



**Downey Adult School**

**Career and Education Center**

# **Annual Security Report**

## **2020**



**12340 Woodruff Avenue, Downey, CA 90241**

**562-940-6200**

**[www.das.edu](http://www.das.edu)**



## Downey Adult School Career and Education Center

### 2020 Annual Security Report

This report has been produced in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and is available in electronic format at [www.das.edu](http://www.das.edu). Hard copies are available at the Downey Adult School (DAS) Financial Aid Office. For more information regarding the Act, please click here: <https://www.gpo.gov/fdsys/pkg/FR-2014-10-20/pdf/2014-24284.pdf#page=33>

#### ANNUAL SECURITY REPORT

This report is the collaboration of a work group comprised of Downey Adult School Financial Aid Administrator, DAS administrative team, Financial Aid Department support services personnel and the Downey Unified School District (DUSD) governing board. Each entity provides updated information on their educational efforts and programs necessary to ensure compliance with the Clery Act. Additionally, it includes input regarding crime statistics from the local law enforcement agency (Downey Police Department).

Each year, the Director of Financial Aid/Assistant Principal, Financial Aid Administrator and Principal of Downey Adult School, prepare an Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Institutions participating in Federal Title IV financial aid programs, must prepare, publish and distribute an Annual Security Report (ASR) to current and future students and employees. The ASR contains certain crime statistics and current campus safety and security policies in accordance with the Clery Act. The purpose of this report is to provide information relating to campus safety and security to aid future and current students and employees in making safe, informed decisions regarding our institution.

The Annual Security Report must be published, distributed and posted by October 1st of each year (unless otherwise authorized by US Department of Education) and contains three years of campus crime statistics and campus security statements in accordance with the Clery Act. The full text of this report is available upon request and posted on the DAS website at: [www.das.edu](http://www.das.edu).

Campus crime, arrest and referral statistics include those reported to the designated campus officials (including but not limited to: Principal, Assistant Principal, Night Program Administrators, Campus Security Assistants) and local law enforcement agencies. The crime reporting statistics cover Clery crimes that occur on campus and on public property immediately adjacent to the DAS campus.

Each year, email and/or written notifications are made to all enrolled students providing the website address to access this report. Staff members receive similar notification via email/memo. Prospective students and employees have access to the report on our web page at [www.das.edu](http://www.das.edu).

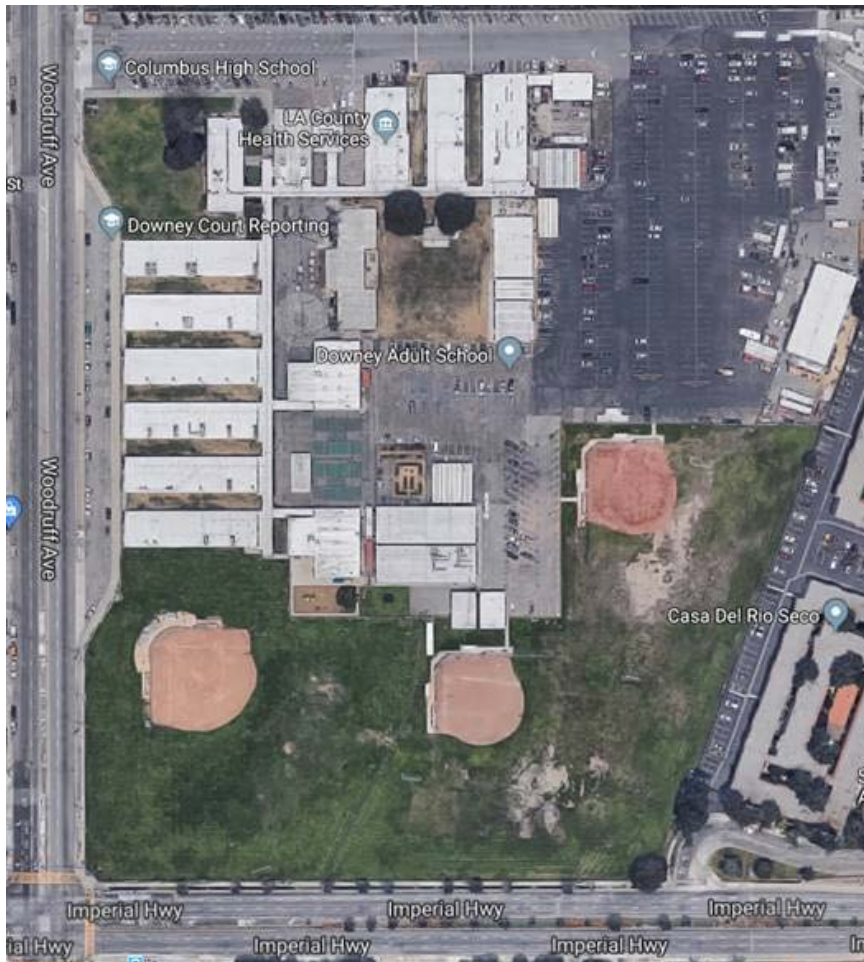
- Pursuant to Education Code 32286, detailed information regarding DAS's "Comprehensive School Safety Plan" is updated annually and available on the DAS website at <http://www.das.edu>. Upon request, a hard copy of the Annual Security Report and the Comprehensive School Safety Plan is available in the DAS Adult Education Main Administrative Office and Financial Aid Office. Requests for this information



can be made in person, by telephone, or through written communication addressed to: Blanca Rochin, Principal, Downey Adult School: Career and Education Center at 12340 Woodruff Avenue, Downey, CA 90241. The DAS administrative office telephone number is (562) 940-6201. Information on how to obtain the Comprehensive School Safety Plan and crime reporting procedures are included in the DAS Employee Handbook and DAS student orientation materials.

### CAMPUS GEOGRAPHY

The campus geography for the purpose of this report is: 12340 Woodruff Avenue, Downey, CA 90241 and public property immediately adjacent to the campus; specifically the public driveway located on the east side of Woodruff Ave.. Downey Adult School does not possess ownership nor control of any additional buildings/property for the purposes of DAS program instruction.





## THE CITY OF DOWNEY AND DOWNEY UNIFIED SCHOOL DISTRICT SCHOOL RESOURCE OFFICER SERVICES FOR POLICE ON CAMPUS PROGRAM

The Downey Unified School District and the City of Downey Police Department, as a result of grant funding from “Gangs Out of Downey” (GOOD) work cooperatively to promote safe, high performing schools and secure neighborhoods throughout the City of Downey. School and law enforcement representatives meet regularly to ensure ongoing dialog enables a high level of preparedness and responsiveness to safety concerns and reduces the risk of harm. Gangs Out of Downey (GOOD), a non-profit organization comprised of volunteers throughout the city of Downey who are committed to making a difference in the community, focus on breaking the gang cycle in the family unit and dissuading at-risk youth from ever joining a gang. GOOD provides the necessary resources and funding to keep gangs out of Downey, and by extension the schools which compose DUSD. School Resource Officer Services activities and services are listed below:

- School Security - *Traffic safety, emergency response plans, crowd control at special events.*
- Delinquency Intervention
- School Safety and campus safety practices
- Updates on Gangs, Drugs, and other illegal substances

In addition, because of the partnership that exists between the City of Downey Police Chief Carl Charles and DUSD Superintendent, Dr. John Garcia, keeping our schools safe continues to be a priority. Through regular meetings and teamwork, problems are acknowledged, and several preventative measures have been implemented to ensure public safety responsibilities are met. Through this decades-long collaborative effort, Downey Police Department shares information with Downey Unified School District officials regarding potential threats, as well as, provide information regarding criminal activity perpetrated within a 3-mile radius of the areas adjacent to the campus. Please read this report carefully and use the information to help foster a safe environment for yourself and others on campus. DAS has been fortunate in experiencing very few serious crimes, but the Downey Police Department as well as Downey Adult School is aware of the possibility that a serious crime or disaster could occur at any time. We encourage students, staff, and visitors to report all suspicious activity and to take responsibility for adopting measures to protect themselves and their possessions. More information on the collaborative efforts made between DUSD and the Downey Police Department can be found here: <http://www.dusd.net/wp-content/uploads/2018/03/DPD-DUSD-Joint-Press-Release-032118.pdf>

### COMPREHENSIVE SCHOOL SAFETY PLAN VISION

DAS is committed to providing a safe and secure campus environment for our students, faculty, staff and visitors, as well as protecting our facilities, property and assets owned and operated by Downey Unified School District. Per DUSD Board Policy 1150, students and staff will have a safe, secure, and peaceful campus where they are free from physical and psychological harm. DAS’s administrators and staff are committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.



## CAMPUS SECURITY AND SAFETY PROGRAM

Downey Adult School does not have student housing facilities, student organizations with non-campus locations, nor a campus police department. The Downey Police Department is the primary respondent for all campus emergencies and all reports of criminal activity on the DAS campus and on public property within or immediately adjacent to and accessible from the campus. The Downey Police Department has the authority to make arrests and to conduct investigations of alleged criminal offenses. The Clery Act requires the reporting of violent crimes, burglary, and motor vehicle theft, as well as a summary of arrests and disciplinary referrals for liquor law, drug abuse, and weapons violations.

Additionally, Downey Adult School shares a campus with Columbus Continuation High School and benefits from having combined security personnel available on-site throughout the morning and afternoon class sessions. In addition to one (1) DPD School Resource Officer, DUSD employs three (3) campus security assistants available on campus five days a week during the morning and afternoon class meeting times. One (1) security assistant and Night Program Administrator are available in the evening to oversee the significantly smaller class sizes for the CTE programs hosted on-campus. They are available to assist school administrators with campus emergencies and/or reports of criminal activity on their respective campuses.

