Restorative Discipline Policy

Building Anti-Racist and Restorative School Communities in San Diego Unified

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^{*}Subject to any required bargaining

Restorative Communities are characterized by a mindset that promotes positive interactions, builds on the collective assets of students and school communities, provides an effective solution-focused approach and nurtures the skills of children, youth and adults. Restorative Communities cultivate the overall wellness of all its members by focusing on maximizing student learning within every interaction. Reducing the racial outcomes in how we address student behaviors is the primary goal in building Restorative Communities. Historically, exclusionary practices have disproportionately impacted students of color. Black and Latinx, and students, in particular, are more likely to be suspended, expelled, and arrested than their White peers, even for the same behavior (see section 6).

Our District will eliminate racist discipline practices and policies by acknowledging and dismantling systemic structures that contribute to any form of racism or racist outcomes that disproportionately affect our students of color. We will achieve this by implementing the following policies and practices:

- □ Sites will use the *Restorative Response Matrix* in section 4 to address student behaviors with fidelity, and will consistently document interventions and disciplinary actions
- ☐ Site Equity Teams will routinely examine discipline data, attendance data, and staff participation in anti-bias or restorative justice trainings to identify disproportionalities and determine action steps for revising site discipline practices
- ☐ Students will have a trusted adult "champion" to support them through a restorative process that is fair, thorough and involves parents when student behaviors may result in possible suspension or expulsion
- ☐ Expulsion review panel members will be provided Anti-Bias/Anti-Racist training
- ☐ Re-entry procedures will be utilized for students returning from expulsion or extended leave due to court school proceedings that will include a restorative conference with student, family, administration, counseling, and other trusted adults

The intervention matrix included in this plan will provide schools with equitable and supportive responses to behavior practices. The levels of the *Restorative Response Matrix* are predicated on the belief that schools should be supportive environments that will engage our children in a process of learning while maintaining open, collaborative and inclusive communication practices with students and families.

District	School	Classroom
 Alternative-to-suspension Programs Anti-bias training Community partnerships Restorative Justice Partners Counseling services Culturally responsive practices & implicit bias training Mental health supports IMTSS systems and structures Breathing Check in/Checkout Conflict Resolution Coping Skills Group based contingency Problem Solving Role Play Self-Monitoring Social Stories Taking a Break Visual supports Restorative justice training Affective Statements Community Partners Empathetic Listening Restorative Questions RIP Readings & Excerpts SEL Centered RIP Activities Virtual Community Circles Trauma-informed care training Wrap around supports 	 Active supervision Administrators visible and available to students and parents Review discipline policy at Back-to-School Night Counseling interventions Inclusive solution-seeking process Parents as partners Peer mentors Peer Mediation Link Crew Positive reinforcement system Praise/Appreciation Relaxation Room or Wellness Center SDUSD Virtual Calming Room School-wide explicit teaching and reinforcement of digital citizenship School-wide explicit teaching and review of social emotional learning competencies: Assemblies Morning messages Monthly themes School-wide PBIS Site staff mentors Student-led climate & culture initiatives Therapy Trauma-informed care response from educators Wellness check 	 Grade level/classroom explicit teaching of social emotional learning (SEL) in pursuit of academic achievement: Integration of SEL into academics Instruction of SEL competencies integrated with each other Reflective activities Opportunities for leadership Positive reinforcement system Praise/Appreciation Positive notes or phone calls to parents/guardians Restorative community building: Community Circles Empathetic Listening Knowing student name Greeting students at the door Giving students opportunities to share about themselves Goal Setting and reflection Student-developed social contracts and classroom rules: Clearly defined/posted Written in positive language Explicit teaching/review of agreements and/or expectations Visual supports (daily schedules, visual boundaries) Teacher-initiated reminders and redirection Wellness check

Classroom Referral - Classroom educators shall consistently implement the classroom preventative and restorative practices in the table above and exhaust all classroom interventions prior to referring a student to a counselor or administrator. If a classroom referral is necessary for a Level 2 or above behavior as identified in the *Restorative Response Matrix* in section 4, the educator shall use the site adopted procedures for referring students to their counselor or administrator.

