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## **SECTION #1 SITE & DISTRICT INFORMATION**

### **PRINCIPAL WELCOME**

Students,

It is with pleasure that I welcome you back from summer vacation to the 2023-2024 school year at Kerman High School.

We at Kerman High are very proud of our school and our students. We offer a strong academic program, a rich co-curricular and extra curricular program, and a staff that cares about its students. We hope that you, as students, become a part of the tradition and the pride that comes with being a Kerman High Lion. We are excited to continue to offer a rigorous curriculum based on the Common Core State Standards and the Next Generation Science Standards. We are constantly striving for ways to provide many educational opportunities for our students.

This student/parent handbook contains policies and guidelines with which you and your parents should become familiar. They will help you through a successful and productive school year. Please remember that the teachers, administrators, and other support staff are available to you if you need assistance. You are always welcomed to email (matthew.toews@kermanusd.com) or call me (843-9700) if you ever have any questions. I believe that strong communication between school and home is vital for student success.

Sincerely,

Matthew Toews  
Principal

### **SITE INFORMATION**

Kerman High School  
205 South First Street  
Kerman, CA 93630  
website: [www.kermanusd.com](http://www.kermanusd.com)  
Phone: 843-9700

#### **Office Hours:**

7:30 a.m. - 4:30 p.m. (Monday - Thursday)

7:30 a.m. - 4:00 p.m. (Friday)

#### **ADMINISTRATION**

Principal: Matthew Toews  
Phone: 843-9700

Assistant Principal/Activities: Jessica Otto  
Phone: 843-9707

Assistant Principal/ROP & CTE: Nicole Borges  
Phone: 843-9708

Assistant Principal/Athletics: Tony Stefano  
Phone: 843-9706

Assistant Principal/Testing: Leeann Hernandez  
Phone: 843-9705

Activities Director: Mandy Porto  
Phone: 843-9788

Learning Director: Roxy Jimenez  
Phone: 843-9704

Learning Director: Carmen Paredes  
Phone: 843-9715

Learning Director: Stephanie Martin  
Phone: 843-9709

Learning Director: Raul Arambula  
Phone: 843-9922

#### OFFICE STAFF

Senior Secretary: Amberly Gonzalez  
Phone: 843-9703

Secretary/Registrar: Dori Gongora  
Phone: 843-9710

Secretary/Registrar: Anita Camargo  
Phone: 843-9791

Attendance Secretary: Elizabeth Camarena  
Phone: 843-9711

Secretary: Karina Conde  
Phone: 843- 9721

Secretary/Attendance: Liliana Valdez  
Phone: 843-9799

Secretary/Attendance: Perla Sepulveda  
Phone: 843-9775

Secretary/Athletics: Sylvia Valdez  
Phone: 843-9761

LVN: Lori Metzler  
Phone: 843-9713

Psychologist: Teri Belding  
Phone: 843-9714

Psychologist: Andy Wascher  
Phone: 843-9923

#### **SITE VISION & MISSION STATEMENTS**

KERMAN HIGH SCHOOL MISSION STATEMENT "Striving for Excellence in Learning"

It is the mission of Kerman High School to Strive for Excellence in Learning through Academics, Athletics, and all of the daily Activities here on campus.

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (Designated

**KERMAN UNIFIED SCHOOL DISTRICT BOARD & ADMINISTRATION**

Board President	Daniel Babshoff
Board Vice-President	Maria Cantu
Board Clerk	Kindra Melgoza
Board Member	Julie Gragnani
Board Member	Jim Volkoff
District Superintendent	Gordon Pacheco
Assistant Superintendent, Personnel	Gabe Melgoza
Assistant Superintendent, CFO	Kraig Magnussen
Assistant Superintendent, Educational Services	Pam Sellick

**KERMAN UNIFIED SCHOOL DISTRICT VISION/MISSION, STRATEGIC GOALS & SARC INFORMATION**

**Vision Statement:**

Dedicated to Developing Academic Excellence, Student Character, and Community Pride!

**Mission Statement:**

Provide our students with a balanced education through quality programs, in a safe learning environment.

Each student will demonstrate the skills necessary to be productive, responsible citizens through partnerships with the school, home and community.

**Strategic Goals:**

- **Curriculum and Instruction:** Design, implement, evaluate, and improve instructional programs to provide every student the opportunity to meet District standards.
- **Personnel:** Recruit, select, prepare, support, evaluate and retain the highest quality staff.
- **Student Services:** Design, implement, evaluate, and improve programs and services to support success for all students.
- **Student Activities:** Support, design, develop, implement, evaluate, and improve co-curricular and extra-curricular opportunities for students.
- **Facilities:** Provide a safe, clean, and attractive environment that promotes student learning and fosters student, staff, and community pride.
- **Technology:** Design, implement, evaluate, and improve the use of technology for the benefit of students and staff.
- **Educational Options:** Design, implement, evaluate, and improve quality educational options for students, parents and the community.
- **Parent and Community Partnerships:** Design, develop, recruit, implement, evaluate, and improve partnerships that support the goals and objectives of the District.
- **Strategic and Financial Planning:** Implement and evaluate the financial resource system to ensure fiscal integrity and accountability.

**SARC Information**

Each Site's SARC can be found on the KUSD website. A hard copy will be made available upon request at each school Site.

# KERMAN UNIFIED SCHOOL DISTRICT

## 2023-2024 SCHOOL CALENDAR

### 2023 JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	H4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					ID-0

### AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	*16	17	18	19
20	21	22	*23	24	25	26
27	28	29	*30	31		
						ID-12

### SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	H4	5	*6	7	8	9
10	11	12	*13	14	15	16
17	18	19	*20	21	22	23
24	25	26	*27	28	29	30
						ID-20

### OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	*4	5	6	7
8	9	10	*11	12	13	14
15	^16	^17	^*18	^19	^20	21
22	23	24	*25	26	27	28
29	30	31				
						ID-22

### NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			*1	2	3	4
5	6	7	*8	9	H10	11
12	13	14	*15	16	17	18
19	20	21	22	H23	H24	25
26	27	28	*29	30		
						ID-16

### DECEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	*6	7	8	9
10	11	12	*13	14	15	16
17	*18	*19	*20	*21	H22	23
24	H25	26	27	28	H29	30
31						ID-15

### 2024 JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	H1	2	3	4	5	6
7	8	9	10	11	12	13
14	H15	16	*17	18	19	20
21	22	23	*24	25	26	27
28	29	30	*31			
						ID-12

### FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	*7	8	9	10
11	H12	13	*14	15	16	17
18	H19	20	*21	22	23	24
25	26	27	*28	29		
						ID-19

### MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	*6	7	8	9
10	11	12	*13	14	15	16
17	^18	^19	^*20	^21	^22	23
24	25	26	27	28	29	30
31						ID-21

### APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	*3	4	5	6
7	8	9	*10	11	12	13
14	15	16	*17	18	19	20
21	22	23	*24	25	26	27
28	29	30				
						ID-17

### MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			*1	2	3	4
5	6	7	*8	9	10	11
12	13	14	*15	16	17	18
19	20	21	*22	23	24	25
26	H27	28	*29	30	31	
						ID-22

### JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	*3	*4	*5	*6	7	8
9	10	11	12	13	14	15
16	H17	18	19	20	21	22
23	24	25	26	27	28	29
30						ID-4



First Day of School - August 16



Last Day of School - June 6



Parent Conferences/Minimum Day Elementary



Parent Conferences/Minimum Day All Students



Minimum Day All Students



Instructional Days - 180

#### Holidays <sup>(H)</sup> and Breaks:

Independence Day	Tuesday, July 4
Labor Day	Monday, September 4
Veterans Day	Friday, November 10
Thanksgiving Break	Monday, November 20 - Friday, November 24
Winter Break	Friday, December 22 - Friday, January 12
Dr. Martin Luther King Jr. Day	Monday, January 15
Lincoln Day	Monday, February 12
Washington Day	Monday, February 19
Spring Break	Monday, March 25 - Friday, March 29
Memorial Day	Monday, May 27
Juneteenth	Monday, June 17

Adopted: 12/13/2022; Revised 6/15/2023; 7/18/2023

#### Staff Development Days (No school):

August 14 and 15, 2023  
June 7, 2024

#### Elementary Parent Conferences:

October 16, 17, 18, 19, 20, 2023  
March 18, 19, 20, 21, 22, 2024

#### Quarters:

1st Quarter: August 16 - October 13, 2023  
2nd Quarter: October 16 - December 21, 2023  
3rd Quarter: January 16 - March 22, 2024  
4th Quarter: April 1 - June 6, 2024

## **ACADEMIC CALENDAR**

AUGUST 16: First Day of School

SEPTEMBER 4: Labor Day

OCTOBER 13: 1st Quarter Ends

NOVEMBER 10: Veteran's Day - NO SCHOOL

NOVEMBER 20 - 24: Thanksgiving Recess

DECEMBER 21: 1st Semester Ends

DECEMBER 21- JANUARY 12: Winter Recess

JANUARY 15: Martin Luther King Day - NO SCHOOL

FEBRUARY 12: Lincoln's Birthday - NO SCHOOL

FEBRUARY 19: President's Day - NO SCHOOL

MARCH 22: 3rd Quarter Ends

March 25-29: Spring Recess

MAY 27: Memorial Day-Holiday

JUNE 6: 2nd Semester Grading Period and Last Day of School



## SECTION #2 ATTENDANCE INFORMATION

### ATTENDANCE INFORMATION

It is well established that faithful and regular attendance in school is related to student progress and achievement. In order for your child to do his or her very best, it is important that he/she be in school as many days as possible.

For both educational and financial reasons, we need your help in making sure your child has good attendance. There are times when it is necessary for a child to miss school. For example, we do not recommend that a child come to school if he / she is ill or could spread his / her illness to others. We need your help in minimizing all other absences.

Please note that parents are required to clear absences. Under the new law, schools must continue to track all absences and report them to the state. When a student is absent, students and parents should adhere to the following procedure.

1. The site office will make every effort to contact by telephone the parent of each absent student [Education code 48340(a)] who is not accounted for by prior parent contact or site office knowledge.
2. When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:
  - a. Written note, fax, email, or voice mail from parent/guardian or parent representative.
  - b. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
    1. Student name
    2. Parent/guardian or parent representative name
    3. Verifying employee name
    4. Date(s) of absence
    5. Reason for absence
  - c. Visit to student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in b. above.
  - d. Physician's verification.
    1. When excusing students for confidential medical services or verifying such appointments, District staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
    2. When a student has accumulated 14 absences in the same school year for illness verified by methods listed in a. through c. above, any further absences for illness shall be verified by a physician.
3. In accordance with Education Code section 46010.1, a student may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
4. To accommodate the needs of the entire student body, telephone calls will be handled as follows:
  - a. Parents are strongly encouraged to contact the site each morning of absence prior to 8:30 AM.
5. All day absences must be cleared within 72 hours of their occurrence.
  - a. All partial day absences must be cleared within 72 hours of their occurrence.
  - b. Students must obtain permission prior to leaving campus during the school day. Failure to obtain an off-campus pass prior to leaving may result in truancy. Students who are truant will be referred to the office for disciplinary action.
  - c. It is the student's responsibility to pick up their off-campus pass for a prearranged appointment. We do not send a reminder or deliver passes to class.
6. All students must pick up a Re-Admit slip from the attendance office upon arrival. Students will not be allowed in class without a Re-Admit slip. A student entering class without a Re-Admit slip will be redirected to the office and issued a Tardy slip.
7. Students arriving at school late are considered Tardy or Truant. A teacher may refer a student for Truancy if he / she is 10 or more minutes late to school. A student arriving to class late with a pass from the attendance office is not considered tardy. A student who arrives to class late without a pass from the attendance office is considered Tardy or Truant.

8. In order to minimize classroom interruptions and to maintain a positive learning environment, messages to classrooms are limited to the first and last 5 minutes of class.
9. The site administration will determine whether absences are excused or unexcused.

## **ATTENDANCE REGULATIONS & PROCEDURES**

### **Authorized Absences:**

Absences must be cleared within 72 hours. Absences not cleared 72 hours after the absence are considered unexcused. Uncleared/unverified absences or truancy will result in appropriate disciplinary action.

A student's absence shall be excused for the following reasons (Education Code §48205):

#### **Personal illness.**

1. Quarantine under the direction of a county or city health officer.
2. Medical, dental, optometrical, or chiropractic appointment.
3. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household.
4. Jury duty in the manner provided by law.
5. The illness or medical appointment during school hours of a child to whom the student is the custodial parent.
6. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:
  - a. Appearance in court
  - b. Attendance at a funeral service
  - c. Observation of a holiday or ceremony of his/her religion
  - d. Attendance at religious retreats not to exceed four hours per semester
  - e. Attendance at an employment conference
  - f. Attendance at an educational conference offered by a nonprofit organization on the legislative judicial process
7. Service as a member of a precinct board for an election pursuant to Elections Code Section 12302.
8. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code Section 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment.

#### **Excused Absences:**

Parents must clear any absence within 72 hours of the absence. Absences not cleared within 72 hours of the absence are considered unexcused. Uncleared/unverified absences or truancy will result in appropriate disciplinary action.

When a student has had 14 absences in the school year for illness verified by (1) written note from parent/guardian, parent representative, or student if 18 or older (2) conversation in person or by telephone, between the verifying employee and student's parent/guardian or parent representative (3) visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated, any further absences for illness must be verified by a physician. (AR 5113 (b) (c))

#### **2. Absences Due to Suspension:**

A student who has been suspended from school may be allowed to complete all assignments and other work missed during the suspension, including tests, which can reasonably be provided in a time frame arranged by the teacher. Upon satisfactory completion of assignments or other work, the student shall be given full credit.

#### **3. Unauthorized Absence and/or Truancy:**

A student whose absence is not cleared, unauthorized, considered as a truancy or not due to a suspension, may not be allowed to complete assignments, tests, or other class work missed due to the absence.

## **BELL SCHEDULES**

Regular Daily Schedule  
(Monday, Tuesday, Thursday, Friday)

Period 0 7:35 - 8:25  
Period 1 8:30 - 9:20  
Period 2 9:25 - 10:15  
Break 10:15 - 10:25  
Period 3 10:30 - 11:20  
Period 4 11:25 - 12:15  
Lunch 12:15 - 12:50  
Period 5 12:55 - 1:45  
Period 6 1:50 - 2:40  
Period 7 2:45 - 3:35

Wednesday Early Release Schedule  
(Wednesday)

Period 0 7:35 - 8:25  
Advisory 8:30-8:45  
Period 1 8:45 - 9:25  
Period 2 9:30 - 10:10  
Break 10:10 - 10:20  
Period 3 10:25 - 11:05  
Period 4 11:10 - 11:50  
Lunch 11:50 - 12:25  
Period 5 12:30 - 1:10  
Period 6 1:15 - 1:55  
Period 7 2:00 - 2:40

Extended Lunch Schedule

Period 0 7:35 - 8:25  
Period 1 8:30 - 9:17  
Period 2 9:22 - 10:09  
Break 10:09 - 10:20  
Period 3 10:25 - 11:12  
Period 4 11:17 - 12:04  
Lunch 12:04 - 12:59  
Period 5 1:04 - 1:51  
Period 6 1:56 - 2:43  
Period 7 2:48 - 3:35

Rally AM Schedule

Period 0 7:35 - 8:25  
Period 1 8:30 - 9:15  
Period 2 9:20 - 10:05  
Break 10:05 - 10:15  
Period 3a 10:20 - 10:55  
Period 3b 11:00-11:35  
Lunch 11:35 - 12:10  
Period 4 12:15 - 1:00  
Period 5 1:05 - 1:50  
Break 1:50 - 1:55  
Period 6 2:00 - 2:45  
Period 7 2:50 - 3:35

## Rally PM Schedule

Period 0 7:40 - 8:25  
Period 1 8:30 - 9:14  
Period 2 9:19 - 10:03  
Break 10:03 - 10:13  
Period 3 10:18 - 11:02  
Period 4 11:07 - 11:51  
Lunch 11:51 - 12:26  
Period 5 12:31 - 1:15  
Period 6 1:20 - 2:04  
Period 7 2:09 - 2:53  
PM Rally 2:58- 3:35

## **FOGGY DAY SCHEDULE AND PROCEDURES**

School begins every day at the regularly scheduled time for each site regardless of the weather. Foggy day schedules will be announced on TV Channels 18, 26 and 30 by 6:15 a.m. Additional delays or cancellations will be announced on the same channels or website as updates occur.

