (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

(b) (1) Except as provided in subdivision (d) with regard to a small school district, the school site council established pursuant to Section 52012 or 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.

(2) The school site council may delegate this responsibility to a school safety planning committee made up of the following members:

(A) The principal or the principal's designee.

(B) One teacher who is a representative of the recognized certificated employee organization.

(C) One parent whose child attends the school.

(D) One classified employee who is a representative of the recognized classified employee organization.

(E) Other members, if desired.

(3) The school site council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

(4) In the absence of a school site council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) [regulation for small school districts, omitted]

(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the school site of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime" shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

**32282.** (a) The comprehensive school safety plan shall include, but not be limited to, both of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A district or county office may work with the California Emergency Management Agency and the Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and

following an earthquake.

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

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For the purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5.

(J) Hate crime reporting procedures pursuant to Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Grants to assist schools in implementing their comprehensive school safety plan shall be made available through the partnership as authorized by Section 32285.

(d) Each schoolsite council or school safety planning committee in developing and updating a comprehensive school safety plan shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(e) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval under subdivision (a) of Section 32288.

**32282.5.** (a) The department shall electronically distribute disaster preparedness educational materials and lesson plans that are currently available to school districts and county offices of education.

(b) The department shall ensure that the disaster preparedness materials are available in at least the three most dominant primary languages spoken by English learners in California, according to the language census.

(c) The department shall coordinate with the California Emergency Management Agency to make sure that all materials are reviewed and updated annually.

**32283.** The Department of Justice and the State Department of Education, in accordance with Section 32262, shall contract with one or more professional trainers to coordinate statewide workshops for school districts, county offices of education, and schoolsite personnel, and in particular school principals, to assist them in the development of their respective school safety and crisis response plans. The Department of Justice and the State Department of Education shall work in cooperation with regard to the workshops coordinated and presented pursuant to the contracts. Implementation of this section shall be contingent upon the availability of funds in the annual Budget Act.

**32284.** The comprehensive school safety plan may also include, at local discretion of the governing board of the school district and using local funds, procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No funds received from the state may be used for this purpose.

**32285.** (a) The governing board of a school district, on behalf of one or more schools within the district that have developed a school safety plan, may apply to the Superintendent of Public Instruction for a grant to implement school safety plans. The partnership shall award

grants for school safety plans that include, but are not limited to, the following criteria:

(1) Assessment of the recent incidence of crime committed on the school campus.

(2) Identification of appropriate strategies and programs that will provide or maintain a high level of school safety.

(3) Development of an action plan, in conjunction with local law enforcement agencies, for implementing appropriate safety strategies and programs, and determining the fiscal impact of executing the strategies and programs. The action plan shall identify available resources which will provide for implementation of the plan.

(b) The Superintendent of Public Instruction shall award grants pursuant to this section to school districts for the implementation of individual school safety plans in an amount not to exceed five thousand dollars (\$5,000) for each school. No grant shall be made unless the school district makes available, for purposes of implementing the school safety plans, an amount of funds equal to the amount of the grant. Grants should be awarded through a competitive process, based upon criteria including, but not limited to, the merit of the proposal and the need for imposing school safety, based on school crime rates.

(c) Any school receiving a grant under this section shall submit to the Superintendent of Public Instruction verified copies of its schoolsite crime report annually for three consecutive years following the receipt of the grant to study the impact of the implementation of the school safety plan on the incidence of crime on the campus of the school.

**32286.** (a) Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. A new school campus that begins offering classes to pupils after March 1, 2001, shall adopt a comprehensive school safety plan within one year of initiating operation, and shall review and update its plan by March 1, every year thereafter.

(b) Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to Sections 33126 and 35256.

**32287.** If the Superintendent of Public Instruction determines that there has been a willful failure to make any report required by this article, the superintendent shall do both of the following:

(a) Notify the school district or the county office of education in which the willful failure has occurred.

(b) Make an assessment of not more than two thousand dollars (\$2,000) against that school district or county office of education. This may be accomplished by deducting an amount equal to the amount of the assessment from the school district's or county office of education's future apportionment.

**32288.** (a) In order to ensure compliance with this article, each school shall forward its comprehensive school safety plan to the school district or county office of education for approval.

(b) (1) Before adopting its comprehensive school safety plan, the schoolsite council or school safety planning committee shall hold a public meeting at the schoolsite in order to allow members of the public the opportunity to express an opinion about the school safety plan.

(2) The schoolsite council or school safety planning committee shall notify, in writing, the following persons and entities, if available, of the public meeting:

(A) The local mayor.

(B) A representative of the local school employee organization.

(C) A representative of each parent organization at the schoolsite, including the parent teacher association and parent teacher clubs.

(D) A representative of each teacher organization at the schoolsite.

(E) A representative of the student body government.

(F) All persons who have indicated they want to be notified.

(3) The schoolsite council or school safety planning committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:

(A) A representative of the local churches.

(B) Local civic leaders.

(C) Local business organizations.

(c) In order to ensure compliance with this article, each school district or county office of education shall annually notify the State Department of Education by October 15 of any schools that have not complied with Section 32281.

**32289.** A complaint of noncompliance with the school safety planning requirements of Title IV of the federal No Child Left Behind Act of 2001, 20 U.S.C. Sec. 7114(d)(7), may be filed with the department under the Uniform Complaint Procedures as set forth in Chapter 5.1 (commencing with Section 4600) of Title 5 of the California Code of Regulations.

### **SECTION 35147**

(a) Except as specified in this section, any meeting of the councils or committees specified in subdivision (b) is exempt from the provisions of this article, the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Division 3 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code).

(b) The councils and schoolsite advisory committees established pursuant to Sections 52012, 52065, 52176, and 52852, subdivision (b) of Section 54425, Sections 54444.2, 54724, and 62002.5, and committees

formed pursuant to Section 11503 or Section 2604 of Title 25 of the United States Code, are subject to this section.

(c) Any meeting held by a council or committee specified in subdivision (b) shall be open to the public and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee. Notice of the meeting shall be posted at the schoolsite, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The notice shall specify the date, time, and location of the meeting and contain an agenda describing each item of business to be discussed or acted upon. The council or committee may not take any action on any item of business unless that item appeared on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda. Questions or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school district or that can be resolved solely by the provision of information need not be described on an agenda as items of business. If a council or committee violates the procedural meeting requirements of this section and upon demand of any person, the council or committee shall reconsider the item at its next meeting, after allowing for public input on the item.

(d) Any materials provided to a schoolsite council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Chapter 3.5(commencing with Section 6250) of Division 7 of Title 1).



## Appendix D: Resources for Safe Schools Planning

### 7-Step Safety Plan Process Cycle



From *Safe Schools: A Planning Guide for Action*, California Dept. of Education

#### California Department of Education online resources

Safe Schools Planning Checklist: <http://www.cde.ca.gov/ls/ss/vp/sschecklist.asp>

Improving Collaboration on School Safety Issues: <http://www.cde.ca.gov/ls/ss/vp/sscollab.asp>

Safe Schools & Violence Prevention: <http://www.cde.ca.gov/ls/ss/vp/cefsafeschools.asp>

School Community Violence Prevention (SCVP) training schedule for bullying, crisis response, and safe school planning: <http://www.cde.ca.gov/ls/ss/vp/scvptraining.asp>

School Safety Resources: <http://www.cde.ca.gov/ls/ss/vp/ssresources.asp>

Data and statistics: <http://www.cde.ca.gov/ds/>

**Alameda County Office of Education**

School Safety Training:

<http://www.acoe.org/acoe/EdServices/ProgramsandServices/SchoolSafety>