Class Suspension Initiated by the Classroom Educator

An educator may suspend a student from his/her/their class for the day of the incident and the day following for good cause. The educator shall report the classroom suspension to the principal or designee and send the student to the principal or designee for participation in an administrator-assigned intervention. The educator shall indicate whether or not she or he has contacted the parent/guardian. If the educator has not contacted the parent/guardian, the principal or administrative designee must contact the parent/guardian to set up a parent/guardian and teacher conference regarding the classroom suspension.

School Suspensions*

Administrators shall consistently implement the school preventative and restorative practices in the table above and exhaust all site interventions, including alternative-to-suspension programs, prior to issuing an out-of-school suspension. In lieu of in-school suspensions, sites will utilize alternative-to-suspension programs that provide students site based interventions as well as an opportunity to repair the harm.

If an out-of-school suspension is necessary for a Level 3 or above behavior as identified in the *Restorative Response Matrix* in section 4, site administrators must follow the suspension due process procedures as outlined in AR 5144.1. Students must also be assigned a trusted adult "champion" to support them through the suspension process. Champions shall be side-by-side with students every step of the way and receive training on restorative practices as well as trauma-informed care.

*Complaints involving allegations of sexual harassment or sexual assault shall be handled in accordance with the District's sexual harassment policies and regulations.

While serving an out-of-school suspension, students shall be provided the opportunity to earn equivalent grades and academic credits as other students. They must also be provided the opportunity to make up tests, final examinations, and complete class and homework assignments without penalty while on suspension or within a reasonable time following the completion of the suspension. The intent of this provision is to not doubly punish students with suspensions and academic sanctions, while also providing an opportunity for the student to reintegrate into the educational program of the district following the suspension period.

Students who are suspended out-of-school during the administration of state or district assessments must be provided an opportunity to take the test(s) and may be allowed to participate in related test preparation activities. Administrators, administrator designee or school personnel will not deny students equitable access to test preparation, activities or materials.

Permissive (may recommend) for Expulsion or Change of Placement*

Permissive recommendations for expulsion may be used for any of the indicated behaviors (^) in the Level 3 *Restorative Response Matrix* in section 4. As an alternative-to-expulsion, the site principal or designee can offer a change of placement in school enrollment. In addition, the school must demonstrate that:

- Available interventions have been attempted and a record of supports provided for the student has been documented in PowerSchool with an ongoing process of communication with families;
- ☐ An out-of-school suspension has been implemented in the past and appropriate supports have been provided to student;
- ☐ The student intervention history and behavior are severe in nature and represent a risk to the safety of the student, safety of other students and/or safety of adults.

If the site administrator or designee and parent/guardian determines that a change of placement is necessary, the area superintendent must be notified and the merits of the case must be communicated to the area superintendent for review. If the area superintendent is in agreement with the change of placement, the area superintendent will coordinate efforts with the current site principal and receiving site principal to complete the site-initiated placement (SIP) process. When the student arrives at the receiving site, a restorative conference will take place that includes the student, parent/guardian, administrator, counselor, and assigned student champion. During the restorative conference, a support plan will be developed with student champion input to assist with the student's transition to the new school of enrollment.

If the site administrator or designee determines that a permissive expulsion is necessary, they will follow the expulsion procedures outlined in AR 5144.1.

*The above requirements shall not apply where a student is determined to have committed sexual assault or engaged in sexual harassment or where a change of placement is mandated under Education Code section 48915(d)(3).

Mandatory Expulsions

Recommendations for expulsion must be made if a student demonstrates a Level 4 behavior as identified in the *Restorative Response Matrix* in section 4 - possession of a firearm, brandishing a knife, selling a controlled substance (except 1st offense marijuana possession), sexual assault, possession of explosive, in which case immediate suspension and a recommendation for explusion is mandatory. Site administrators must follow the expulsion due process procedures as outlined in AR 5144.1.

The Placement & Appeals office will work in collaboration with area superintendents and departments included in Leadership and Learning in order to maintain ongoing communication about students that are being recommended for expulsion.