Plan "A" – 2 hour delay

Plan "B" – 1 ½ hr. additional delay (a total of 3 ½ hrs. delay from regular pick up time)

Plan "C" – Buses Cancelled

These times can be calculated for each bus stop location by adding the amount of delay time to your regular bus stop time. Please note that school will start at 8:00am each day regardless of the weather.

## **SCHOOL ATTENDANCE REVIEW BOARD (SARB)**

The California Education Code clearly delineates, by definition the number of days of unexcused absences which classify a student as truant: "... any pupil subject to compulsory full-time education or to compulsory continuation who is absent from school without a valid excuse more than three days or tardy in excess of 30 minutes on each of more than three days in one school year...". On the third unexcused absence or tardy the parent is to be notified by letter (3317:11.84). When the student has had an unexcused absence or tardy for the sixth time, he/she and parent/guardian are notified by letter (3318:11.84) of being classified a habitual truant as defined in Education Code 48262, and the case is referred to the Kerman Unified School District Attendance Review Board.

## **STUDENT MAKE-UP POLICY FOR ABSENCES**

1. It is the ***student's responsibility*** by the end of the first day back after an absence to contact the teacher and obtain make-up assignments.
2. If a student's absence is excused or if the student is suspended, he or she will receive the opportunity to complete any missed assignment or test, or the reasonable equivalent of a missed assignment or test, that can reasonably be given, as determined by the teacher of the class. Full credit, including class participation points, will be given for the assignments or tests that are satisfactorily completed within a reasonable period of time.
3. As a general rule, students will have two days to make up work for each day absent. However, this rule is flexible and may be adjusted as deemed appropriate in order to provide the student with a more reasonable work completion schedule.
4. Students, at the teacher's discretion, may be required to report to class after school to do their make-up work.
5. If the teacher is absent when the student returns or has an absence which prohibits the student from receiving or handing in make-up work, the student shall not be penalized.
6. Students who miss schoolwork because of truancy or other deliberate actions should not expect to receive credit for the time missed, nor should they expect to take any missed examinations for credit, but the final decision should rest with the teacher, who may make allowances for mitigating circumstances. During suspension, work shall be made up and is due upon return. The parent/student is responsible to pick up work from the attendance office.

7. Students absent for a school activity are required to turn in their work immediately upon returning.

## **TARDINESS**

Tardiness is disruptive to the educational process and deprives other students in the classroom of valuable instructional time. Disciplinary action will be taken on students with excessive tardies. (Refer to KUSD policy 5144.1).

A tardy can only be excused due to illness, doctor's appointment, family funeral, or school activity. Any other reason is considered an unexcused tardy. If a student is reporting to school late, he/she will report to the Attendance Office with a parent/guardian call to the attendance secretary or a note from the parent/guardian. The student must sign in, and the attendance secretary will issue a tardy pass to the student. An excused tardy can only be issued by office attendance personnel.

Students will be considered tardy if they are not in the room or assigned area prior to the tardy bell ringing. Parent notes for students arriving late to school, within the first ten (10) minutes of the period, can only be used to excuse a tardy three (3) times a semester (unless it meets the above criteria for excused tardies).

The following consequences are applicable to students that are tardy to any class period of the school day.

Violation 1 – The student is tardy to any class period of the school day ten (10) times in a semester. The following consequences will occur:

1. A tardy referral will be written.
2. Parent/Guardian will be notified by mail and phone.
3. The student will conference with a Campus Liaison.
4. The student will lose his/her lunch pass privilege for ten (10) school days. If a student does not have a lunch pass, he/she will serve ten (10) days of lunch detention.

Violation 2 – The student is tardy to any class period of the school day fifteen (15) times in a semester. The following consequences will occur:

1. A tardy referral will be written.
2. Parent/Guardian will be notified by mail and phone.
3. The student will conference with a Campus Liaison.
4. The student will lose his/her lunch pass privilege for the remainder of the current semester. If the student does not have a lunch pass, he/she will serve five (5) days of campus beautification or ten (10) days of lunch detention.

Violation 3 – The student is tardy to any class period of the school day twenty (20) times in a semester. The following consequences will occur:

1. A tardy referral will be written.
2. Parent/Guardian will be notified by mail and phone.
3. The student will conference with his/her Assistant Principal.
4. The student will serve ten (10) days of campus beautification.

Violation 4 – The student is tardy to any class period of the school day twenty five (25) times in a semester. The following consequences will occur:

1. A tardy referral will be written.
2. Parent/Guardian will be notified by mail and phone.
3. The student will be put on a twenty five (25) day loss of privileges. Including but not limited to: Athletic events, Homecoming Royalty, Formal, Sadies, Prom and extracurricular field trips.

Violation 5 – The student is tardy to any class period of the school day thirty (30) times in a semester. The following consequences will occur:

1. A tardy referral will be written.
2. Parent/Guardian, Student and Assistant Principal will meet in person to discuss the situation.
3. The student will be placed on a behavior contract.
4. Parent and Student may be required to meet with the Child Welfare and Attendance Officer.

The Tardy Policy will start over at the beginning of each semester.

## CUTS

A student will be considered "cutting" if he or she is more than 10 minutes late to a class.

The following consequences are applicable to students who miss any class for more than 10 minutes:

Violation 1 - The student has been tardy more than ten (10) minutes to any class period for the first time in the semester. The following consequences will occur:

1. A cut referral will be written.
2. Parent will be notified.
3. The student will conference with the Campus Liaison.

Violation 2 - The student has been tardy more than ten (10) minutes to a class two (2) times in a semester. The following consequences will occur:

1. A cut referral will be written.
2. Parent will be notified.
3. The student will conference with the Campus Liaison.
4. The student will serve one (1) day of lunch detention and lose lunch pass privileges for ten (10) school days.
5. If a student does not have a lunch pass, he/she will serve three additional (3) days of lunch detention.

Violation 3 - The student has been tardy more than ten (10) minutes to a class three (3) times in a semester. The following consequences will occur:

1. A cut referral will be written.
2. Parent will be notified by mail and phone.
3. The student will conference with his/her Assistant Principal.
4. The student will serve three (3) days of lunch detention and lose lunch pass privileges for the remainder of the semester. Failure to complete the assigned detention will result in one (1) day of Saturday School.
5. If a student does not have a lunch pass, he/she will serve an additional day of Saturday School.

Violation 4 - The student was tardy more than ten (10) minutes to a class four (4) times in a semester. The following consequences will occur:

1. A cut referral will be written.
2. Parent will be notified by mail and phone.

3. The student will serve two (2) days of Saturday School.
4. Parent and Student will meet with Child Welfare and Attendance Officer.

The Cut Referral process will start over at the beginning of each semester.

### **TRUANCY**

Cutting class, truancy, or leaving school without authorization is prohibited. A student is subject to a referral, counseling, parent conference, contract, parent attendance with student to school, restriction of privileges, referral to S.A.R.T., S.A.R.B. or transfer. (Refer to KUSD Policy 5113 (a)).

## SECTION #3 GENERAL INFORMATION

### **ACADEMIC AWARDS AND STUDENT RECOGNITION**

#### ACADEMIC AWARDS

##### Valedictorian and Salutatorian

All candidates must meet all graduation requirements for Kerman High School.

Foreign Exchange students are not permitted to qualify.

All students who achieve a 4.0 or better cumulative weighted GPA at the end of the fall semester of their senior year will be given valedictorian status. If no student possess a 4.0 GPA, the valedictorian will be the student with the highest GPA in the senior class. All candidates must meet all graduation requirements for Kerman High School. Courses taken extraneous to the Kerman High School program, which are not used for meeting graduation requirements and/or graduation, shall not be used in the computation (summer school dual enrollment credit recovery). Valedictorian class ranking will be based on all letter graded courses (zero period, eighth period, Pass/Fail, and summer courses will not be used in the GPA calculation). Ranking will be based on all courses completed through the seventh semester. Total cumulative ranking GPA will be computed based on total grade points divided by 49 semester courses. The student with the highest number of grade points/cumulative ranking GPA will be given the designation of valedictorian summa cum laude, and will receive recognition as such.

In the event that several students become valedictorian, a maximum of three will be allowed to speak at graduation exercises, consisting of the valedictorian-summa cum laude, and up to two others. The valedictorians will present their graduation addresses before a committee of faculty and administrators, and up to two will be chosen.

Students who graduate a year early will be eligible for all academic awards, recognition, and class ranking available to seniors.

##### Top Ten Percent

The top ten percent seniors of each senior class will be selected according to the following criteria:

- The "top ten percent" seniors will be those students whose grade point averages place them in the top ten percent ranking in their class, based upon all subjects for the first seven semesters, including quality points used to identify valedictorians and salutatorian (see page 6), using Honors and Advanced Placement classes as specified under the University of California requirements.
- The eighth semester will not be taken into account.
- Transfer grades from other schools will count equally.
- Foreign exchange students will not be computed into the top ten percent.

##### Progress Towards Graduation Requirements

The following number of accumulated units towards high school graduation will be the standard for minimum achievement:

##### To Be Promoted To: Minimum Credits Required

10th Grade 60

11th Grade 120

12th Grade 190

A student who does not accumulate the required number of units/credits towards high school graduation may be placed on probation for the current semester. A student who does not achieve the necessary number of units/credits by the end of the probationary semester shall not be allowed to participate in extra-curricular activities in the following semester.

##### Graduation Ceremony

Students must meet all of the requirements for graduation (e.g., proficiencies, credits, mandated courses, financial and other obligations) by the deadline for senior grades to be eligible to participate in the Graduation Ceremony. Students who must complete graduation requirements in the summer following their senior year will receive a diploma at the end of summer school, but will not be eligible for the ceremony. Foreign exchange students are subject to district policies and procedures.

Students must be enrolled as a full time student at Kerman High School for the entire second semester of their Senior year to be



eligible to participate in graduation ceremonies if they are entering Kerman High School from an intra-district (in district) alternative education program.

#### Senior Reclassification Policy

A student is only considered for reclassification if at the end of his/her third year of high school, he/she has not accumulated at 190 credits toward graduation. Every third-year student is evaluated based upon the number of credits earned towards graduation and is categorized as follows:

If a student has accumulated 190 or more credits, he/she will have Senior class status. If a student has accumulated 160-189 credits, he/she will be on "probationary" Senior class status. A conference with the Learning Director/Counselor is necessary to plan the senior year schedule.

#### College Classes

Ninth through twelfth grade students are allowed to enroll in a Community College, CSU/UC college classes, provided the student is earning a minimum 2.5 or 3.0 GPA and prior administrative approval is granted. College classes may qualify for high school credit and meet graduation requirements. Students must meet with the Learning Director/Counselor for course approval.

With prior approval of the school principal, a student may earn credit for both a high school class and a college class by enrolling in a college class that is not a core high school class. The high school principal and the Superintendent must approve exceptions to the regulation.

### **ACADEMIC POLICIES AND PRACTICES**

#### GRADUATION REQUIREMENTS FOR KERMAN HIGH SCHOOL

1. A student must earn a minimum of 260 credits over four years. This is achieved by taking seven periods per semester for eight semesters, earning 5 credits per class / 35 credits per semester. In order to be awarded the 5 credits per semester, the student must earn a grade of "D" or better.

2. Academic requirements are as follows which include 190 credits in required subjects and 70 credits in elective/additional credits:

English: four years for a total of 40 credits

Social Science: four years for a total of 40 credits as follows:

9th: World Geography (one year - 10 credits)

10th: World History (one year - 10 credits)

11th: U.S. History (one year - 10 credits)

12th: American Government (one semester - 5 credits)

12th: Economics (one semester - 5 credits)

Science: one year of physical and one year of life for a total of 20 credits All 9th graders will be required to take Earth and Space Systems, AG Earth and Space Systems, or Honors Earth and Space Systems

Math: three years, one of which must be Algebra 1 or higher, for a total of 30 credits

Physical Education: two years for a total of 20 credits

Fine Arts and/or Foreign Language: two years for a total of 20 credits

Vocational Education: a total of 15 credits

Electives/Additional (all courses beyond the graduation requirements): 75 credits

Total: 260 credits

## Senior Performance Interview

The Senior Performance Interview is one of the senior proficiency requirements of Kerman Unified School District. In addition to passing the interview, students will be required to prepare a digital portfolio that includes information one would need when applying for a job. This proficiency must be met before students are granted a high school diploma.

**Promotion Through Grade Levels:** In order to move from one grade level to the next, you should maintain a minimum number of credits, as follows: (Keep track of these and make use of summer school if you fall behind).

### To Be Promoted To: Minimum Credits Required

10th Grade 60

11th Grade 120

12th Grade 190

Five credits are awarded when the student earns a passing grade (A,B,C,D) in a class for a semester. Students cannot earn credits for a semester course that has already been passed, unless the course is specified as repeatable for credit.

In accordance with Assembly Bill 1330 (Chapter 621, Statutes of 2011), Kerman High School will accept a Career Technical Education (CTE) course (10 credits) as an optional high school graduation requirement in lieu of one course (10 credits) in visual or performing arts or foreign language.

## GRADES

Kerman High School is a Standards-Based Academic High School. To be able to meet the standards to graduate, each teacher has developed criteria for grading. Students will be given a copy of each teacher's grading procedure and policy by the end of the first week of school. Teachers will have a copy of their grading procedures and policies on file and approved by the Principal and Assistant Principals.

A student receives five semester credits for each class during a semester in which a passing grade (A, B, C, D, P) is earned. Progress report grades are mailed to parents at 5-weeks, 10-weeks, and 15-weeks in every semester. The cumulative grade point average is computed by awarding grade points (A=4, B=3, C=2, D=1, F=0) for all classes. Students enrolled in Advanced Placement and Honors courses that are recognized by the University of California will be awarded with an extra grade point using the following scale (A=5, B=4, C=3, D=1).

### Student Grade Reporting

The five, ten, and fifteen-week progress report grades are not entered on the student's transcript. However, these grades are an indication of the semester grade the student will receive. Extracurricular eligibility is determined by the quarter report period as well as the semester report period. Semester grades are final grades and appear on the students' transcripts. Parents receive a formal report card via mail every five weeks.

Below are the dates that mark the end of each grading period:

October 07, 2022

December 16, 2022 - end of first semester - these grades will appear on transcripts

March 17, 2023

June 1, 2023 - end of second semester - these grades will appear on transcripts

### Grade Change Policy

1. A teacher may change a student's grade if it is appropriate and justified. The Academic Petition should be used to document this process. A student's grade may not be changed after five (5) weeks from the conclusion of the prior 5-week grading period unless administrative approval is granted in advance for extenuating circumstances.

2. Teachers may establish an academic petition, for students to make up work in order to change a grade issued for the previous grading period. The written plan must include reasonable and appropriate make up work from the prior grading period such as

homework, tests, papers, or projects. The grade change should not be based on the student's current grade in the class.

3. If a student repeats a course for a better grade (typically done during Summer School if the course is offered), the better grade will be noted on the transcript. However, all courses attempted will be included in calculating the cumulative GPA.