DAS has three (3) cameras located throughout the campus in strategic locations that help provide a live feed of what occurs to help bolster the safety on-campus. The security feed is streamed directly to three (3) different screens inside the DAS Adult Education Main Administrative Office. The cameras operate 24 hours per day, 7 days a week, 365 days per year. Classroom areas and restrooms are open to students from 7:30 a.m. to 9:00 p.m., Monday through Thursday, and 7:30 a.m. to 4:00 p.m. on Fridays. The campus is also open on weekends from 8:00 a.m. to 5:00 p.m. to accommodate the small number of classes which are held on-campus. Downey Adult School Administrative Office is open from 7:30 a.m. to 7:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:00 p.m. on Fridays. The Administrative Office is closed on weekends. All other areas on campus require keys to gain access. All Downey Adult School students are always required to wear photo ID Badges while on campus. Staff members are always also required to wear name badges or photo ID badges.

The Sexual Assault & Violence Education (SAVE) and Violence Against Women Act (VAWA) laws include reporting requirements regarding incidents of intimidation, stalking, domestic violence, dating violence, sexual assault and hate crimes. It is DAS's policy to notify the Downey Police Department when such incidents are brought to DAS administration's attention and for them to implement investigational procedures. All crimes committed by a student or staff member can result in immediate dismissal from DAS.

## CAMPUS CRIME PREVENTION

Throughout the academic year, DAS holds various crime prevention and security awareness programs to inform the students and employees about the campus security procedures and practices. The types of programs provided typically include: crime prevention information presented through in-class presentations and online resources.



Information regarding domestic violence, dating violence, sexual assault and stalking is also available in the Administrative Office and Financial Aid Office. Brochures regarding domestic violence, sexual assault, stalking and mental health services can be obtained in the Main Administrative Office and Financial Aid Office. Anonymous help and mental health referrals can be obtained by students and staff through the DAS Pupil Personnel Services credentialed counselor.

During the student orientation session and new employee orientation, students and faculty discuss services offered by DAS, DUSD, and the local police department. Information on campus crime and sexual assault prevention strategies is included. Students are required to wear photo ID badges and are notified that security cameras monitor activity on campus. The common theme of all awareness and prevention programs is to encourage students and faculty to be aware of their shared responsibility with DAS for their own security and the security of others. Students are always encouraged to look out for themselves and for one another.

During the first day of each new program start, an instructor reviews the steps for reporting on campus crimes and emergencies with incoming students. They also address safety, security and the reporting of classroom emergencies. Downey Adult School maintains a Comprehensive School Safety Plan (CSSP) as required by Education Code 32282-32289. The contents of the CSSP include at a minimum, information assessing the status of school crime committed on campus and at school-related functions, strategies and programs that provide or maintain a high level of school safety, and procedures for complying with existing laws related to school safety.

### ACTIVE SHOOTER TRAINING

DAS's faculty and staff have participated in two Active Shooter trainings. The first training was hosted by Downey Unified School District and facilitated by a retired El Monte Police Department Officer. The second training took place during DAS's Staff Development In-Service Day and was presented by a seasoned Deputy Lieutenant of the Downey Police Department. Recent local and national tragedies remind us that the threat of an active shooter is real and increasingly prevalent in our society. DUSD's Board of Education and administrators believe that taking proactive steps now, can help staff react quickly and effectively if a threat were ever to present itself on our campuses. Both officers provided a comprehensive Action Shooter training for our school staff that included but was not limited to the following:

- An in-depth discussion how to prepare, survive, and be safe after an action shooter incident.
- Active shooter training video - both officers provided training video used by their law enforcement entities when training their own personnel.
- A question and answer forum - allowed for an even greater insight on how to proper prepare and deal with a live action shooter threat.



## DISASTER PREPAREDNESS

The Downey Unified School District has adopted and implemented a district-wide emergency plan that adheres to the guidelines as set forth by both the state (SEMS) and federal (NIMS) requirements.

The objectives of the plan, per DUSD Board Policy 3156, are the following:

1. To protect the pupils, employees, and facilities during emergencies that occur when school is in session and to establish appropriate plans for various emergencies.
2. To cooperate with local authorities in serving the community following a major disaster.
3. To inform pupils, parents, and the public of current emergency concepts and practices, and ensure that instruction is given in the schools of the District.

DAS updates and revises the Comprehensive School Safety Plan annually through a systematic planning protocol. The key elements in our plan include the following:

- Goals to assure each student a safe physical environment, provide each student with resiliency skills, and assure each student a safe, respectful, accepting and emotionally nurturing environment
- School procedures relating to school safety
- Emergency Response Plan

Prior to publishing the annual Comprehensive School Safety Plan, DAS administration seeks input from DUSD Student Services Administrator, Columbus High School Administration, Office of the Superintendent, and the DUSD School Board.

Each campus maintains informational charts, signs and maps, which are posted on a “safe wall” in each classroom and office. This information provides specific direction to threats and emergencies that may arise.

School administrators, office managers, security campus assistants, Allied Health Office, Financial Aid Office and custodial staff all have access to radios set to a common channel for effective communication and emergency supplies.

## EMERGENCY NOTIFICATION

DAS maintains the ability to notify the campus community in the event of an existing emergency through several methods. When it is determined by the local authorities that an emergency exists, the authorities will notify the Office of the Superintendent or Superintendent’s Designee - Assistant Superintendent, Secondary and the Principal or designated site administrator. The Emergency Response Plan will be implemented by the Assistant Superintendent of Secondary Education. The Superintendent and Police Department will determine if the emergency requires the immediate notification of the campus community. If it is determined that the campus should be notified because of an immediate threat to students or staff, the Superintendent or Assistant Superintendent will, without delay, activate one or more of the notification systems described below:

1. On Campus Public Address System: This system has the ability to notify the campus through the use of loudspeakers which are located on campus.



2. Employee Email: Messages can be sent to all employees who are listed as email recipients.
3. Email: Messages can be sent to all individuals who are listed as email recipients within the student records management database - *ASAP 3.0 system*.
4. Police Notification: Police will deliver messages through radios located in each police vehicle when available on campus.
5. Local Media: This is handled through the DUSD Office of the Superintendent. The Public Relations Coordinator will address all media such as radio, television and newspapers.

Situations for which emergency notifications will be used, may include but are not limited to:

1. Potentially life-threatening situations (including those that may exist near or around the campus boundaries) such as an active shooter, intruder on campus, bomb threats, or extreme weather (fire, floods, etc.)
2. Disasters, natural or otherwise: Earthquake, tsunamis, aircraft crashes, biological hazards or pandemics.

In the event of an emergency, mass notification of students and employees is currently made by accessing the following:

- Employee Email: Messages can be sent to all employees who are listed as email recipients.
- Email: Messages can be sent to all individuals who are listed as email recipients within the student records management database - *ASAP 3.0 system*.

When the DPD Police Chief or DPD's official designee decides that the emergency no longer exists, an "all clear" message will be sent using one or more of the above systems directed to all students, staff and visitors. Follow-up information is provided, as needed, to the community, by the administrator on duty, DUSD Office of the Superintendent or law enforcement agents. All systems are maintained regularly and routinely tested to ensure compliance and reliability.

Evacuation procedures and routes are listed in each classroom and building. Students are required to familiarize themselves with the evacuation procedures in each of their classes, as well as common areas, such as the Main Administrative Office and Allied Health Office.

The Downey Police Department is notified in the event of an incident of a criminal nature. Crimes in progress and other emergency situations in "on-campus" buildings are to be reported directly to the Downey Police Department by dialing 9-1-1. Non-emergency notifications should be reported to the Downey Police Department at (562) 861-0771. A school administrator should always be notified of any emergency and/or non-emergency situation as well.

"Alert" procedures are implemented during the following types of crisis: chemical accident, hazardous material spill, nuclear attack, aircraft accident, pesticide exposure, air quality advisory, or earthquake.

**Campus Lock Down** is a procedure used when an unauthorized or aggravated person is on campus. An Intruder on Campus Lock Down secures staff and students by limiting access to the school classroom, offices, and other buildings. As part of this procedure, everyone must remain inside until the situation has been declared safe and





given the “All Clear” signal by an authorized person (e.g., the Principal, site administrator or a law enforcement officer).

**Campus Lockout** procedures are implemented to prevent unauthorized persons from entering the school premises and is commonly used when the threat is general, or an incident or criminal activity is occurring in the immediate area of the school. This procedure allows school activities to continue as normal during the outside disruption. Either the school site or notification by local law enforcement can initiate a lockout.

Evacuation procedures are implemented under the following types of crisis: fire, earthquake, flood, or utility failure.

Pursuant to Education Code 32286, specific detailed information regarding DAS’s Comprehensive School Safety Plan and security policies is available on the following DUSD website: [www.das.edu](http://www.das.edu).

Upon request, a hard copy of these documents is also available in the DAS Adult Education Main Administrative Office and the Financial Aid Office located at: 12340 Woodruff Avenue, Downey, CA 90241.

### **TIMELY WARNINGS**

If a Clery Act crime occurs and represents a serious or continuing threat to students and employees, DAS administrators will immediately notify the local police department. The first responders to the scene are usually the police and emergency personnel. They will respond and work together to manage the incident. Depending on the nature of the incident, other departments and other local or federal agencies could also be involved in responding to the incident.

Upon verbal or written confirmation (by law enforcement, emergency personnel or school staff) of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus, the administrator on duty, designee, or police department will immediately notify the campus community via a public address system and e-mail messaging. The content of the notification is as follows, “This is a lockdown or lock out.” or “Evacuate the building. This is not a drill.” In the event of an actual emergency, all students, employees, and visitors will be directed to a safe location, by local police officers or emergency first responders. When additional resources are needed, school administrators and staff will assist with this process.

If it is determined that the emergency is of enough gravity as to require either a lockdown, lockout, or evacuation, the administrator on duty or designee will “without delay”, (taking into the account the safety of the community) determine the content of the notification and begin the notification process. This is the case, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

All DAS employees receive training in responding to critical incidents on campus. Annual drills are conducted by the Downey Unified Student Services Department to test the effectiveness of procedures outlined for emergency evacuations and intruders on campus. The Administrator of Student Services schedules all drills and



coordinates with the police department and site administrators throughout the drill process. Administrator of Student Services logs all responses, reviews school site performance, and presents any findings during a debriefing meeting conducted with each site administrator. Follow-up activities are provided for participants to obtain feedback. Information detailing both procedures is published each year, in adherence to Clery Act compliance efforts. Instructors provide incoming students with information regarding the location of emergency exits in the buildings, as well as, the direction they should travel when exiting the facility during a short-term building evacuation. Additionally, scheduled fire drills provide all occupants with opportunities to practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

The Downey Police Department is responsible for issuing timely warning notices. If a situation arises (either on-campus or off-campus) that, in the judgment of the Chief of Police, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued via DUSD Office of the Superintendent, campus websites and through loudspeaker page messages depending upon the sensitivity and time factors.