Expulsion hearings shall be conducted by an expulsion review panel consisting of members who have received anti-bias/anti-racist training. The panel shall be composed of three (3) certificated administrators and/or educators, none of whom are employed at the site where the student attends.

The Board of Education must review the findings of facts and recommended action of the expulsion review panel. A written notice to the student and his/her/their parent or guardian of the action taken must be issued within ten (10) days of the hearing. The period of expulsion or placement in an alternative school shall not exceed one calendar year, unless the student does not complete his/her/their required rehabilitation plan.

The Superintendent or designee must also notify the student and his/her/their parent or guardian of their right to appeal the decision to the San Diego County Board of Education within 30 calendar days of the written notice. The notice must be in a language that the parent/guardian can understand.

Re-Entry Procedures

Students in grades 7-12 who are referred to ALBA due to expulsion and/or alternative placement, must meet the following requirements in order to return to their assigned school site:

- Complete all components of the reinstatement plan as agreed upon by ALBA staff, student, and parents/guardian
- Participate in an exhibition that presents a project completed during the student's time at ALBA and highlights how that experience helped them grow as an individual
- Showcase the exhibition project during an ALBA-sponsored community event

The exhibition panel will include ALBA teachers, local community members, parents, and an administrator from the student's assigned school of attendance. If the administrator from the student's assigned school of attendance is unable to attend the exhibition panel, they can alternately attend the community showcase event.

Once the student has completed the exhibition and showcase, a copy of the reinstatement plan will be sent to the student's assigned school of attendance. The school of attendance will organize a restorative conference with the student, parent/guardian, administrator, counselor, "trusted" staff member that the student would like to attend, and one ALBA staff member to orient the student to the school and provide a plan for ongoing support. In addition to assigning the student an adult champion, it is highly recommended that a peer mentor be provided for the student as well to help assist with his/her/their transition.

4 Restorative Response Matrix

The *Restorative Response Matrix* was developed to assist school administrators and educators and provides general guidance for supportive practices and responses to behavior.

Levels of Support:

classroom teacher or support staff member. Behaviors are typically-addressed at the time that they occur, and do not require documentation in PowerSchool. Classroom documentation and parent/guardian communication by a certificated staff member involved in the event is recommended.
<u>Level 2</u> : A Level 2 behavior is one which requires more intensive interventions than a Level 1 behavior, and which may or may not require administrator involvement. Formal documentation should be utilized through site referral procedures and parent/guardian communication is required to ensure students receive the support needed to understand and correct behavior.
<u>Level 3:</u> A Level 3 behavior is one which requires immediate administrative involvement and written documentation in PowerSchool. Level 3 behaviors violate municipal codes and/or laws, are severe, or pose a threat to the physical safety of the individual student and/or others. Written formal

Level 1: A Level 1 behavior is one which requires low level interventions that can be provided by the

documentation describing interventions initiated, conducted or attempted, and parent/guardian communication is required.

☐ <u>Level 4</u> A Level 4 behavior requires immediate intervention and administrative involvement with written documentation of interventions previously in place. Level 4 behaviors involve immediate suspension and a mandatory recommendation for expulsion . Formal documentation and parent/guardian communication is required.

Student Behavior Incidents

Behaviors demonstrated by the student that require intervention.

Supportive Practices and Response

Suggested supports and response to student behaviors

Restorative Response Matrix Level 1

Defining the Behavior - A Level 1 behavior is one which requires low level interventions that can be provided by the classroom teacher or support staff member. Behaviors are typically-addressed at the time that they occur, and do not require documentation in PowerSchool. Classroom documentation and parent/guardian communication by a certificated staff member involved in the event is recommended.