#### Withdrawal Failure (WF) and Class Transfer Policy

A student, with parent/guardian and Learning Director/Counselor permission, may initiate the dropping of a class, without penalty, until the end of the third week of the first semester and until the end of the third week of the second semester. After three weeks into a semester, student schedule changes may only be made on the basis of inappropriate placement as determined by teacher or administrators. After that date, withdrawal will result in a "WF" grade on the student's transcript.

- All requests for second semester program changes must be made before Winter break.
- Due dates for request for a program change form will appear in the school bulletin. Program change approval must be obtained with signatures from parent/guardian and Learning Director/Counselor.
- No student/parent requests will be honored after the deadline date set by the Learning Director/Counselor
- Textbooks and equipment for classes a student withdraws from must be returned prior to enrolling into the new class.
- For transfers made within weeks 1-3 - The teacher of the class that is being dropped shall assign a transfer grade. The receiving teacher has the following options: a) Implement the transfer grade and start the student with that grade; b) Require the student to make up missed work up to that point; c) A combination of a and b.
- If a schedule change is made in accordance within the appropriate time frames and regulations, from week 4 and prior to the end of a quarter, the first teacher will assign a transfer grade. The receiving teacher has the following options: a) Implement the transfer grade and start the student with that grade, b) Have the student begin where all students are in the curriculum without requiring make up work up to that point; c) a combination of both a and b; d) A grade of No Credit given to the student if there is not enough time to submit adequate coursework and/or assessments.
- If the change takes place after a quarter grading period, the quarter grade from the first class will be used as the transfer grade into the second class and must be averaged with the second quarter grade for the semester grade.

### **ACADEMIC SPECIAL PROGRAMS**

#### HONOR ROLL

The following criteria will be used for determining honor roll status at each semester grading period:

1. Principal's Honor Roll G.P.A. of 3.85 and higher
2. Honor Roll G.P.A. of 3.50 - 3.84

#### LEO AWARDS CEREMONY

Prior to graduation each year, the outstanding students of the graduating class shall be honored at a special ceremony by the presentation of Leo Awards, Principal's Awards, C.S.F. Life Membership, and other local awards and scholarships.

Leo Awards will be presented to the five (5) outstanding seniors in each of the following areas. One (1) of the five (5) students selected will be the medal winner.

Valedictorian	Industrial Technology
Salutatorian (if there is one)	Physical Ed (Boys)
Agriculture	Physical Ed (Girls)
Auto Technology	Language Arts
Business	Leadership
Choral Music	Instrumental Music
Computers	Math
English As A Second Language	Science
Fine Art	Social Science

Selection of students to receive the awards shall be by department and will be based on each student's total high school performance. Consideration will be given to academic standing, citizenship, participation, effort, and contribution in class. The names of certificate recipients and medal winners will be submitted to the senior secretary by the date specified in order to prepare the certificates. Department chairpersons will present the award at a special Leo Awards Ceremony. Students earning Leo Awards in ROP/CTE programs will receive their awards at the ROP/CTE Ceremony.

Selection of students to receive principal's awards will be at the sole discretion of the principal. The awards will be given on the basis of each student's total high school performance. Consideration will be given to academic achievement, citizenship (i.e., no referrals), and school-community service. No more than ten (10) awards may be given.

Foreign Exchange students are exempted.

#### ACADEMIC "K" AWARDS

Students achieving a 3.65 GPA for two semesters not necessarily consecutive will receive a red Academic "K". Every two semesters following, in which a student receives a 3.65 GPA, they will receive a pin. Students achieving a 3.65 GPA for six (6) semesters, not necessarily consecutive, will receive a white Academic "K". In order to qualify, students cannot have D's or F's on semester grades (AP and honor courses with augmented GPA excluded). Courses taken extraneous to the Kerman High School program, which are not used for meeting graduation requirements and/or graduation, shall not be used in the computation.

#### TEACHER PRIDE AWARDS

Each year teachers shall select the outstanding student in each of their subjects. Example: the outstanding chemistry student, the outstanding P.E. student, etc.

Selection of students to be awarded will be based on academic standing, citizenship, effort, and contribution in class. Teachers will submit the names of the selected student to the principal's secretary so the award certificates can be prepared. Students will be presented the Pride Award Certificates at a Fall and Spring awards program.

#### SCHOLARSHIPS

Kerman High School provides access to many scholarships that recognize the talent and diversity of our student body. See your Learning Director for more information.

#### ADVANCED PLACEMENT (AP) PROGRAM

Kerman High School will offer AP courses whose subject content is recommended by the College Board. These advanced classes involve students in college level course content and learning experiences. These courses are challenging and stimulating. When compared to other high school courses, AP classes often take more time, require more work and give greater opportunity for individual growth and accomplishment. Each AP course requires a specific prerequisite course of study. These prerequisites need to be included in the development of any four-year plan culminating in the AP experience. Students are required to sign an AP contract to enroll in the course. Note that students who have not maintained a "C-" or better at the end of the fall semester will be removed from the course.

In May of each year, examinations are taken to determine if advanced standing in college is warranted. Most major colleges and universities for college credit recognize scores of 3, 4, or 5. Three to four units of college credit may be earned per semester for each exam successfully passed. The amount of credit varies from institution to institution. Students will have the opportunity to take the exam in May.

All AP exams must be paid for by prior to the exam date if a student is planning on taking the exam. Each exam costs approximately \$92.00 and is non-refundable; all students will be charged \$5 per exam, with the District covering the remainder of the fees.

The AP Program is one of the finest preparatory experiences a high school can offer for college and university bound students. Most AP students acquire good study skills and do extremely well throughout their college careers. Some of our nation's finest universities prefer to admit AP students to students lacking the AP experience.

Establishment of A.P. courses at Kerman High School will be based on student enrollment.

### **ACADEMIC STANDARDS FOR EXTRA-CURRICULAR PARTICIPATION**

The Governing Board has established the following standards for eligibility to participate in extra-curricular activities (BP/AR 6145 (a)). Each school site is directed to develop a plan to provide monitoring and assistance to individual students in order to satisfy these standards. The adoption of this policy concurrently satisfies the requirements of the California Education Code (Section 35160.5) and the California Interscholastic Federation (Bylaw 205).

#### **Eligibility, Athletics (CIF)**

The Kerman Unified School District requires all participants in extra-curricular activities to maintain a 2.0 or better G.P.A. in the previous 10-week grading period. All participants must be making satisfactory progress towards promotion/graduation. If a participant falls below these requirements, he/she may retain eligibility by completing an "Eligibility Appeal" form.

Every student who wishes to participate in any sport must have the following on file and meet the following guidelines:

1. Health statement on the form provided, completed and signed by a doctor.
2. Verification of insurance.
3. Athletic release forms.
4. Must have passed 5 out of 7 five-unit classes and/or 4 out of 6 five-unit classes and have a 2.0 GPA in the previous 10-week grading period.
5. Verify living in the school district or have a valid interdistrict permit.
6. Have submitted a completed and/or current clearance card.
7. Incoming 9th grade students who arrive with less than a 2.0 GPA from middle school are eligible to participate in Kerman Athletics under probationary status. Student GPA will be checked after the first progress report (4 ½ weeks). If these probationary students are not passing 5 out of 7 classes with a 2.0 GPA, they will be placed on the ineligible list. (This probationary status is only for 9th grade students and for the 1st Quarter of Fall Sports.)
8. Summer school grades may be combined with spring semester grades in computing the grade point average to determine eligibility for the first quarter of the next school year.

#### **Eligibility for Co- and Extra-Curricular Activities**

To be eligible to participate in co-/extra-curricular activities, students in grades 9 -12 must have passed 5 out of 7 five-unit classes and/or 4 out of 6 five-unit classes and have 2.0 GPA in the previous 10-week grading period. All participants must be making satisfactory progress towards promotion/graduation. If a participant falls below these requirements, he/she may retain eligibility by completing an "Eligibility Appeal" form. A school must declare students eligible, ineligible, or on probation by the second Monday following the close of the previous grading period. This date is set to allow for accuracy in the issuance of grades and the determination of grade point averages.

Extracurricular activities are those programs that are not part of the regular school curriculum, are not graded, do not offer credits, and do not take place during classroom time (i.e. dances, athletics, club activities, flag and letter).

Co-curricular activities affected are programs that may be associated with the regular classroom curriculum, but are not part of the graded classroom work and are not performance or academically based competitions (i.e. Disneyland, Great America). Co-curricular activities which are an integral part of the classroom grade are exempt from this regulation.

A Special Education student not achieving eligibility shall be deemed eligible if the appropriate site I.E.P. team determines the student is achieving his/her assigned individual program satisfactorily or if the students has been improperly placed.

A transfer student is subject to all of the conditions of the grade point average. If a transfer student is below the standard for accumulated units toward high school graduation, a school can implement a probationary period if the following conditions are met: (1) A written plan of coursework for the student to catch up on credits within twelve months is developed. The plan is to be submitted to the Principal and Superintendent/designee for approval.

For any extracurricular activity that begins in the spring (i.e. ASB/Class Elections, Cheerleading tryouts), the 3rd Quarter grading period will be used for eligibility if warranted.

For all sports and other off campus activities, only parents/guardians can give students a ride home from an event unless prior approval by school administration has been granted. Parents/Guardians may arrange and pick up students at off campus school activities as well.

#### **NCAA ELIGIBILITY**

Students planning to enroll in college after high school and want to participate in Division I or Division II athletics, must be certified by the NCAA Initial Eligibility Clearinghouse. The Clearinghouse ensures consistent interpretation of NCAA initial eligibility requirements for all prospective student athletes at all member institutions. Students should start this process in the Spring of the Junior year of High School. See Learning Director/ Counselor for more information.

#### **GRADE POINT AVERAGE REQUIREMENT**

During the prior grading period, a student must earn at least an overall G.P.A. of 2.0 and pass a minimum of five classes in order to participate in extra-curricular activities in the current grading period.

A student who fails to achieve at least a 2.0 grade point average must complete an "Eligibility Appeal" form. A student who does not achieve at least a 2.0 grade point average during the "appeal" period shall not be allowed to participate in extracurricular activities in the subsequent grading period.

#### **SUMMER SCHOOL**

Summer school grades may be combined with spring semester grades in computing the grade point average to determine eligibility for the first quarter of the next school year.

#### **ELIGIBILITY REPORT**

A school must declare students eligible, ineligible, or on probation by the second Monday following the close of the previous grading period. This date is set to allow for accuracy in the issuance of grades and the determination of grade point averages.

#### **TRANSFER STUDENTS**

A transfer student is subject to all of the conditions of the grade point average. If a transfer student is below the standard for accumulated units toward high school graduation, a school can implement a probationary period if the following conditions are met:

1. A written plan of coursework for the student to catch up on credits within twelve months (or the graduation ceremony for a senior) is developed. The plan is to be submitted to the Principal and Superintendent/designee for approval.

#### **COUNSELING SERVICES**

Counseling services are available to all students at Kerman Unified School District. Students are encouraged to seek individual assistance through counseling when they feel it is necessary. Parents/Students are encouraged to schedule an appointment with their Learning Director/Counselor through the counseling secretary. All of the counseling staff maintains an "open door policy" for those students in need of personal counseling on an emergency basis.

#### **ACADEMIC DEVELOPMENT**

Guidance: Develop Four-year Academic/Career plan

Graduation/Promotion/Retention Criteria

Appropriate class placement

Organization, Study and Test Taking Skills

Registration: College and High School Graduation Requirements

Post High School Options: Explain course work and Academic Progress needed for graduation/College and

Other Post Secondary options

## MONITORING STUDENT PROGRESS

Grade reports

Yearly Transcript Review

Parent meetings scheduled as needed

## PERSONAL SOCIAL

Intentional Guidance

Individual/Group counseling to understand consequences and decisions/choices

Crisis intervention counseling

Prevention and Intervention

Referrals to Student Support Services

## CAREER DEVELOPMENT

Career Exploration

Parent Workshops

Career Day

## COLLEGE COUNSELING

Financial Aid Information/ Workshops for Parents and Students

PSAT/ACT/SAT/ASVAB test information

Scholarship information

Assistance in completing college applications

Information on eligibility for admission to a four-year institution of post secondary education including UC/CSU

NCAA eligibility information available upon request

## TRANSCRIPTS

Currently enrolled students requesting transcripts must complete a "Transcript Request" form and turn it in to the office at least one day prior to need. Transcripts will be completed in 24 hours. On the first request only, students may ask for seven transcripts free of charge. Additional requests will result in a \$1.00 charge per transcript.

## STUDENT SUPPORT SERVICES

Kerman High School Student Support Services personnel consist of a School Nurse, School Psychologist, Learning Directors/Counselor. The goal of student support services is to identify common concerns of students and staff and to implement services to alleviate and address those concerns. Students may be referred to these services through their learning directors/counselor, teachers, administrators, and parents.

## GRADES

It is the responsibility of each teacher to notify parents when a student is in danger of failing. No student may be given an "F" grade on quarter/semester report without prior notification of failure. Progress reports will be issued in the middle of each quarter. A grade of D, F or I on a progress report is considered to be a failure notice. If a parent/guardian desires a more frequent check, a progress report form may be picked up from the office. It is the **responsibility of the student** to get his/her grades and take them home.

## GRADES/PROMOTION/RETENTION PROCEDURES

Kerman High School follows the district-adopted grading policy to assess student progress on grade level standards each quarter. These assessments are reported through a combination of parent communication, progress reports, and report cards.

## HOMEWORK POLICY

The main purpose of homework is to provide practice and review of the concepts and ideas taught in class. The amount of time required to spend on homework can differ during the week. Most nights, homework can be from 1 to 2 hours depending on the assignments for the day. Sometimes students are given projects to complete. These project assignments are given several days and even weeks in advance in order to give students ample time to complete by the due date.

The Governing Board believes that homework serves many important purposes. The administration and certificated staff shall design homework plans and assignments so that through their homework, students can reinforce academic skills taught in school and learn how to conduct research effectively, develop ideas creatively and become lifelong learners.

The Governing Board believes that homework is the responsibility of the student. It is the student's job to develop regular study habits and to do most assignments independently. The Governing Board encourages teachers at all grade levels to use the parent/guardian as a contributing resource and to structure homework assignments so as to involve the parent/guardian without diminishing the student's sense of responsibility. When assigning homework, which involves interaction with parents/guardians, teachers should include instructions which show how parents/guardians can best help their children. (Refer to KUSD Policy 6154 a).

## **STATE TESTING INFORMATION**

From the California Department of Education; July 2023

Every year, California students take several statewide tests. When combined with other measures such as grades, class work, and teacher observations, these tests give families and teachers a more complete picture of their child's learning. You can use the results to identify where your child is doing well and where they might need more support.

Your child may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California Education Code Section 60615, parents and guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

### **CAASPP**

Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math

Who takes these tests? Students in grades 3–8 and grade 11 take these tests.

What is the test format? The Smarter Balanced assessments are computer-based.

Which standards are tested? The California Common Core State Standards.

### **California Alternate Assessments (CAAs) for ELA and Math**

Who takes these tests? Students whose individualized education program (IEP) identifies the use of alternate assessments take the CAAs for ELA and Math in grades 3–8 and grade 11.

What is the test format? The CAAs for ELA and Math are computer-based tests that are administered one-on-one by a test examiner who is familiar with the student.

Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Common Core State Standards.

### **California Science Test (CAST)**

Who takes the test? Students take the CAST in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

What is the test format? The CAST is computer-based.

Which standards are tested? The California Next Generation Science Standards (CA NGSS).

### **California Alternate Assessment (CAA) for Science**

Who takes the test? Students whose IEP identifies the use of an alternate assessment take the CAA for Science in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

What is the test format? The CAA for Science is a computer-based series of four embedded performance tasks. The test is administered one-on-one by a test examiner who is familiar with the student shortly after the science content is taught.

Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Next Generation Science Standards (CA NGSS)

### **California Spanish Assessment (CSA)**

Who takes the test? The CSA is an optional test for students in grades 3–12 that tests their Spanish reading, listening, and writing mechanics.

What is the test format? The CSA is computer-based.

Which standards are tested? The California Common Core State Standards en Español.

### **ELPAC**

Initial ELPAC



Who takes the test? Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English.

What is the test format? The Initial ELPAC is computer-based.

Which standards are tested? The 2012 California English Language Development Standards.

#### Summative ELPAC

Who takes the test? Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.

What is the test format? The Summative ELPAC is computer-based.

Which standards are tested? The 2012 California English Language Development Standards.

#### Initial Alternate ELPAC

Who takes the test? Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English.

What is the test format? The Initial Alternate ELPAC is computer-based.

Which standards are tested? Alternate English Language Development (ELD) Connectors derived from the 2012 California English Language Development Standards.

#### Summative Alternate ELPAC

Who takes the test? Students whose IEP identifies the use of an alternate assessment and who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English.

What is the test format? The Summative Alternate ELPAC is computer-based.

Which standards are tested? Alternate ELD Connectors derived from the 2012 California English Language Development Standards.

#### Physical Fitness Test

Who takes the test? Students in grades 5, 7, and 9 will take the FITNESSGRAM®, which is the test used in California.

What is the test format? The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.

What is Reported? Student participation (by component, by grade level) shall be reported in the local educational agency's Student Accountability Report Card.

#### Language Acquisition Program - EC 310; 5 CCR11309

5 CCR 11309: In order to facilitate the parental choice of the program, all parents and guardians must be informed of the placement of their children in a structured English immersion program and must be notified of an opportunity to apply for a parental exception waiver.

EC310: Parents or legal guardians may choose a school language acquisition program that best suits their child. Schools in which parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible, based upon the requirement of ED 305. If the school district implements a language acquisition program, the parent or guardian shall be provided with information on the types of language programs available to pupils enrolled in the school district, including, but not limited to, a description of each program. The information shall be made part of the annual notice required pursuant to EC 48980 or upon enrollment.

## **SECTION #3 GENERAL INFORMATION – CAMPUS**

### **ADDRESS, CHANGE OF**

If at any time during the school year, it becomes necessary for your parent/guardian to change his/her home (or mailing) address or phone number, please report the change to the attendance office immediately.

### **APPEAL, RIGHT OF**

The student and the student's parent/guardian have the right to appeal the decision of any site employee to the Site Administration (e.g., grades, disciplinary action, financial obligation, activities, athletics, etc.) after a meeting has taken place between the parent/guardian and employee. The student and the student's parent/guardian have the right to appeal the decision of the Site Administration to the Kerman Unified School District staff.

Appeals for eligibility include:

General eligibility appeal – Students are allowed a one-time eligibility appeal. This can be used for any activity that requires eligibility including sports and off-campus lunch privileges. This general appeal may only be used once during a student's tenure here at Kerman High School.

Activity appeal – Students are allowed a one-time activity appeal per school year. This can be used for any school activity except sports and off-campus lunch privileges. Back-to-back appeals will not be allowed.

### **BUS TRANSPORTATION GUIDELINES**

Transportation Supervisor - Bryan Metzler

Transportation Dispatcher - Veronica Medina Orozco

Transportation Secretary - Leticia Renteria

#### **Foggy Day Schedules**

School begins every day at the regularly scheduled time for each site regardless of the weather. Foggy day schedules will be announced on TV Channels 18, 26 and 30 or online at [www.foggydayschedule.com](http://www.foggydayschedule.com) by 6:15 a.m. Additional delays or cancellations will be announced on the same channels or website as updates occur.

Plan "A" – 2 hour delay

Plan "B" – 1 ½ hr. additional delay (a total of 3 ½ hrs. delay from regular pick up time)

Plan "C" – Buses Cancelled

These times can be calculated for each bus stop location by adding the amount of delay time to your regular bus stop time. Please note that school will start at 8:00am each day regardless of the weather.

**California Code of Regulation, Title 5 Section 14103, Authority of the Driver:**

**Pupils transported in a school bus or in a school pupil activity bus shall be under the authority of, and be responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus enroute between home and school or other destinations.**

**California Code of Regulations, Title 13 Section 1217, Transportation of Passengers:**

The driver of a school bus shall not eject any school pupil unless the pupil is given into the custody of a parent, or any person designated by the parent or school.

These regulations apply at all times students are riding on a school bus. This includes field trips and all other special trips. It is the responsibility of all school personnel, parents/guardians and the students themselves to see that these regulations are followed.

**Riding the bus is a privilege, not a guaranteed right.**

A note signed by the parent/guardian requesting their student get off the bus at a stop other than their designated stop must be submitted to the school office. The office will give the student a bus pass which must be presented to the bus driver upon entering the bus. The request must not require the bus to go off its route or require an additional stop.

If the student is being picked up by the parent/guardian at school, the parent/guardian must be at the school prior to the student boarding the bus. Approval must be given to the driver by the school office or the transportation department to release a student from the bus after boarding. Students will not be released to anyone not listed on their emergency card.

Kindergarten students will not be released at their bus stop without an adult present to receive them. The student will be returned to the school site and it will be the responsibility of the parent/guardian to pick them up. If this occurs more than 3 times during the school year, the student may lose bus riding privileges until the next school year. A Kindergarten Bus Release form may be filled out and filed with the Transportation Department to release a kindergarten student with another student who attends grades 7 – 12.

#### **BUS RULES:**

1. Follow all instructions from the bus driver.
2. Arrive at the bus stop five minutes before the bus is scheduled to arrive. Wait in an orderly manner. The bus will not wait for late students.
3. Enter and leave the bus in an orderly manner.
4. The bus driver has the authority to assign seats as needed. Remain seated at all times. Passenger restraint systems must be used if the bus is so equipped.
5. Always be courteous to the driver, other passengers and the public.
6. Report any vandalism or damage to the bus or bus stop area to your bus driver.
7. Report lost or found articles to the bus driver.
8. When being escorted across the street, cross between the driver and the bus. Never behind the bus.
9. Shirts, pants and shoes must be worn at all times while on the bus.
10. Riders must board and disembark their assigned bus at their school site unless instructed to do otherwise by a transportation or school site representative.
11. Weapons, illegal drugs, alcohol and tobacco are prohibited on the bus.
12. **Do not** save seats for passengers.
13. **Do not** speak loudly while on the bus. Speak quietly or not at all.
14. **Do not** use profanity or abusive language. This includes hand gestures.
15. **Do not** eat or drink anything (except water) on the bus.
16. **Do not** put your head, hands or any part of your body outside the bus at any time.
17. **Do not** litter or damage bus. Parents must pay for damage caused by vandalism.
18. **Do not** throw anything within the bus or out of the bus.
19. **Do not** bring animals or other pets on the bus. Properly licensed guide, signal or service dogs are the exception.
20. **Do not** bring skateboards, handheld video games or any items disallowed in school on the bus. Any of these items confiscated will need to be picked up by a parent/guardian in the Transportation office.
21. **Do not** use emergency exits except in an emergency.

Any violation of these rules will be cause for disciplinary action. These disciplinary actions may range from a written warning up to suspension from bus riding privileges depending on the severity and frequency of violations.

#### **CAMPUS CONDUCT**

The laws of the State of California, the policy of Kerman Unified School District, and the rules and regulations of the school site are the framework for the standards of conduct.

Students are under the jurisdiction of the school for disciplinary purposes (1) while on the school grounds and parking lot; (2) while going directly to school or going directly home from school; (3) during the lunch period, whether on or off campus; and (4) during, or while going to or coming from a school-sponsored activity. Students who violate district discipline policy at these times are subject to the stated disciplinary alternatives including but not limited to suspension and expulsion (Ed Code 48900). Such jurisdiction does not make the district board, certificated personnel, or classified personnel liable for student's actions.

The following general rules and all other school regulations apply at any of these times or places:

1. Possession of anything that is disruptive to the educational environment of the school or that is in any way potentially dangerous to anyone is prohibited. Such items include, but are not limited to radios, game boys, matches, walkmans, iPods,

felt tip pens, firecrackers, knives, spiked rings, other weapons, smoke or stink bombs, cell phones, phone pagers, tobacco, alcohol, drugs of any kind or any substance designed to look like a banned substance, drug paraphernalia, lighters, e-cigarettes, vapor pens, water balloons, laser pointers and squirt guns.

2. Students must show respect for other persons and property. Violations of this requirement include but are not limited to shoving, fighting, threatening, in-subordination, profanity, hazing, gambling, vandalism, theft, throwing food, littering, throwing water or ice, sexual harassment, and gang signs or calls.
3. Student behavior must be appropriate to the activity in which they are involved. Violations include but are not limited to cheating, truancy, tardiness, forgery, loud disruptive behavior and excessive affection.
4. Students must have passes when outside the classroom at any time other than passing periods, break and lunch, or when leaving campus prior to the end of the school day. LEAVING CAMPUS DURING THE SCHOOL DAY REQUIRES OFFICE CLEARANCE. Failure to check out with the front office will result in a referral for an improper checkout/check in.
5. Students must obey all Administrators, Teachers, and staff at all times. If students feel they have been treated unfairly, they should first obey the school employee, then discuss the incident with a school Administrator.
6. The District will not allow any bike riding, roller skating, roller blading, skate boarding or other such activity on any school grounds.
7. Cell phones are not to be used during class time and will be taken away if the cell phone rings during class time. Students/parents will be able to pick up cell phones at the end of the day. Students may lose their privilege of bringing a cell phone to school for repeated offenses of this requirement.
8. Kerman Unified School District will not investigate the loss or theft of items that are restricted from the campus.

**Note:**

As a convenience, Kerman Unified School District provides a parking facility for students with automobiles and a valid California Driver's License. In order to park in the school facility, a student must park properly, obey the speed and safety rules of the school, and not litter in the parking lot. **Students park at their own risk; the school cannot be held responsible for damage or theft to student's cars or their contents. Students failing to follow the rules may result in your vehicle being towed at the owner's expense and/or loss of parking privileges on campus.**

Kerman Unified School District may offer appropriate monetary rewards to any person(s) providing accurate information which results in the apprehension and conviction of an individual involved in any act of vandalism and theft against the school, school property, or property of employees while on duty in the performance of official school business. **The offending party and/or that party's parent/guardian shall be liable for the full amount of the reward.**

**CLASSROOM SNACKS AND PARTY GUIDELINES**

**KERMAN UNIFIED SCHOOL DISTRICT'S WELLNESS POLICIES ON PHYSICAL ACTIVITY, AND NUTRITION**

**Resolution**

Whereas, children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive;

Whereas, good health fosters student attendance and learning;

Whereas, obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity;

Whereas, heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood;

Whereas, 33% of high school students do not participate in sufficient vigorous physical activity and 71% of high school students do not attend daily physical education classes;

Whereas, only 2% of children (2 to 9 years) eat a healthy diet consistent with the five main recommendations from the **My Plate** layout;

Whereas, nationally, the items most commonly sold from school vending machines, school stores, and snack bars, and other fund-raising events include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes;

Whereas, school districts are facing significant fiscal and scheduling constraints; and

Whereas, community participation is essential to the development and implementation of successful school wellness policies;

Thus, the Kerman Unified School District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Kerman Unified School District that:

- The school district will engage students, parents, health educators, physical educators, other teachers, food service professionals, school nurses, community health professionals, school administrator, school board member, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition, physical education, and physical activity policies
- All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis
- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*, *USDA New Meal Pattern Requirement*(July 2103), and *Smart Snacks in Schools* (July 2014)
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat
- To the maximum extent practicable, all schools in our district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program [including after school snacks], and Seamless Summer Food Service Program.
  - Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education, school meal programs, and related community services.

#### **TO ACHIEVE THESE POLICY GOALS:**

##### **I. Health and Wellness Advisory Council**

The school district may create, strengthen, or work within an existing health and wellness advisory council to develop, implement, monitor, review, and, as necessary, revise school nutrition and physical activity policies. The council also will serve as a resource to school sites for implementing those policies. (A health and wellness advisory council consists of a group of individuals representing the school and community, and should include parents, students, and representatives of the school food authority, members of the school board, school administrators, teachers, health professionals, physical educators, and members of the public.)

##### **II. Nutritional Quality of Foods and Beverages Sold and Served on Campus**

###### **School Meals**

Meals served through the National School Lunch and Breakfast Programs will:

- Be appealing and attractive to children;
- Be served in clean and pleasant settings;
- Meet , at a minimum, nutrition requirements established by local, state, and federal statutes and regulations;
- Offer a variety of fruits and vegetables;
- Serve only low-fat (1%) and fat-free milk and nutritionally-equivalent non dairy alternatives ( to be defined by USDA or current law); and

- Ensure that half of the served grains are whole grain.

**Breakfast:** To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- Schools will, to the extent possible, operate the School Breakfast Program.
- Schools will, to the extent possible, utilize methods to serve school breakfasts that encourage participation, including serving breakfast in the classroom or breakfast during morning break or recess.
- Schools will notify parents and students of the availability of the School Breakfast Program. Banners, menus
- Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.

**Free and Reduced-priced Meals:** Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-priced school meals. Toward this end, schools may utilize electronic identification and payment systems; provide meals at no charge to all children, regardless of income; promote the availability of school meals to all students; and/or use nontraditional methods for serving school meals such as breakfast in classroom.

**Summer Food Service Program:** Schools with more than 50% free or reduced-priced meals will sponsor the Summer Food Service Program for at least six weeks between the last day of the academic school year and the first day of the following school year, and preferably throughout the entire summer vacation.

**Meal times and Scheduling:** Schools

- Will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch;
- Should schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 a.m. and 1 p.m.;
- Should not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- May schedule lunch periods to follow recess periods (in elementary schools);
- Will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
- Should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

**Qualifications of School Food Service Staff;** Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, we will provide continuing professional development for all nutrition professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.

**Sharing of Foods and Beverages;** Schools should discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

**Foods and Beverages Sold Individually (i.e., foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte[snack] lines, fundraisers, school stores, etc.)**

### Elementary Schools

The school food service program will approve and provide all food and beverage sales to students in elementary schools. Given young children's limited nutrition skills, food in elementary schools should be sold as balanced meals. If available, foods and beverages sold individually should be limited to low-fat and non-fat milk, fruits, and non-fried vegetables.

### **Middle/Junior High and High Schools**

In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines, students stores, or fundraising activities) during the school day, or through programs for students after the school day, will meet the following nutrition and portion size standards:

#### **Beverages**

- Allowed: water or electrolyte replacement without added sweeteners; fruit and vegetable juices and fruit-based drinks that contain at least 50% fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free milk and nutritionally-equivalent nondairy beverages (to be defined by USDA or current law)
- Not allowed: soft drinks containing caloric sweeteners; iced teas; fruit-based drinks that contain less than 50% real fruit juice or that contain additional caloric sweeteners; beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine).

#### **Foods**

- A food item sold individually:
  - Will have no more than 35% of its calories from fat (excluding nuts, seeds, peanut butter, and other nut butters) and 10% of its calories from saturated and trans fat combined;
  - Will have no more than 35% of its weight from added sugars;
  - Will contain no more than 230 mg of sodium per serving for chips, cereals, crackers, French fries, baked goods, and other snack items; will contain no more than 480 mg of serving for pastas, meats, and soups; and will limit sodium for pizza, sandwiches, and main dishes.

#### **Portion Sizes:**

- Limit portion sizes of foods and beverages sold individually to those listed below:
  - One and one-quarter ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, or jerky;
  - One ounce for cookies;
  - Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other bakery items;
  - Four fluid ounces for frozen desserts, including, but not limited to low-fat or fat-free ice cream;
  - Eight ounces for non-frozen yogurt;
  - Twelve fluid ounces for beverages, excluding water; and
  - The portion size of a la carte entrees and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruits and non-fried vegetables are exempt from portion-size limits.