### **CRIME STATISTICS AND CRIME LOGS**

Crime statistics are reported pursuant to guidelines specified in the Jeanne Clery Crime Disclosure Act and as defined under the FBI Uniformed Crime Reporting procedures. Crime statistics for Downey Adult School can be found on the Department of Education’s website at [www.ope.ed.gov/security](http://www.ope.ed.gov/security). These statistics are collected from the Director of Financial Aid/Assistant Principal, Financial Aid Administrator and Principal. The Downey Police Department then reports them on-line according to the directives of the United States Department of Education. A monthly crime log is available for review, upon request. The Director of Financial Aid/Assistant Principal and Financial Aid Administrator are responsible for collecting this data. Students, prospective students and employees may contact the DAS Adult Education Main Administrative Office to access this information.

For more information regarding campus security or crime statistics, please contact Blanca Rochin, Principal, at (562) 940-6201.

### **CRIME COLLECTING AND REPORTING PROCEDURES**

Students, faculty, and staff are strongly encouraged accurately and promptly report all crimes to local law enforcement. Any suspicious activity of a person seen in the parking lots or loitering around vehicles, or inside the building should be reported to the local law enforcement agency. DAS does not have a police or security department, therefore, each year DAS reviews its crimes logs maintained by administration and requests the Clery Act crime statistics from the Downey Police Department in accordance with the campus geography.

**The emergency contact number is 9-1-1.**

**The contact number for the Downey Police Department is (562) 861-0771.**

In addition, students, faculty, staff and other members of the community should report a crime to the following administrators for making timely warning reports and the annual statistical disclosure.



Blanca Rochin, Principal (562) 940-6201

Cindy Grafton, Director of Financial Aid/Assistant Principal (562) 940-6203

It is the policy of Downey Adult School to provide prompt, sensitive and confidential service to all members of the campus community who may require assistance.

The following procedures have been established for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in DAS's crime statistics.

- If you are the victim of a crime, or if you need to report a crime, please report the incident as soon as possible to an instructor or DAS administrator.
- If you witnessed a crime, note the description of the person(s) committing or assisting along with any automobile information such as make, model, and license plate number, along with direction of travel.

To report a crime or an incident that you do not want reported to the Downey Police Department, you should contact the Principal or Assistant Principal. It should be noted that this staff member must report any crime listed in the Clery Act to the reporting office. The report will be written to ensure the anonymity of the victim, while taking steps to ensure the future safety of the campus community. This information allows the Assistant Principal or Principal to keep an accurate record of the number of incidents involving students, determine if there is a pattern of crime with regard to a particular location, method, or assailant, and alert the school and community of potential danger.

#### PROCEDURES FOR CONFIDENTIAL REPORTING

Victims of crime may not want to pursue action with the school or the criminal justice system and may still want to consider making a confidential report. With permission, the Principal, Assistant Principal or a designee of the school can complete an incident report detailing the incident without revealing the victim's identity. DAS's administrative staff verbally encourages all victims to report crimes. The purpose of confidential reporting is to comply with the wish to keep matters confidential while taking measures to keep the campus community safe. Statistics, from reports filed in this manner, are counted and disclosed as part of the annual crimes statistics.

DAS does not have reporting procedures that encourage pastoral and professional counselors to inform the persons that they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.



## TO REPORT AN EMERGENCY

Emergencies are unexpected events that must be dealt with urgently to protect the health and safety of others. Emergencies may be related to natural disasters such as earthquakes, criminal activity such as armed robberies, environmental disasters, or highly contagious health concerns.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Principal or Assistant Principal as soon as possible. The following guidelines are as follows:

- When reporting emergencies by telephone, call (562) 940-6200 and ask for the administrator on duty.
- Please state your name, telephone number, and location.
- Give clear and accurate information.
- Be prepared to supply suspect and vehicle descriptions and the direction of travel.
- Please do not hang up until you have provided the office staff or site administrator on duty with all the information that they request.
- If you find yourself on-campus when you need to report an emergency, any DAS Main Office staff can assist you in connecting you with the administrator on duty.
- Based on the nature of the report, you may be asked to provide a statement for accurate reporting purposes.
- For more information regarding crime tips and prevention, visit here:  
[http://www.downeyca.org/gov/police/crime\\_prevention\\_and\\_safety/crime\\_tips.asp](http://www.downeyca.org/gov/police/crime_prevention_and_safety/crime_tips.asp)

## ACCESS POLICY

Downey Adult School does not have any campus residences. The campus provides access to its buildings during normal business hours to all employees, students, invitees, and visitors.

Per DUSD AR Policy 2411.2, “all persons who are authorized visitors shall report to the administration office for clearance, unless prior authorization is granted.”

Current students are issued picture ID badges that grant them access to campus resources, Monday through Thursday, from 7:30 a.m. to 7:30 p.m., and on Fridays from 7:30 a.m. to 4:00 p.m. The campus is secured during non-business hours by locking doors, locked perimeter gates and is only accessible by issued keys. Three (3) surveillance cameras, mounted throughout the campus, provide additional security. For additional information regarding how our institution keeps its facility secure, please refer to the Comprehensive School Safety Plan at [www.das.edu](http://www.das.edu).



## SECURITY AWARENESS PROGRAMS

Periodic safety and security awareness programs are in place for students and employees of the Downey Adult School. The Assistant Principal provides monthly safety topics for review to staff and faculty. Instructors are then responsible for implementing a lecture on said topics within their curriculum. The common theme of these programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The safety rules, including information regarding crime prevention, harassment, fire safety, incident reporting procedures, safety and wellness programs are reviewed during the first week of class and available to students in the Comprehensive School Safety Plan. Security, including crime prevention, is reviewed with employees at hire dates and during staff meetings. Instructors are required to discuss emergency evacuation procedures and safety policy on the student's first day of class. Visual emergency exit diagrams and procedures are posted at the entrances of all campus rooms.

## HATE CRIMES

The Downey Unified School Board affirms the right of every student to be protected from hate motivated behavior. It is the intent of the administration 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 based on his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs, or practices shall not be tolerated. Incidents of hate violence should immediately be reported to the school site administrator and Downey Police Department. The Police Department does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the U.S. constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs. To further reiterate DUSD School Board's policies on harassment please review the following Board Policies:

### DUSD BP 2505 NONDISCRIMINATION/HARASSMENT

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school under the jurisdiction of the superintendent of the school district.



Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

#### DUSD BP 7220 HARASSMENT OF EMPLOYEES

It shall be the policy of the Board of Education that no employee of the District shall be permitted to subject another employee or applicant for employment to harassment based on race, religious creed, color, national origin, ancestry, physical handicap, disability (mental or physical), marital status, sex, sexual orientation, or age.

The District shall take all reasonable steps to prevent such harassment from occurring, and disciplinary action may be recommended against employee involved in committing such harassment.

There were no incidents of hate crimes reported for 2014, 2015 or 2016.

Hate crime categories include murder/non-negligent manslaughter, sex offenses – forcible, sex offenses – non forcible, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny-theft, intimidation, and destruction/damage/vandalism of property.

DAS takes hate crimes and all criminal offenses seriously and encourages the campus community to report any crime to the Principal or Assistant Principal. Crimes can also be reported by calling 911.

#### Sanctions:

Student: If a student is found guilty of a hate crime, they will be dismissed from school.

Employee: If a determination is made that an employee is guilty of committing a hate crime, the district may take disciplinary action, including suspension and dismissal, in accordance with law, board policy,



administrative regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

## SEXUAL OFFENSE POLICY

Downey Adult School (DAS) is required by the Clery Act to include in its Annual Security Report information about the school's sexual offense policy and procedures, prevention and how to access information on registered sex offenders in the community. <https://www.meganslaw.ca.gov/>

The Downey Police Department and Los Angeles County Rape Crisis Center offer sexual assault education and information programs to community members upon request. Literature on date rape education, risk reduction and response is also available in the DAS Main Adult Education Office and Financial Aid Office. Sexual assault is not tolerated by Downey Adult School. DAS will promptly investigate all allegations of sexual assault and take appropriate action where required. A student or employee who reports to DAS that they have been a victim of sexual assault, whether the offense occurred on or off campus, will be referred to the Downey Police Department by administration.

## DEFINITIONS

Sexual Assault - Defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth. Sexual assault includes, but is not limited to rape, forcible sodomy, penetration with a foreign object, sexual battery or the threat of sexual assault. There is legally no consent when either partner:

- is below the legal age of consent
- fears the consequences of not consenting (including the use of force)
- feels threatened or intimidated
- is coerced
- says no, either verbally or physically (eg. Crying, kicking or pushing away)
- has disabilities that prevent the person from making an informed choice
- is incapacitated by alcohol or drugs
- lacks full knowledge or information of what is happening
- is not an active participant in the activity.

Consent in reference to sexual activity - Defined as a voluntary, sober, imaginative, enthusiastic, creative, wanted, informed, mutual, honest, and verbal agreement. It is an active agreement, not a passive nod of the head or smile. Consent cannot be coerced, never implied, and cannot be assumed, even in the context of a relationship.

Just because one is in a relationship does not mean that that person has permission to have sex with a partner.

The Downey Police Department is the primary respondent for all campus emergencies and all reports of criminal activity on the DAS campus and on public property within or immediately adjacent to and accessible from the



campus. This includes reported incidents of domestic violence, dating violence, sexual assault, or stalking. It is DAS's policy to notify the Downey Police Department and for them to implement investigational procedures with DAS administration's cooperation. Witnesses, as well as, victims are encouraged by DAS to report crimes on a voluntary, confidential basis for inclusion in the school's crime statistics.

Sanctions:

Student: If a student is found guilty of committing a sexual offense, they will be dismissed from school.