Student Behavior Incident

- Academic dishonesty
- Disruption
- Inappropriate cell phone use
- Inappropriate use of technology
- Lack of understanding of physical boundaries
- Lying
- Minor conflict
- Minor interruptions/distractions
- Misuse of school property or equipment
- Not following classroom agreements/procedures
- Not having classroom materials
- Off task behavior
- Tardiness
- Use of profanity, not directed at individual

Supportive Practices and Response

- Check in/Checkout
- Correction techniques:
 - Prompt
 - Redirect
 - Reteach
 - Provide choice
- Mindfulness strategies or MindUp curriculum
- Peer mentors
- Restorative conferencing
- Role-play
- Seat change
- Student and parent/quardian interviews
- Social Stories
- Teaching of self-regulation strategies:
 - Breathing
 - Individual reflective time
 - Journaling
 - Peer support
 - o <u>Problem solving strategies</u>
 - Speaking to an adult
 - Taking a break
 - Thinking of alternative solutions
- Use of affective statements by educator and/or student
- When-then strategies

Restorative Response Matrix Level 2

Defining the Behavior - A Level 2 behavior is one which requires more intensive interventions than a Level 1 Behavior, and which may or may not require administrator involvement. Formal documentation should be utilized through site referral procedures and parent/guardian communication is required to ensure students receive the support needed to understand and correct behavior. The reporting staff member may:

- 1) Request a correction that involves other staff members OR
- 2) Request administrative input on the incident OR
- 3) Notify the administrator and/or have a record of the situation

Student Behavior Incident

- Attempted to cause property damage^
- Caused minor injury, except in self-defense^
- Caused or attempted to cause damage to school property or private property^
- Committed an obscene act or engaged in habitual profanity or vulgarity^
- Committed sexual harassment (1st offense)*^
- Engaged in an act of bullying (1st offense)^
- Habitual disruption
- Habitual inappropriate use of technology
- Harassed, threatened or intimidated peers^
- Harassed, intimidated, or threatened pupil or district personnel^
- Knowingly received stolen school property or private property^
- Possessed or used tobacco, or products containing tobacco or nicotine (1st & 2nd offense)^
- Stolen or attempted to steal school or private property^
- Under the influence of a controlled substance or an alcoholic beverage, or an intoxicant of any kind (1st offense)^
- ^Requires administrator involvement and [NS] incident code in PowerSchool
- *Must be addressed through the District's Title IX process

Supportive Practices and Response

- Any lower-level interventions from Level 1
- After school counseling or support group
- Classroom suspension 1 to 2 days
 - Administrator-assigned intervention
- Change in schedule/class
- Create a safety plan
- <u>Daily report card on behavior</u>
- Loss of privilege
- Mini-course/training (e.g., <u>conflict resolution</u>, anger management)
- Modification of IEP, if applicable
 - o Create a behavior intervention plan (BIP)
- No contact agreement
- Parent/quardian outreach
- Participation in mentoring program
- Peer mediation
- Referral to after-school program
- Referral to community-based services
- Referral to school-based health/mental health clinics
- Referral to support staff (e.g. counselor, psychologist, nurse)
- Saturday school program
- <u>Self-charting of behaviors</u>
- Short-term behavioral progress reports
- Social skills training
- Student/teacher/parent or guardian conference
- Substance-use intervention group or module
- Teacher/student Conference
- Written apology

Restorative Response Matrix Level 3

Defining the Behavior - A Level 3 Behavior is one which requires immediate administrative involvement and incident log in PowerSchool. Level 3 Behaviors violate municipal codes and/or laws, are severe, or pose a threat to the physical safety of the individual student and/or others. Written formal documentation describing interventions initiated, conducted or attempted, and parent/quardian communication is required.

Student Behavior Incident

- Aids or abets infliction or attempted infliction of physical injury
- Assault/battery on a school employee^
- Caused, attempted to cause, threatened or participated in an act of, hate violence
- Caused, attempted to cause, or threatened to cause physical injury to another person, except in self-defense (non-deadly force)
- Caused major property damage
- Committed or attempted to commit robbery or extortion^
- Committed sexual harassment (2nd or continuing offense)*
- Engaged in, or attempted to engage in, hazing
- Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding
- Made terroristic threats against school officials or school property, or both
- Possessed/sold/furnished a knife/dangerous object ^
- Possessed an imitation firearm
- Possessed or used tobacco, or products containing tobacco or nicotine (3rd offense)
 Under the influence of a controlled substance or an alcoholic beverage, or an intoxicant of any kind
- Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished an imitation of it
- Unlawfully possessed or unlawfully offered, vapes, arranged, or negotiated to sell drug paraphernalia
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma
- Willfully caused serious injury, except in cases of demonstrated self-defense (no-lethal force)