### ***Food/beverage marketing in schools***

Eliminate the marketing and advertising of unhealthy foods and beverages. Any foods or beverages that do not meet the above criteria should not be promoted in any way, e.g., through signage, vending machine fronts, logos, scoreboards, school supplies.

### ***Fundraising***

To support children's health and school nutrition-education efforts, school fundraising activities will not involve food or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Schools will encourage fundraising activities that promote physical activity. The school district will make a list of ideas for acceptable fundraising activities.

**Snacks;** Snacks served during the school day or in after-school care enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations.

#### **Rewards**

Schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually (above), as rewards for academic performance or good behavior (unless this practice is allowed by a student's IEP), and will not withhold food or beverages (including food served through school meals) as a punishment.

#### **Celebrations**

Schools should limit celebrations that involve food during the school day to no more than one party per class per month. The elementary sites in the district will establish common guidelines for celebrations. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually (as described above). Celebrations shall occur after the last lunch period. The district will disseminate a list of healthy party ideas to parents and teachers.

#### **School-sponsored events**

Offer and promote healthy food and beverage products at all school-sponsored events.

### **III. Nutrition and Physical Activity Promotion and Food Marketing**

**Nutrition Education and Promotion:** Kerman Unified School District aims to teach, encourage, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition that:

- Is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens;
- Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health enhancing nutrition practices;
- Emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);
- Links with school meal programs, other school foods, and nutrition-related community services;
- Teaches media literacy with an emphasis on food marketing; and
- Includes training for teachers and other staff.

**Integrating Physical Activity into the Classroom Setting:** For students to receive the nationally-recommended amount of daily physical activity (i.e. at least 100 minutes per day) and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class. Toward that end:

- Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as watching television;
- Opportunities for physical activity will be incorporated into other subject lessons; and
- Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

**Communications with Parents:** The district/school will support parents' efforts to provide a healthy diet and daily physical activity for their children. The district/school will offer healthy eating seminars for parents, send home nutrition information, post nutrition tips on websites and provide nutrient analyses of school menus. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the above nutrition standards for individual foods and beverages. The district/school will provide parents a list of foods that meet the district's snack standards and ideas for healthy celebrations/parties, rewards, and fundraising activities. In addition, the district/school will provide opportunities for parents to share their healthy food practices with others in the school community.



The district/school will provide information about physical education and other school-based physical activity opportunities before, during, and after school day; and support parents' efforts to provide their children with opportunities to be physically active outside school. Such supports will include sharing information about physical activity and physical education through a website, newsletter, or other take-home materials, special events, or physical education homework.

**Food Marketing in Schools:** School-based marketing will be consistent with nutrition education and health promotion. As such, schools will limit food and beverage marketing to the promotion of foods and beverages that meet the nutrition standards for meals or for food and beverages sold individually (above). School-based marketing of brands promoting predominantly low-nutrition foods and beverages is prohibited. The promotion of healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products is encouraged. ***This summer I posted all posters and menu stands.***

Examples of marketing techniques include the following: logos and brand names on/in vending machines, books or curricula, textbook covers, school supplies, scoreboards, school structures, and sports equipment; educational incentive programs that provide food as reward; programs that provide schools with supplies when families buy low-nutrition food products; in-school television, such as Channel One; free samples or coupons; and food sales through fundraising activities. Marketing activities that promote healthful behaviors (and are therefore allowable) include: vending machine covers promoting water; pricing structures that promote healthy options in a la carte lines or vending machines; sales of fruit for fundraisers; and coupons for discount gym memberships.

**Staff Wellness:** Kerman Unified School District highly values the health and well being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. Each district/school should establish and maintain a staff wellness committee composed of at least one staff member, school health council member, local hospital representative, dietitian or other health professional, recreation program representative, union representative, and employee specialist. (The staff wellness committee could be a subcommittee of the school health council.) The committee should develop, promote, and oversee a multifaceted plan to promote staff health and wellness. The plan should be based on input solicited from school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. The staff wellness committee should distribute its plan to the school health council annually.

#### **IV. Physical Education and Physical Activity Opportunities**

**Physical Education, K-12.** All students in grades K-12, including students with disabilities, special health-care needs, and in alternative educational settings, will receive daily physical education (or its equivalent of 150 minutes/week for elementary school students and 225 minutes/week for middle and high school students) for the entire school year. All physical education will be taught by a certified physical education teacher. Student involvement in other activities involving physical activity (e.g. interscholastic or intramural sports) will not be substituted for meeting the physical education requirement. Students will spend at least 50% of physical education class time participating in moderate to vigorous physical activity.

**Daily Recess:** All elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity, including through the provision of space and equipment.

Schools should discourage extended periods (*i.e.*, periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

**Physical Activity Opportunities Before and After School.** All elementary, middle, and high schools will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs. All high schools, and middle schools as appropriate, will offer interscholastic sports programs. Schools will offer a range of activities that meet the needs, interests, and abilities of all students, including boys, girls, students with disabilities, and students with special health-care needs.

After-school child care and enrichment programs will provide and encourage, including through the provision of space, equipment, and activities, daily periods of moderate to vigorous physical activity for all participants.

**Physical Activity and Punishment.** Teachers and other school and community personnel will not use physical activity (*e.g.*, running laps, pushups) or withhold opportunities for physical activity (*e.g.*, recess, physical education) as punishment.

**Safe Routes to School.** The school district will assess and, if necessary and to the extent possible, make needed improvements to make it safer and easier for students to walk and bike to school. When appropriate, the district will work together with local public works, public safety, and/or police departments in those efforts. The school district will explore the availability of federal “safe routes to school” funds, administered by the state department of transportation, to finance such improvements. The school district will encourage students to use public transportation when available and appropriate for travel to school, and will work with the local transit agency to provide transit passes for students.

**Use of School Facilities Outside of School Hours:** School spaces and facilities should be available to students, staff, and community members before, during, and after the school day, on weekends, and during school vacations. These spaces and facilities also should be available to community agencies and organizations offering physical activity and nutrition programs.

**School policies concerning safety will apply at all times.**

## **V. Monitoring and Policy Review**

**Monitoring:** The superintendent or designee will ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the principal or designee will ensure compliance with those policies in his/her school and will report on the school's compliance to the district superintendent or designee.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent (or if done at the school level, to the school principal). In addition, the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the district has not received a SMI review from the state agency within the past five years, the district will request from the state agency that a SMI review be scheduled as soon as possible.

Doug performs 2 X annually, and 2 visits per site per month.

The Superintendent or designee will develop a summary report every three years on district-wide compliance with the district's established nutrition and physical activity wellness policies, based on input from schools within the district. That report will be provided to the school board and also distributed to all school health councils, parent/teacher organizations, school principals, and school health services personnel in the district.

**Policy Review:** To help with the initial development of the district's wellness policies, each school in the district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies. The results of those school-by-school assessments will be compiled at the district level to identify and prioritize needs.

Assessments will be repeated every three years to help review policy compliance, assess programs, and determine areas in need of improvement. As part of that review, the school district will review our nutrition and physical activity policies; provision of an environment that supports healthy eating and physical activity; and nutrition and physical education policies and program elements. The district, and individual schools within the district, will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

## **VI. Smarter Lunchroom Movement**

### **Nutrition**

Our district uses evidence-based strategies from The Smarter Lunchrooms Movement to encourage selection and consumption of healthy food choices in the cafeteria. All schools participating in the National School Lunch Program will utilize at least 5 of the following Smarter **Lunchroom strategies**:

- Fruit is offered in at least two locations on all service lines, one of which is right before the point of sale.
- Sliced or cut fruit is offered.
- A variety of mixed whole fruits are displayed in attractive bowls or baskets (instead of stainless steel pans).
- At least two kinds of vegetables are offered.
- Vegetables are incorporated into the main entrée at least monthly.
- White milk is offered in all beverage coolers.
- Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.

- Students are offered a taste test of a new entrée at least once a year.
- Students provide feedback (informal – “raise your hand if you like...” or formal – focus groups, surveys) to inform menu development.
- Students, teachers, or administrators share the daily menu in announcements.

### **Nutrition Promotion**

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur by implementing evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques.

### **Professional Development**

The district will ensure that food service staff receive professional development in Smarter Lunchrooms Movement principles, strategies and practices.

There are many other ways to incorporate Smarter Lunchrooms into your Wellness Policy. Be creative and thoughtful in what will work best for your district.

For individual support on how to incorporate Smarter Lunchrooms into your Wellness Policy, email [smarterlunchrooms@cornell.edu](mailto:smarterlunchrooms@cornell.edu). For additional support in updating the Wellness Policy, check out the Alliance for a Healthier Generation policy page

### **FOOD DELIVERY SERVICES**

Due to security concerns, the schools will no longer accept food deliveries from companies like Doordash or UberEats. Any food delivered will be sent away. Parents can still deliver lunch to their children via the front office.

**START HERE, and then continue clockwise.**

### **MIDDLE/HIGH SCHOOL – FOOD RESTRICTIONS**

References: *Education Code* sections 49430, 49431.2, 49431.7, *California Code of Regulations* sections 15575, 15577, 15578, *Code of Federal Regulations* sections 210.11, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after school.

**Applies** to ALL foods sold to students by any entity.

**Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

#### **Compliant foods:**

##### 1. **“Snack”** food items must be:

- a. ≤ 35% calories from fat (except nuts, nut butters, seeds,  
reduced-fat cheese, dried fruit+nut/seed combo), **and**
- b. < 10% calories from saturated fat (except reduced-fat  
cheese, dried fruit+nut/seed combo), **and**
- c. ≤ 35% sugar by weight (except fruit\*, non-fried veggies, dried  
fruit+nut/seed combo), **and**
- d. < 0.5 grams trans fat per serving (no exceptions), **and**
- e. ≤ 230 milligrams sodium (no exceptions), **and**
- f. ≤ 200 calories per item/container (no exceptions)

##### 2. **“Entrée”** food items must be:

- a. Meat/meat alternate and whole grain rich food; **or**
- b. Fruit or non-fried vegetable and meat/meat alternate; **or**
- c. Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks, **and**
- d. ≤ 35% calories from fat, **and**
- e. < 10% calories from saturated fat, **and**
- f. ≤ 35% sugar by weight, **and**
- g. < 0.5 grams trans fat per serving, **and**
- h. ≤ 480 milligrams sodium, **and**
- i. ≤ 350 calories

If exempt food(s) combine with nonexempt food(s) or added fat/sugar they must meet ALL nutrient standards above.

### **MIDDLE/HIGH SCHOOL – BEVERAGE RESTRICTIONS**

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.10, 210.11, 220.8, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after school.

**Applies** to ALL beverages sold to students by any entity.

**Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

#### **Compliant beverages:**

(All 12 oz. serving sizes except where stated)

1. Fruit or Vegetable juice:
  - a. ≥ 50% juice **and**
  - b. No added sweeteners
2. Milk:
  - a. Cow's or goat's milk, **and**
  - b. 1% (unflavored), nonfat (flavored, unflavored), **and**
  - c. Contains Vitamins A & D, **and**
  - d. ≥ 25% of the calcium Daily Value per 8 fl. oz, **and**
  - e. ≤ 28 grams of total sugar per 8 fl. oz.
3. Non-dairy milk:
  - a. Nutritionally equivalent to milk (see 7 *CFR* 210.10(d)(3), 220.8(i)(3)), **and**
  - b. ≤ 28 grams of total sugar per 8 fl. oz, **and**
  - c. ≤ 5 grams fat per 8 fl. oz.
4. Water:
  - a. No added sweeteners
  - b. No serving size
5. Other Non-calorie Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
  - a. Water as first ingredient
  - b. ≤ 16.8 grams added sweetener/8 fl. oz.
  - c. ≤ 5 calories/8 fl. oz. (or ≤ 10 cal/20 fl. oz.)
  - d. 10-150 mg Na+/8 fl. oz.
  - e. 10-90 mg K+/8 fl. oz.
  - f. No added caffeine
  - g. ≤ 20 fl. oz. serving size
6. Other Low-calorie Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
  - a. Water as first ingredient
  - b. ≤ 16.8 grams added sweetener/8 fl. oz.
  - c. ≤ 40 calories/8 fl. oz.
  - d. 10-150 mg Na+/8 fl. oz.
  - e. 10-90 mg K+/8 fl. oz.
  - f. No added caffeine

**Non-compliant foods may be sold from one-half hour after school through midnight.**

\*Dried blueberries cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100% juice only.

**Non-compliant foods may be sold from one-half hour after school through midnight.**

## **MIDDLE/HIGH SCHOOLS – STUDENT ORGANIZATIONS**

*Reference: California Code of Regulations Section 15501*

**Effective** during or after school hours.

**Applies** ONLY to food and beverage sales by student organizations.

1. Up to **three categories** of foods or beverages *may* be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) must be **pre-approved** by governing board of school district.
3. Only **one student organization** *may* be allowed to sell each day.
4. Food(s) or beverage(s) **cannot** be **prepared on the campus**.
5. The food or beverage categories sold **cannot** be the same as the categories **sold in the food service program** at that school during the same school day.

In addition to one student organization sale each day, any and **all student organizations** may sell on the **same four designated days** per year. School administration may set these dates.

## **DAILY BULLETIN**

The daily bulletin will be read prior to the first period of the day and should be posted in every classroom. It is the student's responsibility to know the information in the bulletin. The bulletin is also posted on the KHS Google Classroom page.

## **DANCES**

School dances are organized by the students and the various clubs on campus. All dances are for the benefit and enjoyment of Kerman High School students. In order to provide for students' safety and enjoyment, the following rules, regulations and procedures will be enforced:

1. Dances are a function of the student body and are awarded to classes and clubs by the student council.
2. Dances must comply with the following rules:
  - (a) All dances shall not end later than 10:00 PM except for after football games, the winter formal, and the prom. All dances will require a sign-out procedure.
  - (b) Students must arrive at the dance within an hour of the start time (e.g., if the dance starts at 7:00, students must arrive by 8:00). Any students arriving after that time will not be allowed into the dance.
  - (c) Students who leave the dance at any time may not return to the dance.
  - (d) The organization sponsoring the dance shall clean the cafeteria/gym at the end of the dance. Organizations who do not properly clean up after a dance will be billed for the cleaning. A custodian can be requested and will be billed to the organization.
  - (e) The band/disc jockey must comply with the rules of the current school band/disc jockey contract. The band/disc jockey contract must be approved by the administration, and the administrative decision shall be final and without appeal.
3. School dress code regulations apply to all dances. Exceptions are for the following only: (1) candidates for Homecoming royalty, (2) Winter Semi-Formal, (3) Prom, (4) Themed dances. (Administration discretion applies)
4. Students are responsible to have transportation home within fifteen (15) minutes after the dance ends. Advisors must stay with these students.
5. At least four (4) chaperones are required to be at each dance. The organization sponsors and a member of the administration are also to be present. The administration will determine adequate chaperone coverage.
6. With the exception of the Prom (up to 4 hours) and Winter Semi-Formal and Cinco de Mayo (up to 3 hours), no dance may be longer than two hours.