Employee: If a determination is made that an employee is guilty of committing a sexual offense, the district may take disciplinary action, including suspension and dismissal, in accordance with law, board policy, administrative regulations and/or collective bargaining agreements.

The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

[What to do if you are sexually assaulted](#)

If you are a victim of a sexual assault at DAS, your priority should be to get to a place of safety. You should then obtain necessary medical treatment. DAS strongly advocates that a victim of sexual assault report the incident as soon as possible. Time is a critical factor for evidence collection and preservation.

An assault should be reported directly to the Downey Police Department 911 or (562) 861-0771 and/or to the Principal, Assistant Principal or administrative designee. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions. However, reporting is at the victim's discretion.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

The Principal, Assistant Principal, or administrative designee will assist the student in notifying the authorities (if the student requests) and can refer the victim to a non-related, outside counseling service such as a local rape counseling center.





### Sexual Assault Disciplinary Action

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system. To initiate disciplinary action against a student or employee for sexual assault, a report must be made to the Principal. The following disciplinary procedures will be conducted in cases of an alleged sex offense:

- DAS will delegate a representative to provide a prompt, fair, and impartial investigation of the specifics in the case, interview the accuser and accused, and any witnesses.
- The representative will have received annual training on the issues related to sexual assault and how to investigate and hearing process that protects the safety of victims and promotes accountability.
- DAS will conduct a meeting during which the accuser and the accused are entitled to participate and have the option of one person who has no formal legal training to accompany them throughout the meeting.
- If warranted, DAS may contact the local police to assist in the process.
- DUSD Assistant Superintendent, will be contacted to assist with the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- Both the victim and accused will be receiving simultaneous notification, in writing, of the outcome of any meeting and any available appeal procedures.
- A student found guilty of sexual misconduct could be suspended from school, recommended for expulsion, referred for other appropriate actions, and may be criminally prosecuted, per DUSD AR 1110.
- Any district employee accused of abusing, assaulting or neglecting a student may be subject to appropriate disciplinary action pending the outcome of an investigation by the appropriate agency., per DUSD AR 1110.

If a determination is made that an employee has committed any crime, the district may take disciplinary action, including suspension and dismissal, in accordance with law, board policy, administrative regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

### Prevention and Awareness Programs

Downey Adult School is committed to providing services, resources and support to the victims of sexual assaults, domestic violence, dating violence and stalking. DAS explicitly prohibits these crimes. Any sexual assault or physical abuse, including, but not limited to, rape whether committed by an employee, student or member of the public, which occurs on District property, is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity, respect, and be provided with comprehensive assistance.

Information to educate students and employees and promote awareness about domestic violence, sexual assault, dating violence, date rape and stalking is available in the DAS Adult Education Main Administrative Office. In addition, there is referral information/literature about date rape, risk reduction, and sexual assault available to students and employees. This literature is in the DAS Adult Education Main Administrative Office.



Anonymous help and mental health counseling referrals can be obtained through DAS administrators. Employee assistance referrals are available through the DUSD Department of Human Resources. DAS’s primary concern is the safety of the survivor and campus community.

### Risk Reduction and Prevention Awareness Campaign for Students and Employees

- Walk with friends or with others to and from the parking lot areas.
- Be aware of your surroundings.
- Do not focus/text on your cell phone when walking.
- Have your car keys ready. Do not focus on searching through your purse or backpack. Check your backseat before entering your vehicle.
- Do not pick up unknown persons to give them a ride to their parking space.
- During the early stages of dating, consider dating with a group of people you know. Have a pre-planned signal to let your friend know that you want to leave or need help.
- Communicate clearly and often to your partner. It’s never too late to say “No.”
- Don’t be embarrassed or ashamed to say “No” or ask someone to stop.
- Verbalize your expectations with your date. Talk about boundaries.
- Trust your instincts. Guard your personal space. If someone makes you feel uncomfortable, remove yourself from the situation.

### Bystander Intervention

Bystander intervention focuses on helping individuals understand and become more sensitive to crimes of sexual assault, domestic violence, dating violence, and stalking by providing prevention and interruption skills.

The bystander role includes:

- Recognizing and interrupting situations of potential harm
- Understanding conditions that facilitate violence
- Intervening to prevent an assault before it happens.
- It involves speaking out against social norms that support sexual assault, domestic violence, dating violence, and stalking.

The following bystander strategies may be utilized:

- If bystanders notice an incident taking place, they should contact the police immediately.
- Assume responsibility. Be ready to intervene, even if others do not.
- Speak up if you see someone leaving with a person, he/she knows is drunk.
- Attempt to help. This may include helping a person to leave a situation, confront a behavior, diffuse a situation, or call for other support.
- Approach everyone in a respectful manner. Avoid using violence. Be honest and direct whenever possible. Recruit help if necessary but keep yourself safe.
- Remember, if you perceive someone to be in presence of immediate harm, do not hesitate to call 9-1-1



## SEX OFFENDER REGISTRATION

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Education Rights and Privacy Act of 1974, public information regarding sex offenders in California may be obtained by viewing the Department of Justice Online Megan’s Law website, at: <http://www.meganslaw.ca.gov>.

Sex offenders are required to register and provide notice of each institution of higher education in the state at which the person is employed, carries a vocation, or is a student. Registry information shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children. Unlawful use of the information for purposes of intimidating or harassing another is prohibited.

## VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA). The law amended the Clery Act and required schools to provide students and employees the procedures to follow once an incident of domestic violence, dating violence and/or stalking has been reported.

DAS includes statistics on the VAWA crimes in their Annual Security Report. A student or employee who reports to DAS that the student or employee has been a victim of domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on or off campus, has rights and options as described in the Domestic Violence, Dating Violence and Stalking Policy.

For more information, please see the Violence Against Women Reauthorization Act of 2013: <https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf>

Sexual Assault - Defined as any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of this/her youth. Sexual assault includes, but is not limited to rape, forcible sodomy, penetration with a foreign object, sexual battery or the threat of sexual assault.

Consent in reference to sexual activity - Defined as a voluntary, sober, imaginative, enthusiastic, creative, wanted, informed, mutual, honest, and verbal agreement. It is an active agreement, not a passive nod of the head or a smile. Consent cannot be coerced, is never implied, and cannot be assumed, even in the context of a relationship. Just because one is in a relationship does not mean that person has permission to have sex with a partner.

Domestic Violence - Defined as a felony or misdemeanor crime(s) of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse or the victim under the domestic family violence laws where the violence occurred, or by any other



person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

Dating Violence - Defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship may be determined by the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Stalking - Defined by the VAWA Amendment as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

Domestic violence, dating violence or stalking by an employee or student is prohibited and will not be tolerated by Downey Adult School (DAS). If a student or an employee is alleged to be the victim or perpetrator of domestic violence, dating violence or stalking, a school administrator will promptly investigate all allegations of these alleged crimes and take appropriate action as required.

### Rights to Confidentiality

The name or identity of a victim of domestic violence, dating violence, sexual assault or stalking crime will be kept confidential upon request of the victim, per Penal Code Section 293 and Government Code Section 6254 (f). To protect the privacy of the individuals involved, the school will not release names without the consent of those involved, unless the release is essential to the health and safety of the victim, or the campus community, or in the fulfillment of the legal obligations of the school.

### What to do if you are a victim of domestic violence, dating violence, or stalking

If you are a victim of domestic violence, dating violence, or stalking your priority should be to get to a place of safety. If necessary, you should then obtain necessary medical treatment or forensic examination. DAS strongly advocates that a victim of sexual assault, domestic violence, dating violence, or stalking report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. The alleged offense should be reported to the Director/Principal, Assistant Principal or designee, in writing, especially for crimes committed on or near the campus.

In addition, victims should report directly to the Downey Police Department 911 or (562) 861-0771 to obtain information regarding having a forensic examination. Reporting is at the victim's discretion. The Principal, Assistant Principal or administrative designee can assist the employee or student in notifying authorities, if requested.

Filing a police report with the Downey Police Department will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.



Filing a police report will:

- Ensure that a victim of domestic violence, dating violence, or stalking receives the necessary medical treatment; and
- Provide opportunity for the collection of evidence as it may be necessary to the proof of criminal or institutional conduct proceeding arising from the report of domestic violence, dating violence or stalking or in obtaining a protection order.

Downey Adult School does not provide on-campus or off-campus professional counseling services. However, DAS can refer the victim to a non-related, outside counseling service such as a local domestic violence agency. Such agencies can provide mental health, victim advocacy, legal assistance, visa and immigration services, and other services for victims. Employees of DUSD can contact the Department of Human Resources for assistance with resources.

Disciplinary Action for Domestic Violence, Dating Violence and Stalking

The victim of domestic violence, dating violence or stalking may decide to pursue an investigation through the criminal justice system, Downey Adult School, or only the latter. To initiate disciplinary action against a student or employee, by contacting DAS Principal, Assistant Principal or administrative designee.

The following disciplinary procedures (steps) will be conducted in cases of an alleged domestic violence, dating violence or stalking that occur when the alleged is an employee or student:

1. DAS will delegate a representative to provide a prompt, fair and impartial investigation of the specific facts in the case, interview the accuser and accused, and any witnesses.
2. DAS administrators, in conjunction with trained representatives, will have received annual training on the issues related to domestic violence, dating violence and stalking and how to investigate that protects the safety of victims and promotes accountability.
3. DAS will conduct a meeting during which the accuser and the accused are entitled to participate and can be accompanied to any related meeting by the advisor of their choice.
4. Both the accuser and the accused will be simultaneously informed in writing of the school's determination with respect to the alleged domestic violence, dating violence and/or stalking offense and any sanction that is imposed against the accused.
5. The accused and/or the victim have a right to appeal the results of the disciplinary proceedings. The appeal must be made in writing to the Principal and must address the specific concern or concern that he or she is not in agreement with. If an appeal is received, all the documentation, evidence and reports will be reviewed by the legal counsel.
6. DAS will consult with the DUSD legal counsel and notify the accuser and accused. A final determination will be made and will not be appealable. Compliance with these provisions does not constitute a violation of Section 444 of the General Education Provisions Act (20 U.P.S.C. 1232g) commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).