Supportive Practices and Response

- Any lower-level interventions from Level 1 or 2
- Community service
- Functional behavioral assessment, if applicable
- Implementation of restorative conferencing with student champion
- In-school counseling
- Increase access to mentor
- Re-entry practices
- Substance-use intervention group

When Level 3 behaviors occur and alternative-to-suspension programs or other lower level interventions have been utilized, an out-of-school suspension can be assigned:

• Out-of-School Suspension—1 to 3 days

^Indicted Level 3 behaviors can be recommended for permissive expulsion or change of placement as defined in Section 3

*Must be addressed through the District's Title IX process

Restorative Response Matrix Level 4

Defining the Behavior - A Level 4 Behavior is one which requires immediate intervention and administrative involvement with written documentation of interventions previously in place. Level 4 Behaviors require a mandatory recommendation for expulsion. Formal documentation in PowerSchool and parent/guardian communication is required. A staff member observing or being informed of a level 4 incident will notify administration immediately to start a process that compiles all interventions provided to the student and initiates investigation.

 Committed or attempted to commit a sexual assault* Possessed/sold/furnished a firearm Possessed/sold/furnished an explosive Conference with student, parent and administrator to explain options for student Intervention program 	Student Behavior Incident	Supportive Practices and Response
 Unlawful possession or sale a controlled substance Recommendation to alternative educational placement Referral to School Police supports *Should also be reported to the District's Title IX office When students have been provided with information on the expulsion process, supports available, and information on 	 Possessed/sold/furnished a firearm Possessed/sold/furnished an explosive Brandished a knife to another person Unlawful possession or sale a controlled substance 	explain options for student Intervention program Outside counseling and services Recommendation to alternative educational placement Referral to School Police supports When students have been provided with information on the expulsion process, supports available, and information on alternative instructional options, the following shall take place: Mandatory 5-day suspension and

School Site Implementation

In order to successfully implement and maintain restorative communities, sites will uphold the following principles:

- Engaging students in relevant instruction, with clear agreements about interactions with one another.
- ☐ Creating safe spaces throughout the campus and in classrooms for all students and using a restorative justice approach after incidents take place that threaten their sense of safety.
- ☐ Repairing and restoring relationships between students and/or adults after harm has taken place to reestablish safe spaces for all.
- ☐ Encouraging all school staff to build positive relationships with students and be actively engaged in their students' academic lives and learning.
- ☐ Increasing awareness of student behaviors that are associated with trauma, crisis, disabilities, cultural norms or medical conditions, and understanding the triggers for those behaviors in order to better address the needs of the student.

	Promoting high standards of behavior by teaching, modeling, and monitoring behavior.
	Pairing school discipline with meaningful social emotional learning that offers students the necessary guidance to learn from their mistakes and positively contribute to their school community.
	Ensuring students have a trusted adult "champion" to support them through a restorative suspension or expulsion process that is fair, thorough and involves parents. Champions are side by side with students every step of the way and receive training on restorative practices as well as trauma-informed care.
pat sch res	order to promote a positive school climate, schools will utilize integrated teams to analyze student data to identify sterns of student behavior, student needs, and systems of support to maximize learning. Integrated teams at tools will be inclusive of general educators, support personnel and administrators to assess the effectiveness of the torative school discipline policy. Site teams will collect and analyze behavioral data. The review will include the lowing:
۵	Current prevention and intervention strategies
	The number of out-of-classroom referrals and the interventions used to maximize instructional time.
	The number of in-school suspensions, out-of-school suspensions, expulsions, referrals to alternative
	schools, arrests, and referrals to law enforcement (disaggregated by ethnic group, age, grade, gender, English language learner status, and disability)
	Trends of referrals across campus to understand prevalent behaviors and locations
	The extent to which supportive or intervention actions are consistently applied to all students
<u> </u>	School-wide surveys (e.g. California Healthy Kids Survey), and/or student and parent interviews regarding culture and climate
	Debrief data after incidents occur
Bas	sed on the above data, schools will:
	Identify areas of behavioral concern
(b)	Assess and respond to any disproportionalities as evident in data trends
(c)	Provide targeted professional development, supports, and services for students and staff at the earliest possible
noi	nt of intervention

- (e) Revise school disciplinary procedures/practices as needed in collaboration with the School Site Governance Team, staff, students and families.