Dance Guest Passes

1. Kerman High School students may bring one guest to each of the following dances: Winter Semi-Formal, Junior Prom, Sadie Hawkins, and Cinco de Mayo. All other school dances are for Kerman High School students only.
2. Dances are limited to Kerman High School students (with proper identification cards) and their guests. Guest passes are to be obtained in advance from the administration office, turned in a minimum of three days before the dance, and must be approved, signed, embossed or stamped by the guest school.
3. Guests for the Winter Semi-Formal, Sadie Hawkins, and Cinco de Mayo must have current picture I.D. and must be enrolled in another comprehensive high school. Graduates or students who left Kerman High in good standing within the previous year may attend as dates of Kerman High students.
4. For the Prom only, guests may be persons who have been out of high school for more than two years and who are not over the age of 20. All guests to KHS dances must have the approval of the KHS Administration. It is the student's responsibility to see that the guest knows and abides by all school rules.
5. Students who are enrolled in an alternative education school may not be guests for dances. Exceptions are for the following: Winter Semi-Formal and Prom.
6. Students enrolled in Kerman Unified Independent Study or Enterprise High School on a voluntary enrollment status who have no referrals for the current semester and are approved by both site administrators, may attend KHS dances.
7. Guest passes must be obtained from the administration office no later than the end of the school day, on the Wednesday prior to the dance.
8. The guest pass must be presented at the door by the student and guest.

### **DRESS CODE GUIDELINES**

The purpose of dress regulations is to help each student set a standard for his/her personal appearance that is appropriate within the accepted standards of Kerman Unified School District. A KUSD student is expected to demonstrate pride in his/her personal appearance, because it reflects individually on him/her and collectively on the school he/she attends. Daily attire need not be expensive to be attractive and entirely acceptable. All apparel must comply with the KUSD Dress Code. The Dress Code shall be in effect at all school-related activities both on and off campus, including activities such as award ceremonies, dances and field trips.

Certain apparel/hairstyle/hair color is not appropriate for school, based upon the guidelines of health, safety, and potential disruption. (BP 5132) From time to time, the site administration may ban additional items of clothing or dress that is determined to pose a threat to the welfare of students and staff. Administrators may exercise discretionary authority in the determination of whether a student is in violation of the Dress Code. Students breaking the Dress Code are subject to a referral, parent contact, suspension, or transfer. Repeated incidents will be treated as defiance of the school's authority. Students disguising dress code violations (with jackets, sweatshirts, sweaters, etc.) are subject to being written up with a referral. The following guidelines shall apply to all school activities such as award ceremonies, dances and field trips.

- 1) Anything that promotes a gang image will not be allowed. (Ed. Code 35183)
  - a) College or University apparel may be worn on campus and at school-related activities. Any reference or picture of a "bulldog", regardless if it is a reference to "Fresno State" is not allowed.
  - b) Wearing or displaying of "colors" which may relate to gang affiliation or the appearance of such is not allowed. Students may not wear any solid red or solid blue clothing.
  - c) Designer brands or fashions that embrace or promote a gang affiliation or image are not allowed. Clothing that embraces or promotes a gang affiliation or image, as determined by local law enforcement or site administration, is not allowed.
- 2) All clothing shall be neat, clean, and acceptable in repair and appearance and shall be worn within the bounds of decency and good taste as appropriate for school. Clothing and jewelry shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of drugs or alcohol (Includes any patches on clothing or backpacks) Garments shall be sufficient to appropriately conceal undergarments at all times. Clothing shall be worn as its design was traditionally intended.
  - a) Sagging or baggy pants that do not fit the waist or that are drastically altered or frayed are not acceptable.
  - b) Shorts or skirts are appropriate to wear if when standing in a relaxed posture, the short or skirt is at or below the student's fingertips. This guideline includes cheer uniforms.
  - c) Underwear-type sleeveless shirts/blouses, see-through or fishnet fabrics, which expose the body are not acceptable.
  - d) All shirts and blouses and other upper garments must cover the entire torso.
  - e) No strapless garments are allowed. All shoulder straps must be of sufficient width to cover undergarments straps.
  - f) Pajamas and blankets may not be worn to school.
  - g) Shoes or Sandals must be worn at all times. Bedroom slippers or other related shoes are not allowed.
  - h) Hats or Beanies cannot be gang-related. Anything that promotes gang images is not allowed.
  - i) Hats, caps, or other head coverings (beanies) and sunglasses shall not be worn indoors.

- ii) Hats cannot be worn to the side or backward.
- iii) Bandanas of any kind or color are not allowed.
- iv) Sweatshirt hoods are not to be worn indoors.
- v) Beanies may not be solid blue or solid red in color, nor gang-related.
- 3) Hair shall be clean and neatly groomed. Hair color, haircuts, or hairstyles that are determined to be disruptive to the learning environment are not allowed.
- 4) Chains, collars, or bracelets with spikes or studs, or any other injurious objects not necessary for the academic purpose of the pupil are prohibited on school grounds (Ed. Code 49330)
- 5) Earrings are to be worn in ears only. Visible body piercings or studs that cause undue attention to the wearer such as (nose, lip, eyebrow, tongue, etc.) are not allowed.
- 6) Tattoos are discouraged whether temporary or permanent. Tattoos of any kind which, in the administration's opinion reflect gang affiliation or promote drug, alcohol, or tobacco use are prohibited to the extent such exclusion is reasonable. Students with permanent tattoos which express gang affiliation may be directed to cover such tattoos within reason.
- 7) Any type of court-ordered monitoring device must be covered at all times.

Students who are considered out of dress code are referred to the office. An administrator makes a determination whether or not the student is out of dress code. If the administrator determines that the student does not meet dress code regulations, the student may be temporarily removed from classes until dress code regulations are met. Students found to be in violation of the dress code may not be allowed to leave campus due to loss of instructional time. Students may be required to change at school and wear clothing issued to them by the Administration. Failure to comply with the directives of the school administrator will result in assignment in possible school suspension.

Repeat offenders (defiance of the school's authority) will face disciplinary action which may include a referral, parent contact, detention, suspension, or placement on a behavior contract. Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports, classes and/or field trips. The principal, staff, students and parents/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

## **ENROLLMENT OPTIONS AND STUDENT PLACEMENT GUIDELINES**

Residency, for purposes of attendance, can be established within a school district based on the employment of the parent/guardian. A district may refuse such an admission for specific stated reasons or if admittance would exceed limits imposed by law. If you have any questions regarding your enrollment options, contact your site principal or the district office.

### **HOME HOSPITAL**

The purpose of home and hospital instruction is to help students maintain continuity of instruction during a period of temporary disability. Any student with a temporary disability that makes attendance in regular classes or another education program impossible or inadvisable must receive individual instruction provided by the student's school district.

"Temporary disability" means a physical, mental, or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program and after which a student can reasonably be expected to return to regular day classes or an alternative educational program without special interventions. "Individual instruction" means instruction provided to a student in a hospital or other residential health facility (excluding instruction in state hospitals), in the student's home, or under other circumstances prescribed by the State Board of Education.

## **EVACUATION/FIRE DRILL**

Evacuation drills, school alert drills, including fire drills, are conducted periodically to insure the safety of students and staff in case of disaster. Students are expected to follow the direction of any staff member without question or delay. A student who fails to do this is subject to counseling, referral, parent conference, suspension, transfer, and/or expulsion. (Refer to KUSD Policy 5131).

## **FIELD TRIPS AND EXTENDED SCHOOL ACTIVITIES**

Kerman Unified School District believes that field trips complement the curriculum and enhance the understanding of students by giving them first hand experiences that can't be provided in the school setting. Unfortunately, with cutbacks in state funding, neither the district nor the site can finance such field trips. Students will be asked to pay for field trips on a voluntary basis. If there are not enough students who volunteer to pay for the trip, the field trip may be cancelled due to insufficient funding.

All field trips are planned for the benefit of the entire class and lead to certain outcomes based on the teacher's lesson plans. Therefore, all students are required to ride the bus to the field trip destination and stay with the class throughout the field trip. Some parents wish to resume responsibility for their children for the trip home. Forms are available from the teacher in charge of the trip. The form must be completed before the student is released to the parent at the end of the field trip or event.

### **FEES AND FEE WAIVERS**

The student at all eligibility grading periods must meet all fee/debt obligations. If year-end fees/debts are not met, the student will not be allowed to complete the registration process for the next school year and will not be eligible to participate in any extra-curricular activities. Payment plans may be established with administrative approval.

### **INJURIES AND INSURANCE**

In case someone is injured, the school office must be notified immediately. If the injury is serious, information on the student's emergency card will be followed. (BP 5141.1, AR 5141.1) Students may purchase health and accident insurance on a voluntary basis. Application forms are available from the office. **Kerman Unified School District does not carry insurance to cover student's medical needs. Students must supply their own insurance for that purpose. Kerman Unified School District will not assume payment for medical coverage, treatment, or any element pertaining thereto.**

The Education Code requires members of inter-school athletic events to purchase insurance or have verification of private insurance. These sections also require coverage for any student who performs a duty in connection with the team. Coverage is required by law for band members, flag or drill team members, cheerleaders, team managers, etc. Further information about school insurance may be obtained from the office. (BP 5143)

### **LIBRARY MEDIA CENTER**

The Library Media Center has an up to date collection of 12,000 volumes, 32 magazines, 3 newspapers (Fresno Bee, La Vida, Kerman News), PC computer stations, copy service, reference help, and is connected to the Internet. The library hours are Monday-Thursday- 7:30 AM - 4:00 PM/Friday- 7:30 AM - 3:30 PM. Students are responsible for library items checked out to them. A non-refundable debt-processing fee of \$ 3.00 will be charged to students/parents if the debt is not resolved prior to the billing letter or office referral.

### **LUNCH PASS, OFF CAMPUS**

At the beginning of each new school year, students are eligible for the off-campus lunch privilege. Students begin the school year with a clean slate and remain eligible for a lunch pass if they meet the following criteria:

1. The student must be in grades ten, eleven, or twelve (as defined by credits). Students that have been reclassified or retained as 10th, 11th or 12th grade students are ineligible for a lunch pass.
2. The student must have an overall grade point average of at least 2.0, must pass 5 out of 7 classes, and must be cleared of all debts at the conclusion of the preceding quarter/semester.
3. The student may have no more than one disciplinary referral during the quarter prior to eligibility. Involvement with fighting (particularly instigation), weapons, controlled substances, or vandalism, will result in the immediate loss of the off campus lunch privilege for the entire school year. Any school suspension will minimally result in loss of lunch pass for the present and following quarter.
4. The student may have missed no more than six days during the quarter prior to eligibility. The administration reserves the right to relax this requirement under extraordinary or documented circumstances.
5. The student must have parent or guardian permission to obtain off campus lunch privilege.

A student's status for off campus privilege will be reconsidered at the end of each quarter, and a student may lose or gain the privilege on the basis of the above criteria. A student may, however, lose the off campus lunch privilege for a specified period of time upon receiving a disciplinary referral or upon missing the seventh school day during any one quarter. Lunch passes shall be issued and/or revoked the 10th day of each quarter with the exception of the first quarter.

Kerman High School shall hold students accountable for their behavior while off campus on a lunch pass. Simultaneously, Kerman High School and Kerman Unified School District disclaims any liability or responsibility for students' actions while off campus on a lunch pass.



Either the student's parent/guardian or the administration may revoke the lunch pass privilege at any time. Returning to school tardy at the end of the lunch period, jumping the school fence to enter or leave the campus before or after the lunch period, allowing another student to borrow your pass, or loitering near private houses and other schools will result in losing the off-campus privilege either for a specific or indefinite period of time. A student may lose the off-campus lunch privilege for a specified period of time upon receiving a referral.

## **MEDICAL AND EMERGENCY PROCEDURES**

**ALL** medications (even over the counter medications including Tylenol, Advil, Midol, Inhalers, etc.) must be checked through the nurse's office. **Students may carry inhalers after checking with the nurse and providing a doctor's note.** CA Education Code Section 49423 requires that medication to be taken during the school day must be presented with:

1. A **written** statement from the physician detailing the name of the medication, amount, method and time schedules by which the medication is to be taken.
2. A **written** statement from **the parent/guardian** indicating their desire for the school to assist the pupil in the matters set forth in the physician's statement.
3. The medication must be **clearly labeled** and sent to the school in the original container from the pharmacy.

The Health Office does not keep medication for general student use. The **"Medication at School"** form can be obtained from the health clerk or school nurse at each school site. Please review the policy carefully. **NO MEDICATIONS WILL BE GIVEN AT SCHOOL UNLESS ALL REQUIREMENTS ARE MET.** For Medical Support/Services for field trips and extra-curricular activities, see school nurse.

If a student becomes ill or injured at school he/she will receive every care and consideration. Parents will be contacted for injuries of a serious nature or if a student is too ill to remain at school or has a rash of unknown origin. Injuries which occur at home should be cared for at home. The nurse is always happy to consult with parents regarding health problems. After an extended illness, or injury, the student should follow up with the school nurse. If your child has ONE of the following, he/she should be kept at home:

1. Illness affects your child's ability to participate in class
2. Vomiting/diarrhea
3. Fever of 100.0F or 38.7C or greater within the last 24 hours
4. Initiation of antibiotics within the past 24 hours
5. A sore throat, particularly if accompanied by headache and/or upset stomach. These symptoms could indicate strep throat.

## **FEVER**

Kerman Unified School District in accordance with CDC guidelines recognize 100.0F or 38.7C as a fever. Students that present with a fever at school will be sent home. Students may return to school once they have been fever free for 24hrs without the aid of medication

When a student presents with a fever of 103.0F or greater every effort will be made to contact the student's parents. If they cannot be contacted the school will attempt to contact someone on the students emergency card. During this time cooling measures will be initiated. If the student's vital signs remain stable we will continue to attempt to make contact with family and cool the student. If at any time the student's vital signs become unstable or after 1 hour of attempted contact the temperature remains at or is greater than 103.0F, 911 will be called and the student will be transported via ambulance for additional care.

In an emergency a parent will be contacted, so it is very important that the Health Office has up-to-date phone numbers of parents/guardians.

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## **USE OF CRUTCHES, WALKERS, OR WHEELCHAIRS IN SCHOOL**

Purpose: To ensure the health and safety of all students.

In order to ensure the health and safety of all students, students who require the use of crutches, walkers, or wheelchairs are to report to the school nurse following injury and/or upon returning to school after a surgical procedure.

1. Specific orders are needed from the medical provider regarding the use of crutches, walkers, or wheelchairs in school. The orders must include the following:
  - a request from the medical provider that the student be allowed to use crutches, walker or wheelchair at school;
  - the diagnosis or reason the student needs to use crutches, walker, or Wheelchair, etc.
  - a statement of how long the student will need to use crutches, walker or wheelchair, etc.
  - the anticipated length of time the student is to be excused from PE, recess, or sports activities.
2. Students must have been taught the proper use of crutches, walker, or wheelchair before returning to school.
3. The nurse will review the student crutches, walker, or wheelchair usage within the school building and will observe the student to determine that they know how to safely navigate the hallways. Safety will be stressed including stairs, hallways, school entrances, floors, seasonal issues, etc.
4. Accommodations such as early classroom dismissal, assistance with books, assistance in the hallways between classes, classroom seating assignments will be assessed to determine needs on an individual basis.
5. Additional accommodations (medication, ice, and elevation orders) may be implemented based on physician orders and parent permission.
6. All students must have written confirmation from a medical provider to resume normal activities.
7. Copies of the medical provider's note will be sent to the student's PE teacher and principal; the attendance office; and the athletic director, if applicable.

## **HEAD LICE**

If a student is found with active, adult head lice and/or nits, he/she shall be excluded from attendance. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school the next day and allowed to remain in school in no active head lice are detected.

Upon the student's return to school, the school nurse or designee shall check the student for active head lice and/or nits. If it is determined that the student remains infected with head lice, the school nurse or designee shall contact the student's parent/guardian to discuss treatment. As needed, he/she may provide additional resources and/or referral to the local health department, health care providers, or other agencies.

### **Medication at School**

California state law requires that no medication, neither prescription or over-the-counter, may be administered at school by staff nor student without written instructions from the doctor. The doctor's instruction must include the name of the medication, dosage, and schedule of medication. Also, parent permission must be given in writing. Only medication in their original containers will be accepted by school administration.