### Disciplinary Proceedings/Standard of Evidence

DAS is committed to providing a fair and impartial process for a disciplinary proceeding of reported domestic violence, dating violence, sexual assault or stalking. The standard of evidence used during the disciplinary process will be a preponderance of evidence. This definition is the same as is used in most civil courts and is not the standard of beyond a reasonable doubt. The preponderance of evidence means that the offence “more likely than not” occurred. The proceedings are conducted by DUSD officials, who receive annual training, related to domestic violence, dating violence, sexual assault, and stalking, including training that protects the safety of victims and promotes accountability.

#### Sanctions:

Student: If a student is found guilty of committing an act of domestic violence, dating violence, sexual assault or stalking, they will be dismissed from school.

Employee: If a determination is made that an employee is guilty of committing an act of domestic violence, dating violence, sexual assault or stalking, the district may take disciplinary action, including suspension and dismissal, in accordance with law, board policy, administrative regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

### Reasonable Accommodations for Victims

If requested by the victim, and if such accommodations are reasonably available, victims of domestic violence, dating violence or stalking may have an option to change their academic, living, transportation, and working situations regardless of whether the victim chooses to report the crime to local law enforcement. In addition, DAS and DUSD will make reasonable accommodations to assist victims with schedule and/or academic changes if an order of protection, order of no contact, restraining order or similar lawful order is issued by a criminal, civil or tribal court.

### Prevention Programs

DAS maintains literature and other information to educate students and employees about the prevention and awareness of domestic violence, dating violence, sexual assault, and stalking in the Main Administrative Office and Financial Aid Office. In addition, DAS has a list of resources available locally that can provide counseling and additional referral information. For additional local resources, one can refer to the copy of The Collaborative Community Network Resource Guide which can be found in the Financial Aid Office or the Main Administrative Office and on the following website: [www.das.edu](http://www.das.edu).



## SUBSTANCE AND ALCOHOL ABUSE

Per DUSD Board Policy 2490 and Administrative Right 2490 DUSD will try to keep all schools alcohol and drug-free by taking positive action through education, parent involvement, medical and police referrals, and by handling incidents in schools involving the possession, sale, and/or use of alcohol, other drugs or related paraphernalia.

It is the policy of the DUSD to provide a drug-free workplace in compliance with the Public Law 101-226, “Drug Free Schools and Communities Act Amendment of 1989”. All staff is provided with this information and sign to confirm receipt and review of the pamphlet. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance during, or after school hours at school or in any other district workplace.

Downey Adult School will take appropriate action to eliminate possession, use, and sale of alcohol, tobacco, and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students are required to comply with the district policy as a condition of their continued enrollment.

### Sanctions:

**Student:** If a student is found guilty of possession, use, and sale of alcohol, tobacco, and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for, they will be dismissed from school.

**Employee:** If a determination is made that an employee is guilty of possession, use, and sale of alcohol, tobacco, and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for, the district may take disciplinary action, including suspension and dismissal, in accordance with law, board policy, administrative regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

All students are provided information regarding the “Drug Free Schools and Communities Act” during prospective student orientations. Students attending the DAS CTE programs are provided a pamphlet entitled, “Health Risks Associated with Drug and Alcohol Abuse” during their financial aid counseling appointment. This pamphlet contains information regarding health risks associated with drug use, and available resources such as:

- Cocaine Helpline – 1-800-COCAINE
- National Council on Alcoholism Information Line – 1-800-NCA-CALL
- Pride Drug Information Hotline – 1- 800-64-PRIDE
- National Institute on Drug Abuse (NIDA) Hotline – 1-800 662-HELP

Students are required to read the pamphlet on “Health Risks Associated with Drug and Alcohol Abuse” and provide their signature on the document as verification of doing so. Consumption or possession of alcohol by persons under the age of 21 or any other person is not permitted on the property of the Downey Unified School District.



DAS Administration or the Principal may use their discretion to provide alternatives to suspension/expulsion, including, but not limited to, counseling resources for substance abuse intervention programs.

All state laws regarding underage drinking, alcohol, and the possession, use, and sale of illegal drugs will be enforced by the Downey Police Department and DAS administration. Violators may be subjected to arrest, fine, imprisonment and /or expulsion from the DAS program.

### Drug and Alcohol Prevention Program (DAAP) Policy

#### Purpose

The purpose of this policy is to ensure Downey Adult School – Career & Education Center is in compliance with the U.S. Department of Education’s Drug Free Schools and Communities Act (DFSCA) and Part 86 of the U.S. Department of Education’s General Administrative Regulations (EDGAR).

#### Policy

In compliance with the U.S. Department of Education’s Drug Free Schools and Communities Act (DFSCA) and Part 86 of the U.S. Department of Education’s General Administrative Regulations (EDGAR), Downey Adult School – Career & Education Center has developed a DAAPP for all staff and students. The DAAPP will be distributed to all staff and students. DAS will conduct a biennial review of the DAAPP.

#### Procedure

Downey Adult School – Career & Education Center has adopted, and implemented a DAAPP with written information for staff and students: standards of conduct, consequences for violations, federal and state law legal sanctions, local ordinances legal sanctions, financial aid consequences, health risks related to alcohol and drug use, and resources for treatment. DAS has developed a plan to distribute, on a trimester basis, notification information to every staff member and students. DAS maintains readily available written materials that contain all aspects to the DAAPP. A copy of DAS’s DAAP is found at the end of this report and our website:

<https://www.das.edu/drug-and-alcohol-abuse-prevention-program/>

### TOBACCO FREE CAMPUS

Smoking or use/disposal of any tobacco related waste within 25 feet of a school/playground (except sidewalks within 25 feet of playground) is prohibited. This policy also applies to electronic cigarettes or other imitation cigarette devices. Therefore, adult students are instructed to smoke outside the campus and are usually referred to the area located by the entrance of the parking lot adjacent to Woodruff Avenue. Smoking is not permitted on campus per DUSD Board Policy 1120.





## WEAPONS POLICY

It is a serious violation of the law to bring firearms, knives, or other weapons, as identified in Penal Code 12020 P.C. 626.9 on to District property. Section 626.9 of the California Penal Code makes it a felony to bring or to possess a firearm or certain knives on the grounds or within buildings of the District or DAS property.

DAS strives to promote a safe campus environment conducive to academic achievement, through the cooperation of students, staff, law enforcement, and community partnerships. Thank you for helping to make our campus a safe place to learn and work.

## POLICY ON BULLYING (DUSD Board Policy 2416)

In accordance with the Safe Place to Learn Act, the Downey Unified School District believes that all students have the right to a safe and healthy school environment. Every student is entitled to a safe school environment free from bullying. The Downey Unified School District will provide staff development training in bullying prevention and cultivate acceptance.

The Downey Unified School District will not tolerate behavior that infringes on the safety of any student. A student shall not discriminate, intimidate, harass, or bully another student through words or actions based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and Education Code 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Such behavior includes, but is not limited to: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to a school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion.

The Downey Unified School District expects that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. The Downey Unified School District expects employees and/or students to immediately report incidents of discrimination, harassment, intimidation, and bullying to a school administrator.

The District has established Uniform Complaint Procedures that shall address each complaint of discrimination, harassment, intimidation, or bullying. Timelines and guidelines regarding the filing of a complaint, the investigation of alleged acts, and process for appealing the District's decision under the Safe Place to Learn Act are included in the Uniform Complaint Procedures.

Copies of the policy are also available at the DAS Adult Education Main Administrative Office and DUSD website: [www.dusd.net](http://www.dusd.net).



### California Education Code §48900(r)

For purposes of the “bullying” subdivision, the following terms have the following meanings:

(1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupil’s person or property.

B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

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

(2) “Electronic act” means the transmission of a communication, including, but not limited to, message, text, sound, or image, or a 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.

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

#### How you can get help:

- Talk to someone you trust.
- Determine if the behavior violates campus policies or laws. Review student codes of conduct, state criminal laws, and civil rights laws.
- Report criminal acts to campus administrators or community law enforcement.
- Consult the Principal or Assistant Principal to help determine if the behavior is sexual harassment.

#### **If you are being victimized online:**

- Block the person doing it from all platforms of social media and communicate only with people you know. If the perpetrator is another student, share evidence with the campus authorities – even though 70% of cyberbullying happens at home, it often involves other students at school.



- If cyberbullying contains threats, intimidation, obscene material or sexual exploitation, immediately report it to the police.
- Seek support and professional help for yourself if there is emotional stress reflected in depression, desperation, anxiety or thoughts of self-harm.

### IMPORTANT PHONE NUMBERS:

Emergencies, 24 hours: 9-1-1

Downey Adult School: (562) 940-6200

Downey Police Department (562) 861-0771

Los Angeles County Information and Emergency After-Hours Number (213) 974-1234

Los Angeles County Department of Health Services – Emergency Medical Services Agency

(562) 347-1500

Rape/Sex Assault Treatment – East Los Angeles Women’s Center (800) 585-6231

Domestic Violence Hotline (National) (800) -799 -7233

Domestic Violence Hotline (Women’s and Children’s Crisis Shelter – Los Angeles) (562) 945-3939

Suicide Prevention Center Crisis Line (800) 273 -TALK (8255) Also available by text.

For additional local resources, one can refer to the copy of The Collaborative Community Network Resource Guide, which can be found in the Financial Aid Office or the Main Administrative Office.

### CRIME STATISTICS

Statistics, including crimes committed on campus, near campus geography (3-mile radius), and campus disciplinary actions which are collected by the DAS Administration - Principal and Assistant Principal. Since DAS does not have residential facilities on our campus, no statistics are available. For more information regarding campus security or crime statistics, please contact the office of Blanca Rochin, Principal of Downey Adult School at (562) 940-6201.

Following is a 3 -year comparison of Parts I and II crimes occurring on the DAS campus. The Uniform Crime Reporting (UCR) Program divides offenses into two groups, Part I and Part II crimes. Each month, participating law enforcement agencies submit information on the number of Part I offenses that become known to them; those offenses cleared by arrest or exceptional means; and the age, sex, and race of persons arrested for each of the offenses.