Site Equity Team

At least twice per year, each school shall review school discipline data with a Site Equity Team. Site Equity Teams will be comprised of staff, students, and parents, and could be part of the responsibility of existing committees such as School Site Council (SSC), Site Governance Team (SGT), or Instructional Leaders Team (ILT). School discipline and attendance data should be provided to the Site Equity Team once per semester. The committee will review the data and address any needs for adjustment to:

School climate
School discipline policies and practices
Address and resolve disproportionalities in student discipline data
Alternative to suspension programs and other ways for students to strengthen decision-making skills
Restorative justice practices during the full disciplinary process

The committee shall submit their findings and any recommendations to the school principal to ensure that student interventions are consistently implemented.

Role of School Police

When a student or non-student commits any of the mandatory expulsion acts on a school site, the principal or designee must report the act to School Police. Per Ed. Code 48902, reports of any mandatory expulsion act must be forwarded to SDPD. Mandatory expulsion acts are as follow:

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

In addition, if a student commits any of the acts listed below, the principal or designee must notify School Police:

Acts	Description
PC 245	Assault with a deadly weapon or firearm or by any means of force likely to produce great bodily injury. Report prior to suspension or expulsion. Per Ed. Code 48902, report must be forwarded to SDPD.
EC 48900(c)	Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance, alcoholic beverage, or intoxicant. Report within one school day after suspension or expulsion. Per Ed. Code 48902, Reports on sale of narcotics or controlled substances must be forwarded to SDPD.
EC 48900(d)	Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. Report within one school day after suspension or expulsion. Per Ed. Code 48902, Reports on sale of narcotics or controlled substances must be forwarded to SDPD.
PC 626.9	Possessed, discharged or attempted to discharge a firearm on school grounds or within a distance of 1,000 feet from the grounds of the school . <i>Per Ed. Code 48902, reports of possession of a firearm must be forwarded to SDPD.</i>
PC 626.10	Brought or possessed any dirk, dagger, ice pick, knife having a blade longer than 2½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser or stun gun,

any instrument that expels a metallic projectile, or any spot marker gun. Per Ed. Code 48902, reports of possession of any of the above must be forwarded to SDPD. Note that the length of the blade is 2½ inches, which differs from the definition of a knife in EC 48915(g). None of the items listed above should be returned to students but may be returned to parents upon request.

Any other behavior incidents NOT described above should generally NOT involve School Police, however, school staff should err on the side of caution in the event of a risk of serious injury and call School Police at 619-291-7678 with any questions or concerns that may require law enforcement assistance and should always call in the event of an emergency at 619-291-7678 (press #1 for emergencies) or dial 911. Additionally reports of theft or destruction of property should be reported to Risk Management and may be reported by Risk Management to School Police if required for insurance claim purposes.

Suspension and Expulsion Data by Subgroup

		Asian		Black		Latinx		White		SWD		EL		Total	
Subgroup	Year	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Suspension Rates	2017-18	146	1.4%	794	8.8%	2088	4.2%	597	2.3%	1155	7.2%	766	2.9%	4074	3.7%
Rates	2018-19	143	1.4%	738	8.6%	2181	4.5%	598	2.3%	1158	7.1%	901	3.7%	4134	3.8%
Expulsion	2017-18	5	.05%	16	.18%	54	.11%	8	.03%	21	.13%	11	.04%	95	.09%
Rates	2018-19	8	.08%	19	.22%	51	.10%	7	.03%	22	.13%	24	.10%	94	.09%

^{*}Data reflects Cumulative Enrollment. Suspension and Expulsion percentages are based on overall suspension and expulsions reported for the year.

SAN DIEGO UNIFIED SCHOOL DISTRICT

San Diego, California

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