## **PARENT INVOLVEMENT OPPORTUNITIES**

Parent involvement is a key component of student success at Kerman High School. We welcome, encourage, and need your participation! Our school provides several ways in which parents, as partners in education, can become involved with the school and your child's education. You will be informed by newsletters and special announcements sent home with your child. We are always open to ideas and suggestions!

### **ENGLISH LEARNERS ADVISORY COMMITTEE**

Through this committee parents can support, evaluate, and improve programs to assist English learners. Kerman High School parents can also participate on a district advisory committee.

### **K.U.S.D. DISTRICT WIDE COMMITTEES**

Parents serve on district committees for affirmative action, migrant, personnel selection, Local Education Action Plan, and print materials. Contact the principal if you are interested.

#### SCHOOL SITE COUNCIL

The Site Council is composed of the principal as well as parents, teachers, and classified employees elected by their peers. As a leadership team, this group works to improve achievement by reviewing performance data, creating a school plan, and developing a budget of categorical funding to support the plan. Members bring input from the groups they represent to share with the Council. Site Council provides an excellent opportunity to learn about and contribute to your child's school. Meetings are open to all parents and Kerman High staff.

#### PIQE

Parents are encouraged to participate in the Parent Institute for Quality Education program, which takes place in the fall. The training is free for all interested parents. There are nine sessions, which cover topics like FAFSA, how to interpret grade point averages, college requirements, a-g, homework/study skills strategies, etc. The date for PIQE will be announced at the beginning of the school year.

#### AERIES COMMUNICATION

The District has an automated calling system in both English and Spanish that is used to communicate with the parents in regards to special monthly events, changes in school policy, changes in dismissal times, picture day, etc. if requested, parents will receive a phone message, and text message, and/or an email. Please keep the office informed of your most up-to-date phone number to ensure that you receive the Aeries Communication calls.

#### PE LOCKERS

PE Locker combinations are not to be shared with other students, as Kerman Unified School District does not assume responsibility for the items contained within the locker or unsecured items. Student possessions must be properly secured in their assigned locker with their school issued lock. Items of value should not be stored in lockers. Lockers must be cleared of all their contents by the last day of school. Items left unclaimed after one week from the last day of school will be discarded. **Lockers are the property of Kerman Unified School District. KUSD reserve the right to search any and all lockers when deemed appropriate and/or necessary by district personnel.** Towels will not be provided for students to use in PE. Students wanting to shower after class must provide their own towels.

#### SAFETY POLICY AND PROCEDURES

Fire drills are held monthly. When the alarm sounds all students must stop working and talking and wait for directions from the teacher or supervising adult. Students will then, in a quiet, orderly manner, walk to a designated area on the playground. Teachers are required to take a roll book or attendance roster with them as they leave the room.

Four times a year a "duck and cover" earthquake drill will be conducted. "Duck and Cover" will be indicated over the P.A. system into each classroom. At this time each child has been directed to get under his/her desk or a table, if closer. Students in portable classrooms are to sit in a chair, hold on firmly to its base until the shaking stops. Standing or walking around is not permitted. Lockdown drills are held a minimum of four times a year to provide practice in case of an intruder.

#### SUICIDE PREVENTION

Protecting the health and well-being of all students is of utmost importance to the school district. The school board has adopted a suicide prevention policy which will help to protect all students through the following steps:

1. Students will learn about recognizing and responding to warning signs of suicide in friends, using coping skills, using support systems, and seeking help for themselves and friends. This will occur in the 9th grade health unit in P.E. and during Wednesday Focus Periods for all grades.
2. Each school will designate a suicide prevention coordinator to serve as a point of contact for students in crisis and to refer students to appropriate resources.
3. When a student is identified as being at risk, he/she will be assessed by a school employed mental health professional who will work with the student and help connect them to appropriate local resources.
4. Students will have access to national resources which they can contact for additional support, such as: The National Suicide Prevention Lifeline - 1-800-273-8255 (TALK); [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org) OR The Trevor Lifeline - 1-800-488-7386; [www.thetrevorproject.org](http://www.thetrevorproject.org).
5. All students will be expected to create a school culture of respect and support in which students feel comfortable seeking help for themselves or friends. Students are encouraged to tell any staff member if they, or a friend, are feeling suicidal or in need of help.

6. Students should also know that because of the life or death nature of these matters, confidentiality or privacy concerns are secondary to seeking help for students in crisis.

7. For a more detailed review of policy changes, please see the District's full suicide prevention policy.

### **SCHOOL BREAKFAST /LUNCH PROGRAM AND CAFETERIA GUIDELINES**

A nutritional breakfast will be offered each morning during the morning break. Students are invited to use this opportunity to start the day with a good breakfast. Students who have a good breakfast are more likely to do well throughout the day as they work on their instructional activities. Hot lunches and milk will be provided for all students through a speed line. It is important that each student has a nutritional lunch in order to do well through the rest of the day and to promote general fitness and wellness. Milk is provided with the lunch, but can be purchased separately. If a student cannot drink milk or have milk products, a note from a doctor must be provided and on file with the district nurse. The note should be turned in to the school secretary to be placed on file with the nurse. Meals served under the school nutrition programs (breakfast and lunch) are to be consumed as a part of the school program on the school premises or at school related activities, such as field trips. When the multi-purpose room is serving as a breakfast or lunch room, students are to enter through the specified door, get their meal, and eat the meal in the specified dining area, indoors or outdoors. Students may talk with those near them in the multi-purpose room, but are not to shout or use excessively loud voices. Food is not to be thrown and spills are to be cleaned up by the student who spills. The students are responsible for keeping the dining areas clean and clear of litter. All food is to be eaten in the multi-purpose room or other area designated as a food area, at the designated time. We ask students to demonstrate the same courtesy and respect in the food areas that we expect in the classrooms and other areas of campus. Students who violate the rules or show a lack of courtesy and respect may lose the privilege of eating in the food areas with the rest of the students for a period of time. Sodas are not allowed at school unless special arrangements have been made with the principal to provide them as part of a school activity. Students are not permitted to bring hot beverages or drinks in glass containers. Gum is never permitted.

### **STUDENT ACTIVITIES AND CLUBS**

There are numerous opportunities for extended learning, enrichment, recreation, and socialization provided at the school through activities and clubs. Various rallies will be held throughout the year. Students will be invited to attend based on behavior, attendance, and/or grades.

### **STUDENT SERVICES AND PROGRAMS**

In order to provide our students with a total, well-rounded education, we have many special services provided by the district, site, and/or special site funds to support students.

#### **CHILD WELFARE AND ATTENDANCE OFFICER**

It is the intent of the school district to have every student in school every school day. The goal of the child welfare and attendance officer is to assist the district in the pursuit of every avenue available by law to accomplish this task including, but not limited to, Student Attendance Review Team, SARB, Department of Social Services, Welfare/AFDC, CPS, probation, juvenile courts, and prosecution of parents/guardians in municipal courts.

#### **DIRECTOR OF SPECIAL EDUCATION**

The Director of Special Education is in charge of coordinating special education activities in the district. Kerman High School's Resource program is staffed by three Resource Specialist Teachers, one Speech/Language Specialist, three SDC Teachers, a school psychologist, and several trained tutors. The goal of Kerman High School is to provide services for students with special needs within the regular classroom setting as much as possible, according to the Individual Education Plan. To qualify for special education services, students must be referred to the Student Success Team, be tested, and have parental permission for program placement.

#### **ASSISTANT SUPERINTENDENT EDUCATIONAL SERVICES**

The Assistant Superintendent Educational Services is in charge of ensuring all textbooks and instructional programs are up-to-date. The Assistant Superintendent also oversees the CAASPP, CAST, and CAA Testing Programs.

#### **DISTRICT NURSE**

One district nurses serves the entire district. Vision and hearing screening is on a scheduled basis, by grade level or for children with unresolved problems or upon special request. The nurse is responsible for appropriate treatment of injuries and illnesses.

#### **LVN**

A health aide is on duty daily at Kerman High School, 7:30 a.m. until 4:30 p.m., under the direction of the District Nurse, to assist students.

## HOME-SCHOOL LIAISON

Home-School liaisons work under the Director of State and Federal Programs to establish effective communication between home, school, and community. They can assist parents in finding agencies and educational opportunities for them and/or their child. They can also assist with home calls, interpret for Spanish speaking families, and find interpreters for other languages.

## LIBRARY MEDIA CENTER

Our site Library Media Center is open daily. Students are welcome to come in on passes to check out books and/or do research. (Passes are not required during recess and lunch.) Parents are financially responsible for all materials checked out by their child that are not returned to the Library Media Center. Failure to return books on time or pay for lost books may result in loss of privileges, like participating in activity days, field trips, and/or class parties.

## MIGRANT SERVICES

Health services are provided by migrant nurses. Other services are available through the KUSD office of State and Federal Programs.

## PSYCHOLOGISTS

KUSD psychologists are available to teachers for informal consultation. They provide testing and psychological services beyond the scope of the classroom teacher. All psychological testing requires written permission from the parent/guardian and is done upon recommendation of the Student Success Team.

## SPEECH AND LANGUAGE SPECIALIST

The speech and language specialist provides screening, speech therapy, follow-up therapy, and referrals to doctors, dentists and psychologists as needed. The speech and language specialist also provides consultation for classroom teachers. Students referred for speech evaluation must go through the Student Success Team process.

## COUNSELING

Kerman Unified has partnered with Fresno County Superintendent of Schools to provide counseling for students in need. Referrals can be made by counselors or parents.

## CAMPUS LIAISON

Kerman High School has Campus Liaisons who work closely with students who have attendance issues (tardies, absences).

## **TEXTBOOKS**

Students are responsible for textbooks which have been checked out to them. If a textbook is lost, damaged or misplaced, the following will take place:

1. A debt card will be sent to the ASB Secretary
2. A letter will be sent home to notify parents
3. Students will not be allowed to register for the next school year until the debt is cleared.

The following is a breakdown of cost:

1. Broken binding or damaged cover (100% of depreciated value if book is unusable or needs repair)
2. Lost book, water/mildew damage, or other major damage which causes the book to be unusable (100% of replacement)
3. Minor damage such as tearing out a page or writing in the book (\$5 or more depending on if the damage is considered excessive)
4. Damaged/missing bar-code (\$10.00)
5. Overdue (.25 per day).

## **CAMERA SURVEILLANCE ON SCHOOL PROPERTY**

For the safety of our students, staff, and visitors, Kerman Unified employs camera surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

Surveillance cameras will generally be utilized only in public areas where there is no "reasonable expectation of privacy." Public areas may include school busses; building entrances; hallways, parking lots, front offices where students, employees, and parents come and go; gymnasiums during public activities; cafeterias; and supply rooms. However, it is not possible for a surveillance camera to cover all public areas of the District buildings or all District activities.

District surveillance cameras will not be installed in "private" areas such as restrooms, locker rooms, changing areas, private offices (unless consent by the office owner is given), or inside classrooms.

**VISITORS PASS**

Parents, guardians, or other adults must report to the Administration Office to obtain a visitors pass before entering campus during school hours. All schools require visitors to provide ID and use the Raptor System prior to providing a visitors pass.

## SECTION #4 DISCIPLINE INFORMATION

### **SCHOOL-WIDE DISCIPLINE POLICIES AND PROCEDURES**

Kerman Unified School District has a comprehensive discipline policy. Without a school-wide discipline policy, it is difficult for students to know what is expected, and it is difficult for teachers to know how to handle problems. While effective discipline occurs within each classroom, an effective school-wide discipline provides the entire school with common expectations for student behavior and consistent guidelines for dealing with misbehavior. All disciplinary consequences are in accordance with the Education Code of the State of California.

Parents, community, and the Kerman Unified School District have worked together to provide students with staff, buildings, and equipment to help prepare students for a future of success. Kerman Unified School District is committed to giving students the best education possible and knows students will take special pride in keeping the school a showplace of educational opportunity.

Students are expected to assume the responsibilities listed below:

1. Attend class regularly.
2. Be in the assigned seat with all necessary materials when the tardy bell rings.
3. Treat every student and teacher with respect.
4. Follow the specific rules in each class.
5. Have pride and help maintain all school buildings and all school equipment and materials.

***Messages and deliveries for students will not be accepted during instructional minutes unless the Principal/designee deems it an emergency.***

Please review the following pages covering discipline and behavior issues. Students violating any section of the discipline policy may be subject to the following, but not limited to conference, parent contact, referral, behavior contract, restrictions, suspension, transfer, or expulsion.

### **SUSPENSION AND EXPULSION (ED. CODE 48900)**

Suspended students and students pending expulsion may not be on campus or attend any school activities, unless prior arrangements have been made with the principal or assistant principal. K-8 students may not be suspended for letter K.

A pupil shall not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel (unless prescribed).
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possession of an imitation firearm. An imitation firearm is “a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.”
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual batter as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed any of the following acts or misconduct:

- (a) Sexual Harassment as defined in section 212.5 of the Education Code (Ed. Code 48900.2)
- (b) Pupils in grades 4-12 inclusive who caused, threatened to cause, or participated in hate violence (Ed. Code 48900.3)
- (c) Pupils in grades 4-12 inclusive who intentionally engaged in harassment, threats or intimidation, directed against school district personnel or pupils (Ed. Code 48900.4)
- (d) Making terroristic threats against school officials or school property or both (Ed. Code 48900.7)

#### Ed. Code 48915

- (a) The principal or the superintendent of schools shall recommend a pupil expulsion for any of the following acts, unless the principal or superintendent finds, and so reports in writing to the governing board, that expulsion is inappropriate, due to the particular circumstance, which shall be set out in the report of the incident:
  - (1) Causing serious physical injury to another person, except in self-defense.
  - (2) Possession of any firearm, knife, explosive, or other dangerous object of no reasonable use to the pupil at school or at a school activity off school grounds.
  - (3) Selling or otherwise furnishing a firearm.
  - (4) Unlawful sale of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - (5) Robbery or extortion.
- (b) The principal, superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:
  - (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil has obtained prior written permission to possess the firearm from a certificated school employee, is



concurrent in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if an employee of a school district verifies the possession.

- (2) Brandishing a knife at another person.
- (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- (4) Committed or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- (5) Possession of an explosive.

***(Recommendation for Expulsion from KUSD is required for possession of any firearm, knife, and/or explosive.)***

After school detention and Saturday school has also been added as a possible consequence for minor defiance issues.

Electronic Listening or Recording Device - EC 51512

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

Electronic Nicotine Delivery Systems (e-cigarettes) - PC 308

Kerman Unified School District prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars, and pipes, but can also be made to look like everyday items such as pens, asthma inhalers, and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

Students using, in possession of, or offering, arranging, or negotiating to sell ENDS can be subject to disciplinary action particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code. Section 308 of the Penal Code also states that every person under 18 years of age who purchases, receives, or possesses any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking of tobacco, tobacco products, or any controlled substance shall, upon conviction, be punished by a fine not more than \$75 or 30 hours of community service.

### **AFFECTION, EXCESSIVE DISPLAY OF**

Excessive displays of affection are not considered to be appropriate public behavior, and it is the right of every staff member to determine if the display of affection is excessive. (KUSD Policy 5131)

Examples of unacceptable behavior include extended hugging and/or kissing and sitting on one another's laps.

### **ALCOHOL**

The possession and/or use of alcoholic beverages on a school campus or at a school-sponsored event is prohibited.

#### **First offense of the school year:**

A five day school suspension and the student is placed on a behavior contract.

A parent conference is required with the student being restricted from all school privileges and extra-curricular activities for twenty-five (25) school days.

When warranted, transfer, expulsion, and/or police involvement may be appropriate.

#### **If the student is involved in any co-curricular activities which require school representation e.g. FFA, Band, Choir:**

Participant is dropped from the activity and will forfeit all honors, awards, and privileges.