The following information was obtained from the Downey Police Department via a Public Records Act Request.

DOWNEY ADULT AND CONTINUING EDUCATION CRIME STATISTICS 2016-2018 CRIMINAL OFFENSES (NEW CRIME CATEGORIES ADDED FOR VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013) ON CAMPUS AND PUBLIC PROPERTY						
	ON CAMPUS	PUBLIC PROPERTY	ON CAMPUS	PUBLIC PROPERTY	ON CAMPUS	PUBLIC PROPERTY
	2017	2017	2018	2018	2019	2019
DOMESTIC VIOLENCE	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0
STALKING	0	0	0	0	0	0

CRIME STATISTICS 2016-2018 UNFOUNDED CRIMES ON CAMPUS AND PUBLIC PROPERTY						
	ON CAMPUS	PUBLIC PROPERTY	ON CAMPUS	PUBLIC PROPERTY	ON CAMPUS	PUBLIC PROPERTY
	2017	2017	2018	2018	2019	2019
UNFOUNDED CRIMES	0	0	0	0	0	0

DOWNEY ADULT SCHOOL AND CONTINUING	YEAR			
	2017	2018	2019	
	TOTAL	TOTAL	TOTAL	TOTAL
<b>ARRESTS ON CAMPUS</b>				
Weapons	0	0	0	0
Carrying/Possession	0	0	0	0
Disciplinary Referrals	0	0	0	0
<b>DRUG ABUSE VIOLATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Disciplinary Referrals	0	0	0	0
DUI	0	0	0	0
<b>LIQUOR LAW VIOLATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Disciplinary Referrals	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



DOWNEY ADULT SCHOOL AND CONTINUING EDUCATION	YEAR					
	2017		2018		2019	
On campus and public property	Public Property	On Campus	Public Property	On Campus	Public Property	On Campus
<b>CRIMINAL HOMICIDE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>SEX OFFENSES</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Forcible Rape	13	0	0	0	0	0
Non-Forcible (Statutory rape)	0	0	0	0	0	0
Fondling	18	0	0	0	0	0
Incest	0	0	0	0	0	0
<b>ROBBERY</b>	<b>80</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>AGG. ASSAULT</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Firearms	0	0	0	0	0	0
Knife/Cutting Instrument	0	0	0	0	0	0
Other Dangerous Weapons	0	0	0	0	0	0
Hands, Fist Etc.	0	0	0	0	0	0
<b>BURGLARY</b>	<b>581</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
Forcible Entry	260	0	0	0	0	2
Unlawful Entry No Force	0	0	0	0	0	0
Attempt Forcible Entry	0	0	0	0	0	0
Vehicle Burglary	321	0	0	0	0	0
<b>THEFT</b>	<b>508</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Petty Theft (under 400)	508	0	0	0	0	0
Grand Theft (over 400)	0	0	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	<b>328</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Auto	328	1	0	0	0	0
Truck/Bus	0	0	0	0	0	0
Other Vehicle (bicycles)	0	0	0	0	0	0
<b>ARSON</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Structural	3	0	0	0	0	0
Mobile	0	0	0	0	0	0
<b>TOTAL</b>	<b>1606</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>



DOWNEY ADULT SCHOOL AND CONTINUING EDUCATION	YEAR						
	2017						
HATE CRIMES - ON CAMPUS/PUBLIC PROPERTY	RACE	RELIGION	ORIENTATION	GENDER	DISABILITY	ETHNICITY	TOTAL
<b>CRIMINAL HOMICIDE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Murder	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0
<b>SEX OFFENSES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Forcible Rape	0	0	0	0	0	0	0
Non-Forcible (Statutory rape)	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
<b>ROBBERY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>AGG. ASSAULT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Simple Assault	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Vandalism of Property	0	0	0	0	0	0	0
<b>BURGLARY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Forcible Entry	0	0	0	0	0	0	0
Unlawful Entry, no force	0	0	0	0	0	0	0
Attempt Forcible Entry	0	0	0	0	0	0	0
Vehicle Burglary	0	0	0	0	0	0	0
<b>THEFT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Petty Theft	0	0	0	0	0	0	0
Grand Theft	0	0	0	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Auto	0	0	0	0	0	0	0
Truck/Bus	0	0	0	0	0	0	0
<b>ARSON</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Structural	0	0	0	0	0	0	0
Mobile	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



DOWNEY ADULT SCHOOL AND CONTINUING EDUCATION	YEAR						
	2018						
	RACE	RELIGION	ORIENTATION	GENDER	DISABILITY	ETHNICITY	TOTAL
HATE CRIMES - ON CAMPUS/PUBLIC PROPERTY	0	0	0	0	0	0	0
CRIMINAL HOMICIDE	0	0	0	0	0	0	0
Murder	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0
SEX OFFENSES	0	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0	0
Non-Forcible (Statutory rape)	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0
AGG. ASSAULT	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Vandalism of Property	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0
Forcible Entry	0	0	0	0	0	0	0
Unlawful Entry, no force	0	0	0	0	0	0	0
Attempt Forcible Entry	0	0	0	0	0	0	0
Vehicle Burglary	0	0	0	0	0	0	0
THEFT	0	0	0	0	0	0	0
Petty Theft	0	0	0	0	0	0	0
Grand Theft	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0
Auto	0	0	0	0	0	0	0
Truck/Bus	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0
Structural	0	0	0	0	0	0	0
Mobile	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



DOWNEY ADULT SCHOOL AND CONTINUING EDUCATION	YEAR						
	2019						
HATE CRIMES - ON CAMPUS/PUBLIC PROPERTY	RACE	RELIGION	ORIENTATION	GENDER	DISABILITY	ETHNICITY	TOTAL
<b>CRIMINAL HOMICIDE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Murder	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0
<b>SEX OFFENSES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Forcible Rape	0	0	0	0	0	0	0
Non-Forcible (Statutory rape)	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
<b>ROBBERY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>AGG. ASSAULT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Simple Assault	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Vandalism of Property	0	0	0	0	0	0	0
<b>BURGLARY</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
Forcible Entry	2	0	0	0	0	0	2
Unlawful Entry, no force	0	0	0	0	0	0	0
Attempt Forcible Entry	0	0	0	0	0	0	0
Vehicle Burglary	0	0	0	0	0	0	0
<b>THEFT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Petty Theft	0	0	0	0	0	0	0
Grand Theft	0	0	0	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Auto	0	0	0	0	0	0	0
Truck/Bus	0	0	0	0	0	0	0
<b>ARSON</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Structural	0	0	0	0	0	0	0
Mobile	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>





# DRUG & ALCOHOL ABUSE PREVENTION PROGRAM

---



# Drug and Alcohol Abuse Prevention Regulations

## Notification

Institutions of Higher Education must annually notify each employee and student, in writing, of standards of conduct, consequences for violations, federal and state law legal sanctions, local ordinances legal sanctions, financial aid consequences, health risks related to alcohol and drug use, and resources for treatment programs.

Downey Adult School – Career & Education Center (DAS) has developed and implemented a drug and alcohol abuse prevention program (DAAPP) for all students and its employees that addresses all required aspects set forth by the U.S. Department of Education.

## Distribution

Institutions of Higher Education must develop a plan to distribute, on a trimester basis, notification information to every staff member and student.

Downey Adult School – Career & Education Center (DAS) has a written plan on how to electronically distribute and readily maintain available written materials that contains all aspects of the DAAPP.

## Biennial Review

Institutions of Higher Education must prepare and publish a biennial review on the effectiveness and impact of alcohol and drug prevention efforts, the consistency of sanction enforcement, and identify areas requiring improvement or modification. The biennial review must be maintained on file and available for immediate submission should it be requested by the U.S. Department of Education.

Downey Adult School – Career & Education Center (DAS) will conduct its first biennial review upon completion of the first year's impletion of the school's DAAPP.

## DFSCA & Part 86 of EDGAR

The U.S. Department of Education's Drug Free Schools and Communities Act (DFSCA) and Part 86 of the Department of Education's General Administrative Regulations (EDGAR), requires institutions of higher education to adopt and implement drug and alcohol abuse prevention programs (DAAPP) for students and employees.

Failure to comply with the Drug and Alcohol Abuse Prevention Regulations may cause an institution to forfeit eligibility for federal funding.



# Standards of Conduct

**Downey Adult School – Career & Education Center and Downey Unified School District are committed to providing a safe learning environment that is alcohol and drug free.**

## Employees

All staff members Downey Adult School – Career & Education Center (DAS) will, and must, adhere to the Downey Unified School District's (DUSD) Tobacco/Alcohol/Drug Free Workspace Policy which states: "The Downey Unified School District Policy prohibits smoking on all district campuses and in district vehicles. Students and Employees are not allowed to smoke, drink or use illegal drugs on school grounds, parking lots, or in parked vehicles." Additionally, all staff members of DAS will adhere to all federal and state laws, and local ordinances. Failure to adhere to DUSD's policy, federal law, state law, and local ordinances may result in disciplinary action.

## Students

Students enrolled in DAS have agreed to adhere to the Downey Unified School District's (DUSD) Tobacco/Alcohol/Drug Free Workspace Policy which states: "The Downey Unified School District Policy prohibits smoking on all district campuses and in district vehicles. Students and Employees are not allowed to smoke, drink or use illegal drugs on school grounds, parking lots, or in parked vehicles." Additionally, all students of DAS will adhere to all federal and state laws, and local ordinances. Failure to adhere to DUSD's policy, federal law, state law, and local ordinances may result in disciplinary action. Student misconduct that may result in disciplinary action includes, but is not limited to, the following violations:

The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code or any controlled substance listed in California Health and Safety Code Section 11053 et seq., an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as determined in California Health and Safety Code Section 11014.5



# Consequences for Violations

## **Disciplinary Actions – Downey Unified School District/Downey Adult School – Career & Education Center**

Students in violation of the Standard of Conduct, will receive disciplinary action from DUSD/DAS. Possible disciplinary actions may include one or more of the following:

### **Documented Reprimand (written or verbal)**

Students in violation of the Standard of Conduct will meet with administrator(s) and may receive a cease and desist from such conduct. Documentation of meeting, and its specifics, will be entered into the student's permanent records.

### **Probation**

Students in violation of the Standard of Conduct will meet with administrator(s) and may receive a status of probation in which the violating student is excluded from activities for a set period of time.

### **Suspension**

Students in violation of the Standard of Conduct will meet with administrator(s) and may receive a status of suspension. During the suspension period, the violating student will not be allowed to be on campus, attend program-related activities, or participate in school-related activities for a set period of time. The set period of time will be determined by the administrator.

### **Expulsion**

Students in violation of the Standard of Conduct will meet with administrator(s) and may receive an expulsion from DAS. In expulsion, the violating student will not be allowed to be on campus, attend program-related activities, or participate in school-related activities. The expulsion may be permanent or for a determined set of time set by the administrator.



# Legal Sanctions

## Federal

**Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances**

### Federal Legal Sanctions

Federal law allows for criminal and/or civil penalties for the unlawful possession, use, or distribution of a controlled substance. Penalties may include mandatory prison terms.

Federal penalties and sanctions for illegal possession of a controlled substance. Additional penalties are imposed for trafficking.

**21 U.S.C. 844(a)** First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- 1st conviction and the amount of crack possessed exceeds five grams.
- 2nd crack conviction and the amount of crack possessed exceeds three grams.
- 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.

**21 U.S.C. 853(a)(2) and 881(a)(7)** Forfeiture of personal real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

**21 U.S.C. 881(c)(4)** Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

**21 U.S.C. 844a** Civil fine of up to \$10,000 (pending adoption of final regulations).



# Legal Sanctions

## Federal - continued

**Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances**

### Federal Legal Sanctions - continued

**21 U.S.C. 853a** Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

**18 U.S.C. 922(g)**. Ineligible to receive or purchase a firearm.

### Classification/Drug Scheduling

Directly obtained from the U.S. Drug Enforcement Administration (<https://www.dea.gov/druginfo/ds/shtml>) is provided below:

#### Drug Scheduling

Drugs, substances, and certain chemicals used to make drugs are classified into five (5) distinct categories or schedules depending upon the drug's acceptable medical use and the drug's abuse or dependency potential. The abuse rate is a determinate factor in the scheduling of the drug; for example, Schedule I drugs have a high potential for abuse and the potential to create severe psychological and/or physical dependence. As the drug schedule changes-- Schedule II, Schedule III, etc., so does the abuse potential-- Schedule V drugs represents the least potential for abuse. A Listing of drugs and their schedule are located at Controlled Substance Act (CSA) Scheduling or CSA Scheduling by Alphabetical Order. These lists describe the basic or parent chemical and do not necessarily describe the salts, isomers and salts of isomers, esters, ethers and derivatives which may also be classified as controlled substances. These lists are intended as general references and are not comprehensive listings of all controlled substances.

Please note that a substance need not be listed as a controlled substance to be treated as a Schedule I substance for criminal prosecution. A controlled substance analogue is a substance which is intended for human consumption and is structurally or pharmacologically substantially similar to or is represented as being similar to a Schedule I or Schedule II substance and is not an approved medication in the United States. (See 21 U.S.C. §802(32)(A) for the definition of a controlled substance analogue and 21 U.S.C. §813 for the schedule.)



# Legal Sanctions

## Federal- continued

**Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances**

### **Classification/Drug Scheduling - continued**

**Schedule I** drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Some examples of Schedule I drugs are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote

**Schedule II** drugs, substances, or chemicals are defined as drugs with a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are: Combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin), cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin

**Schedule III** drugs, substances, or chemicals are defined as drugs with a moderate to low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are: Products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), ketamine, anabolic steroids, testosterone

**Schedule IV** drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are: Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, Tramadol

**Schedule V** drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are: cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Motofen, Lyrica, Parepectolin



# Legal Sanctions

## State

**Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances**

### State Legal Sanctions

The State of California has its own set of laws regulating the unlawful possession, use, or distribution of a controlled substance. Penalties may include mandatory prison terms. Penalties under California Health and Safety Code Sections 11351-113479 et. seq. (Uniform Controlled Substances Act) are as follows:

- Transport, import, transfer, or sale of controlled substances may result in felony sentencing of 3 to 5 years. Transport from one California county to a non-contiguous county can result in an increased sentence of 3 to 9 years of imprisonment.
- Crimes involving the hiring or employment of minors to sell or distribute controlled substances, or the sale of controlled substances to minors, can result in sentences of 3, 6, or 9 years in state prison.
- California law allows adults 21 and older to transport less than 28.5 grams (or less than 8 g marijuana concentrate).
- California law also criminalizes the transport, import, transfer, or sale of chemicals used as ingredients for the manufacture of phencyclidine (PCP) and methamphetamine, or the transport, import, transfer, or sale of the drugs themselves. Conviction may result in sentences of imprisonment lasting sixteen months to six years

California State Law also allows for the seeking of increased punishments if the defendant has prior committed offenses.

California State Law also allows for the enhancement of sentencing when drug-related offenses occur within 1,000 feet of schools, school-related programs, or playgrounds during operational hours. This increased sentencing may result in an additional one to two years in prison. Furthermore, if the alleged offender is at least four year older than an involved minor, a separate and additional one – three year prison term by be applied.





# Legal Sanctions

## Local Ordinances

**Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances**

### Local Ordinances

The City of Downey has its own established ordinances in regarding alcohol and drugs. Article IV – Public, Morals, and Policy, Chapter 1, Sections 4103., 4104., and 4105. address the usage of alcohol. Article IV – Public, Morals, and Policy, Chapter 1, Sections 4107.5 and 4135., 4102. addresses drugs and controlled substances. Legal sanctions may include, but not limited to: infractions, fines, and or imprisonment.

#### **SECTION 4103. CONSUMING ALCOHOLIC BEVERAGES: PUBLIC PLACES.**

For the purposes of this chapter “alcoholic beverages” shall mean and include alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent (1%) or more of alcohol by volume, and which is fit for beverage purposes, either alone or when diluted, mixed, or combined with other substances.

No person while in or on any public school ground, public school building, public building, or grounds belonging to the State, County, or other governmental entity or agency, shall have in his or her possession or consume any alcoholic beverage.

No person while in or on any unenclosed area designed or used, or intended to be used, for the parking of motor vehicles and which parking area is used in conjunction with or as any adjunct to any business, trade, or occupation for which a business license has been issued or is required to be issued pursuant to the provisions of Chapter 2 of Article VI of this Code, shall consume any alcoholic beverage nor have upon his or her person, nor in his or her personal possession, any container containing an alcoholic beverage, which container has been opened. (Amended by Ord. 211, adopted 11-13-62)

#### **SECTION 4104. CONSUMING ALCOHOLIC BEVERAGES: PUBLIC HIGHWAYS.**

No person shall go upon or remain upon any part of a public highway while he or she is consuming any alcoholic beverage. (Added by Ord. 3, adopted 12-20-56)



# Legal Sanctions

## Local Ordinances - continued

Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances

### Local Ordinances – continued

#### **SECTION 4105. CONSUMING ALCOHOLIC BEVERAGES: IN VEHICLES.**

No person shall enter or remain in any vehicle while such vehicle is on any part of any public highway when such person or any other occupant of such vehicle is consuming any alcoholic beverage. (Added by Ord. 3, adopted 12-20-56)

#### **SECTION 4107.5. LOITERING FOR DRUG-RELATED ACTIVITIES.**

(a) It is unlawful for any person to loiter in, on or near any public or private property or thoroughfare in a manner and under circumstances manifesting the purpose or the intent to engage in drug-related activity defined as criminal offenses in Chapters 6 and 6.5 of Division 10 of the California Health and Safety Code.

(b) Among circumstances that may be considered in determining whether a person loiters and manifests the intent to engage in drug-related activity are:

(1) The person enters and remains on any public or private property or thoroughfare under such circumstances that a reasonable person will conclude that the person who has entered and remained on said premises: (i) does not have a purpose legitimately

connected with the business or activity of the legal occupant on or near the premises; (ii) does not have a bona fide intent to exercise a constitutional right; and (iii) does manifest the purpose of engaging in drug-related activities defined as offenses in Chapter 6 and 6.5 of Division 10 of the Health & Safety Code.

(2) The person is a known unlawful drug user, possessor, or seller. A “known unlawful drug user, possessor or seller” is a person who has, within the knowledge of the arresting officer, been convicted in any court within the State of any violation involving the use, possession or sale of any of the substances referred to in Chapter 6 and 6.5 of Division 10 of the Health & Safety Code or has been convicted of any violation of substantially similar laws of any political subdivision of the State or of any other State;



# Legal Sanctions

## Local Ordinances - continued

Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances

### Local Ordinances – continued

#### **SECTION 4107.5. LOITERING FOR DRUG-RELATED ACTIVITIES. CONTINUED**

(3) The person is currently subject to a court order prohibiting his or her presence in the particular area in which the person is loitering;

(4) The person behaves in such a manner as to raise a reasonable suspicion that he or she is about to engage in, or is then engaged in, an unlawful drug related activity, including without limitation, the display of physical characteristics of drug intoxication, possession or usage, such as “needle tracks,” the display of drug paraphernalia or the transfer of small objects or packages capable of containing drugs for currency or other drug related objects or packages in a furtive fashion;

(5) The person is physically identified by the arresting officer as an active member of a “gang” or association which has as its purpose, and was previously engaged in, drug related activity;

(6) The person loiters in or near to premises that have been reported to law enforcement as place suspected of drug related activity or in or within six feet of any vehicle registered to a known unlawful drug user, possessor or seller or near a person for whom there is an outstanding warrant for a crime involving drug related activity.

(c) Violations of this Section 4107.5 shall constitute a misdemeanor. (Added by Ord. 958, adopted 3-9-93)

#### **SECTION 4135. SALE AND DISPLAY OF DRUG PARAPHERNALIA.**

(Added by Ord. 587, adopted 3-27-79; amended by Ord. 697, adopted 5-11-82; repealed by Ord. 971, adopted 1-11-94)



# Legal Sanctions

## Local Ordinances - continued

Downey Adult School – Career & Education Center and Downey Unified School District recognizes and enforces all federal and state laws, and local ordinances

### Local Ordinances – continued

#### **SECTION 4102. CONTROLLED SUBSTANCES: PUBLIC PLACES.**

(a) No person shall consume within any public place or business in the City, or on the grounds of any public or private park, recreation area, open space or school, or in the public parking, loading, access and areas accessible to the public, or private or commercial property which is open and accessible to the public, any non-alcoholic intoxicating substance possessed for the purposes of intoxication or any illegal or controlled substance, including marijuana, as defined in Health and Safety Code Section 11007.

(b) No person shall have in his or her possession within any public place or business in the City, or on the grounds of any public or private park, recreation area, open space, or in the public parking, loading, access and areas accessible to the public, or private or commercial property which is open and accessible to the public, any instrument used to administer or ingest any intoxicating or controlled substance, including marijuana pipes or similar smoking devices, and including drug paraphernalia as defined in Health and Safety Code Section 11014.5. (Added by Ord. 1285, adopted 6-28-11)



# Financial Aid Consequences

## Disqualification

Students with a federal or state drug conviction are disqualified for federal financial aid. FAFSA Question 23c (prior drug convictions) addresses aid eligibility when a student has a conviction for an offense that occurred during a period enrollment for which the student was receiving federal student aid. Only then will the conviction count towards disqualification. The conviction will not count if the offense occurred outside of the period of enrollment for which the student was receiving federal student aid. However, a federal or state judge may overrule this exception. If the student was a juvenile, and not tried as an adult, when committed a conviction, it will not count. Additionally, a conviction will not count if it was reversed, set aside or reversed

## Notification of Convictions

Federal law requires educational institutions to report to the U.S. Department of Education any recipient of federal financial aid who is convicted of a drug-related crime on school property or at school-related activities. (Part 86 – Drug-Free School and Campuses, Subpart A – General, Section 86.3)

## Period of Ineligibility

Periods of federal financial aid ineligibility vary on whether the conviction was for possession or sale of illegal drugs, and on the number of previous offenses (if any). Conspiring to sell drugs convictions are included with sale of illegal drugs convictions. If student is convicted for both possession and sale of illegal drugs, the longer period of ineligibility will be enforced. Following information specifies time period of ineligibility:

### Possession of Illegal Drugs

First offense:	one year from date of conviction
Second offense:	two years from date of conviction
Third offense+:	indefinite

### Sale of Illegal Drugs

First offense:	two years from date of conviction
Second offense:	indefinite
Third offense+:	indefinite



# Financial Aid Consequences - continued

## Reestablishing Eligibility

As directly obtained from 2018-2019 Federal Student Aid Handbook provided by the U.S. Department of Education (Volume 1 – Student Eligibility pg. 1-22):

A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when he or she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make him ineligible again. Students denied eligibility for an indefinite period can regain eligibility after completing any of the following options:

- 1) Successfully completing a rehabilitation program, as described below, which includes passing two unannounced drug tests from such a program);
- 2) Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record; or
- 3) Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to you that she has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, when a student regains eligibility during the award year, [the student] may [receive federal financial aid] for the period of enrollment.



# Health Risks Related to Alcohol and Drug Use

Health risks, both short and long term, may vary from person to person. Varying factors such as age, gender, individual physiology, mental health condition, and genetics may determine exact risks/symptoms. The following short-term and long-term health risks lists are for reference only and should not be used in determining a medical diagnosis.

## Short-Term Health Risks

Individuals using alcohol and or drugs may experience any or all of the following short-term risks:

- Poor judgement
- Cognitive dysfunction
- Delusions
- Tremors
- Muscle weakness
- Slurred speech
- Drowsiness
- Vomiting
- Diarrhea
- Upset stomach
- Headaches
- Hallucinations
- Breathing difficulties
- Paranoia
- Heart palpitations
- Distorted vision and hearing
- Decreased perception and coordination
- Unconsciousness
- Anemia (loss of red blood cells)
- Coma
- Blackouts (memory lapses, where the drinker cannot remember events that occurred while under the influence)



# Health Risks Related to Alcohol and Drug Use – continued

Health risks, both short and long term, may vary from person to person. Varying factors such as age, gender, individual physiology, mental health condition, and genetics may determine exact risks/symptoms. The following short-term and long-term health risks lists are for reference only and should not be used in determining a medical diagnosis.

## Long-Term Health Risks

Individuals using alcohol and or drugs may experience any or all of the following long-term risks:

- Unintentional injuries such as car crash, falls, burns, drowning
- Intentional injuries such as firearm injuries, sexual assault, domestic violence
- Increased on-the-job injuries and loss of productivity
- Increased family problems, broken relationships
- Alcohol poisoning
- High blood pressure, stroke, and other heart-related diseases
- Cirrhosis - Liver disease
- Alcoholic hepatitis
- Nerve damage
- Sexual problems
- Permanent damage to the brain
- Vitamin B<sub>1</sub> deficiency, which can lead to a disorder characterized by amnesia, apathy and disorientation
- Ulcers
- Gastritis (inflammation of stomach walls)
- Malnutrition
- Cancer of the mouth and throat
- Psychological dysfunction
- Brain damage
- Tuberculosis
- Depression
- Hearing Loss
- Bronchitis
- Sinus infections
- Asthma
- Alcohol dependence
- Drug dependence





# Resources

## Treatment Programs & Centers

Downey Adult School – Career & Education Center and Downey Unified School District are committed to the promotion of well-being for all students and employees. Individuals with substance abuse issues are encouraged to seek help. Following is a list of local Resources, Treatment Programs and Centers.

### Drug-related:

#### **Narcotics Anonymous (NA)**

Los Angeles, CA (open 24 hours) 310-390-0279  
 Anaheim, CA (open 24 hours) 714-590-2388  
 Pasadena, CA (open 24 hours) 626-584-6910

<https://westsidena.org/westsidewp/>  
<https://orangecountyna.org/ocwp/>  
[www.sgvna.com](http://www.sgvna.com)

#### **Nar-Anon Family Group**

23110 Crenshaw Blvd., Ste. A 1-800-477-6291  
 Torrance, CA 90505

<https://www.nar-anon.org>

#### **Southern California Alcohol and Drug Programs, Inc.**

11500 Paramount Blvd. 562-923-4545  
 Downey, CA 90241

[www.scadpinc.org/angel\\_step\\_too.aspx](http://www.scadpinc.org/angel_step_too.aspx)

#### **Little House**

9718 Harvard Street 562-925-2577  
 Bellflower, CA 90706

[www.littlehouseinc.org](http://www.littlehouseinc.org)

#### **Aegis Treatment Centers**

14238 & 14240 562-946-1587  
 Imperial Hwy.  
 La Mirada, CA 90638

<https://aegistreatmentcenters.com>

#### **Promises Treatment Center**

17785 Center Ct. Dr., #280 562-741-6470  
 Cerritos, CA 90703

<https://www.promises.com>

#### **Los Angeles Centers for Alcohol and Drug Abuse**

213-626-6411

[www.lacada.com](http://www.lacada.com)

#### **Care Solace**

310-391-1253  
 (Partnered with Downey Unified School District)

[www.caresolace.com/downeyfamilies](http://www.caresolace.com/downeyfamilies)



## Resources

### Treatment Programs & Centers - continued

Downey Adult School – Career & Education Center and Downey Unified School District are committed to the promotion of well-being for all students and employees. Individuals with substance abuse issues are encouraged to seek help. Following is a list of local Resources, Treatment Programs and Centers.

#### Alcohol-related:

<b>Alcoholics Anonymous (AA)</b> Local AA Meetings:	1-844-335-2408	<a href="https://www.aa.org">https://www.aa.org</a> <a href="https://lacoaa.org/meetings/?tsml-day=any&amp;tsml-region=downey">https://lacoaa.org/meetings/?tsml-day=any&amp;tsml-region=downey</a>
<b>Al-Anon Family Groups of Greater Los Angeles</b>	818-760-7122	<a href="http://alanonla.org">http://alanonla.org</a>
<b>Southern California Alcohol and Drug Programs, Inc.</b> 11500 Paramount Blvd. Downey, CA 90241	562-923-4545	<a href="http://www.scadpinc.org/angel_step_too.aspx">www.scadpinc.org/angel_step_too.aspx</a>
<b>Little House</b> 9718 Harvard Street Bellflower, CA 90706	562-925-2577	<a href="http://www.littlehouseinc.org">www.littlehouseinc.org</a>
<b>Los Angeles Centers for Alcohol and Drug Abuse</b>	213-626-6411	<a href="http://www.lacada.com">www.lacada.com</a>
<b>Promises Treatment Center</b> 17785 Center Ct. Dr., #280 Cerritos, CA 90703	562-741-6470	<a href="https://www.promises.com">https://www.promises.com</a>
<b>Alcohol Education &amp; Recover Center DUI/DVP Program</b> 1355 S. Redondo Ave., #2 Long Beach, CA 90804	562-986-5046	<a href="http://www.aerc.us">www.aerc.us</a>
<b>Care Solace</b> (Partnered with Downey Unified School District)	310-391-1253	<a href="http://www.caresolace.com/downeyfamilies">www.caresolace.com/downeyfamilies</a>



## Distribution Plan

**Downey Adult School – Career & Education Center (DAS) is fully committed to the implementation of its Drug and Alcohol Abuse Prevention Program (DAAPP). In part of that commitment, DAS has developed the following distribution plan to ensure that all employees and students receive, and are aware of, the DAAPP.**

### **Students:**

DAS will email all enrolled students at the beginning of each trimester (August, January, & April) with an explanation and notification of the institution's DAAPP along with a link to the DAAPP for electronic access. Email notification on a trimester system will ensure that all students, regardless of enrollment date, will receive the DAAPP.

### **Employees:**

DAS holds a mandatory staff development day on an annual basis. This staff development day is held on Columbus Day in October. All employees will receive notification, and a printed copy, of the DAAPP. New employees will receive a printed copy of the DAAPP during new employee orientation.