Participant is placed on a 25 school day restriction.

Participant is eligible for the next activity when the current sport season has concluded.

#### **Second offense of the school year:**

A five day school suspension and transfer to an alternative education program.

Recommendation for expulsion and/or police involvement may be imposed when appropriate.(KUSD Policy 5131.6)

**If the student is involved in co-curricular activities which require school representation e.g. FFA, Band, Choir:**

Participant is dropped from the activity and will forfeit all honors, awards, and privileges.

Participant is ineligible to participate in any co- or extra-curricular event (in which the student represents the school, e.g. FFA, Band) for one calendar year from the date of suspension.

**ASSAULT AND BATTERY**

Any student who commits assault, battery, verbal or physical intimidation upon another student or upon school personnel or directs threat of force or violence toward school personnel, at any time/place related to school attendance or functions, shall be subject to disciplinary measures which may include suspension, transfer, and/or expulsion and may be reported to police. Assault or battery against any district employee will be reported to the police, and the student may be subject to arrest and prosecution. (Refer to Ed Code 44014 and 48900)

**BOMB THREAT**

Any student apprehended for falsely reporting that a bomb or other explosive has been placed in school buildings or on school grounds shall be immediately suspended pending an investigation. The student may also be subject to transfer, expulsion, and arrest. Bomb threats will be reported to the police. (Refer to P.C. 148.1)

**CAMPUS DISTURBANCES**

Established procedures for the expression of student opinions, concerns, or complaints exist in the district schools, and it is expected that students will abide by and follow these procedures.

**CHEATING/PLAGIARISM**

Cheating is, quite simply, not doing your own work but using a means to procure a grade anyway. Cheating can occur at any time or place and is limited to any item receiving points, credit, or grade in a Kerman Unified School District class. Each offense is accumulating throughout the school year and is not specific to a single class or instructor.

First Offense: The teacher and parent must conference either on the phone or in person. The grade of "0" will be assigned for that work. A referral is written and the student will be assigned detention and will lose their off-campus privilege for two weeks.

Second Offense: The student is placed on Academic Probation/Contract, is suspended from school for two days, is ineligible from all student activities (co and extracurricular) for 25 school days, and is ineligible for the next dance (not including the Winter Semi-Formal or Prom). If probation is violated, ineligibility shall be for the year. The parent must conference with the Principal / Designee and the appropriate teacher.

Third Offense: The student will be suspended from school for 5 days and placed on a behavior contract. If the offense has occurred three times in the same course, same semester, the student shall receive the semester grade of "F".

Fourth Offense: This and subsequent offenses within an academic year shall be grounds for suspension from school under 48900 (k) of the Education Code of the State of California and may result in transfer to Alternative Education program.

**CLASSROOM CONDUCT, RULES FOR**

Classroom conduct is the responsibility of the individual teachers under the supervision of the administration. However, the following conditions are to be observed at all levels and at all times:

1. A student is to be in class on time and to remain in the classroom during the class period and must remain seated under the supervision of the instructor until released.
2. Students are not to eat or drink in the classroom during the regular class period. (Exceptions to this rule are made with prior approval of the administration.)
3. Students are to follow established classroom rules.
4. The rights of the individual student(s) and teacher(s) are to be respected at all times.

Classroom rules not specifically contained in this handbook are to be considered fully in effect when the following conditions are met:

1. The rules have been posted in the classroom and discussed with the class.
2. Each student in the class has been given a copy of the classroom rules to take home to his/her parent/guardian.

3. The classroom rules have been filed with the Principal and Assistant Principals.

The recommendation is for teachers to implement, but not limit themselves, to the following:

Restroom use policy; Teacher/student conference; Teacher/student/parent conference(s) or contact; Detention; Class suspension of the student under teacher supervision. (BP 5144.1, AR 5144.1)

Note: The teacher is required to hold a parent conference with the student and a site administrator present when a student has been class suspended for more than the current period.

## **CO AND EXTRACURRICULAR DISCIPLINARY CONSEQUENCES**

**\* A co-curricular activity which requires school representation e.g. FFA, Band is subject to the following disciplinary consequences.**

**Students that have successfully met the terms of reinstatement to school from expelled status, suspended expulsion status, or from an alternative education program will return with all rights and privileges restored.**

**Offenses that require a recommendation for expulsion are:**

Ed. Code 48915

- (a) The principal or the superintendent of schools shall recommend a pupil expulsion for any of the following acts, unless the principal or superintendent finds, and so reports in writing to the governing board, that expulsion is inappropriate, due to the particular circumstance, which shall be set out in the report of the incident:
  1. Causing serious physical injury to another person, except in self-defense.
  2. Possession of any firearm, knife, explosive, or other dangerous object of no reasonable use to the pupil at school or at a school activity off school grounds.
  3. Selling or otherwise furnishing a firearm.
  4. Unlawful sale of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  5. Robbery or extortion.
- (b) The principal, superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:
  1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil has obtained prior written permission to possess the firearm from a certificated school employee, is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if an employee of a school district verifies the possession.
  2. Brandishing a knife at another person.
  3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  4. Committed or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
  5. Possession of an explosive.

**(Recommendation for expulsion is required for possession of any firearm, knife, and/or explosive.)**

## **OTHER SUSPENDABLE OFFENSES:**

**Using or possessing tobacco in any form:**

### **First Offense:**

Two day school suspension and/or attendance in a Tobacco Cessation Course.

Participant may not dress for games, participate in contests or activity, and travel with the team for 10 school days.

Participant is required to attend and participate in all practice sessions.

**Second Offense (in the same school year):**

Five day school suspension and placed on a behavior contract.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges or participant is placed on a 25 school day restriction.

Participant is eligible for the next sport when the current sport season has concluded.

Participant is eligible for the next activity or have privileges restored when the 25 school day restriction has expired.

**Using, possessing, or under the influence of alcoholic beverages in any form:**

**First Offense:**

Five day school suspension and placed on a behavior contract.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges or participant is placed on a 25 school day restriction.

Participant is eligible for the next sport when the current sport season has concluded.

Participant is eligible for the next activity or have privileges restored when the 25 school day restriction has expired.

**Second Offense (in the same school year):**

Five day school suspension and recommended for transfer to an alternative education program.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges.

If the participant is not transferred to an alternative education program, the participant is ineligible to participate in any co- or extra-curricular event/activity for the remainder of the school year.

**Using, possessing, or under the influence of illegal drugs in any form:**

**First Offense:**

Five day school suspension, recommended for transfer to Alternative Education program, and recommended for expulsion.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges.

**Major Vandalism (that requires suspension from Kerman High School):**

**First Offense:**

Five day school suspension and placed on a behavior contract.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges or participant is placed on a 25 school day restriction.

Participant is eligible for the next sport when the current sport season has concluded.

Participant is eligible for the next activity or have privileges restored when the 25 school day restriction has expired.

**Second Offense (in the same school year):**

Five day school suspension and recommended for transfer to an alternative education program.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges.

If the participant is not transferred to an alternative education program, the participant is ineligible to participate in any co- or extra-curricular event/activity for the remainder of the school year.

**Theft (Stealing public or private property, including but not limited to Kerman High School athletic equipment):**

**First Offense:**

Five day school suspension and placed on a behavior contract.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges or participant is placed on a 25 school day restriction.

Participant is eligible for the next sport when the current sport season has concluded.

Participant is eligible for the next activity or have privileges restored when the 25 school day restriction has expired.

**Second Offense (in the same school year):**

Five day school suspension and recommended for transfer to an alternative education program.

Participant is dropped from the team/activity and will forfeit all honors, awards, and privileges.

If the participant is not transferred to an alternative education program, the participant is ineligible to participate in any co- or extra-curricular event/activity for the remainder of the school year.

For any other suspendable offense not listed in the preceding paragraphs, the consequences may include, but are not limited to, 1-5 days school suspension, 10-day participation restrictions, 25-day participation restrictions, dismissed from the team with forfeiture of all honors, awards, and privileges, or ineligibility to participate in co- or extra-curricular events for one calendar year from the date of suspension.

**COMMUNITY SERVICE**

For students not suspended or recommended for expulsion, the principal of the school, the principal’s designee, the superintendent of schools, or the governing board may require a pupil to perform community service on school grounds during non-school hours. “Community Service” may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs. (Refer to Ed Code 48900.6)

**COMPUTER VANDALISM/ON-LINE ACCESS**

When a student’s action results in damage to computer equipment, all costs incurred for repair, including the cost of a service call, will be the responsibility of the student. The student may receive a referral, parent conference, suspension, transfer, or expulsion.

If a student is in a file or part of a program he/she doesn’t belong, the student may receive a referral, two day class suspension, parent conference, an “F” grade in the class, a transfer from the class, suspension, transfer, or expulsion or any combination thereof. If the above action results in a service call, and the technician can directly connect the repair to the student’s actions, the cost of the service will be incurred by the student.

Kerman Unified School District provides on-line access, including Internet access, for students for the purposes of information retrieval or exchange and communication (e-mail). Access is granted only for those engaged in valid school projects under the direction and supervision by district personnel. Computer on-line access through KUSD, including access to the Internet and e-mail, is a privilege dependent upon responsible on-line behavior on the part of the student, and requires written consent by the parent/guardian of the student. Any violation by a student of any provision of the Acceptable Use Agreement may result in the immediate revocation of the computer on-line access privileges for a period of time to be specified by the school principal/designee, including permanent revocation; referral, suspension, transfer, or expulsion when warranted.

**CONTRACTS**

A student behavior/performance contract is an agreement in writing to show details mutually understood about expected behavior/performance. Each student will be held accountable for a behavior contract and the parents/guardians will be informed as to both contents and consequences. Teachers may issue behavior or performance agreements within their respective classes as part of the normal instructional process with notification to the administration. Contracts may also be issued for attendance/discipline purposes.

**DITCH DAYS**

Ditch Days are prohibited. Parent notes or phone calls are not accepted. Excused absences may be verified by administrative contact or phone call directly to the student.

Consequences may include and is not limited to:

- 1. Loss of lunch pass for one quarter or remainder of school year whichever is longer
- 2. Placed on twenty-five day school restriction
- 3. Loss of Grad Night privileges
- 4. Loss of participation in Graduation Ceremony
- 5. Or any combination thereof

**DRESS CODE DISCIPLINE POLICY**

Students who are considered out of dress code are referred to the office. An Administrator makes a determination whether or not the student is out of dress code. If the Administrator determines that the student does not meet dress code regulations, the student may be temporarily removed from classes until dress code regulations are met. Listed below are the consequences for dress code violations. Kerman Unified School District will not be held accountable for items not picked up by parent or guardian.

	Consequence
1st Incident	

Gang Related	Gang Letter 1 warning, clothing or object may only be picked up by parent, parent contact, Kerman Police Department is notified
General Dress Code Violation	Warning referral, change of clothes, parent contact, student has until the next school day to be in compliance of the Dress Code
<b>2nd Incident</b>	
Gang Related	Gang Letter 2, parent conference, loss of clothing (parent may pick up at end of school day), Kerman Police Department is notified
General Dress Code Violation	1-3 days lunch detention, parent notification
<b>3<sup>rd</sup> Incident</b>	
Gang Related	Placed on a behavior contract, parent conference, loss of clothing (parent may pick up at end of school day), Kerman Police Department is notified
General Dress Code Violation	3-5 days lunch detention, parent notification
<b>4<sup>th</sup> Incident</b>	
All Dress Code Violations	1-3 days Saturday school, parent notification

### **DRUGS/NARCOTICS/PARAPHERNALIA**

Use, possession, transitory possession, or sale of narcotics and/or paraphernalia, hallucinogenic, look-alike substances, or other substances defined in Ed Code 48900 on school premises or elsewhere under the authority of school personnel is prohibited, and will result in suspension and recommendation for expulsion.

### **EXTORTION**

Extortion, to take possessions from another person by threat or force, is prohibited. Student(s) participating shall be subject to restitution, restricted privileges, suspension, transfer, expulsion and/or arrest. (Refer to Penal Code 520)

### **FALSE INFORMATION**

Students who give false identification or false information are subject to a referral, parent conference and possible restrictions, suspension, transfer, and/or expulsion.

### **FIGHTING**

Students in any way involved in fighting incidents or verbal confrontations, either in groups or as individuals on the school premises or elsewhere while under the authority of the school, shall be subject to disciplinary measures including counseling, parent conference, contract, restriction of privileges, suspension, transfer, expulsion and arrest.

Students who refuse to obey school employees or their authorized agents during fighting incidents shall be subject to automatic suspension. Students may also be subject to transfer, expulsion, and arrest. (Refer to KUSD Policy 5131 and Ed Code 48900)

### **FIRES, EXPLOSIVES,(FIRECRACKERS) OR THREAT THEREOF**

Any student who willfully sets a fire or causes an explosive which is a clear and present danger to human life or property on campus or at school-sponsored events shall be immediately suspended pending an investigation, and shall be subject to expulsion.

### **FORGERY**

Forging notes, signatures, excuses or other school documents subject the student to a referral, parent conference and contract, and possible restriction of privileges, suspension, transfer, or expulsion. (Refer to KUSD Policy 5131)

### **FRAUD**

Students using another person's ID card, lunch pass or restroom pass is considered fraud and is subject to a referral parent conference and contract, and possible restriction of privilege, suspension, transfer, or expulsion. (Refer to KUSD Policy 5131)

### **GAMBLING**

Gambling on the school campus subjects the student to a referral, parent conference and possible restriction of privileges, suspension, transfer, or expulsion. (Refer to KUSD Policy 5131)

### **GRAFFITI/TAGGING**

Acts of graffiti/"tagging" (defacing or damaging school or private property) may result in a referral, parent conference, restriction of privileges, suspension, transfer, expulsion, and/or arrest pending an investigation. Students will be responsible for restitution.

### **HARASSMENT/THREATS/INTIMIDATION**

Students that intentionally engage in harassment, threats, or intimidation, directed against a pupil or staff member, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment will be subject to suspension and/or recommended for expulsion. Threats that are verbal, written or transmitted by E-mail may be reported to the police. (Refer to Ed Code 48900.2 & 48900.4)

### **HATE VIOLENCE**

If the superintendent, or principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 33032.5, the pupil may be suspended from school or recommended for expulsion. (Refer to Ed Code 48900.3)

### **HAZING**

Hazing is prohibited. Any violations may result in a referral, parent conference, restriction of privileges, suspension, transfer, expulsion, and/or arrest. (Refer to Ed Code 32051-32053).

### **INSUBORDINATION/DEFIANCE/DISRESPECT**

Students who willfully defy the valid authority of school personnel or are disrespectful, either in language or action, are subject to a referral, counseling, parent conference, contract, restriction of privileges, suspension, transfer, and/or expulsion. (Refer to KUSD Policy 5131 and Ed Code 48900 (k))

### **JURISDICTION OF SCHOOL**

Students are under the jurisdiction of the school for disciplinary purposes:

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

Students who violate district discipline policy at these times are subject to the stated disciplinary alternatives including but not limited to suspension and expulsion. Such jurisdiction does not make the district board, certificated personnel, or classified personnel liable for student actions. (Refer to KUSD Policies 5131 and 5142)

### **KEYS, ILLEGAL USE OF OR DUPLICATION OF**

Illegal possession of keys to school buildings or premises, unauthorized use of keys to school buildings or premises, or knowingly duplicating keys to school buildings or premises, subjects student to appropriate disciplinary action which shall include counseling and a parent conference and may result in a referral, suspension, transfer, expulsion, and/or arrest. (Refer to KUSD Policy 5131)

### **LEWD/OBSCENE OR LASCIVIOUS ACTS**

Engaging in or performing lewd/obscene or lascivious acts on school grounds or at school-sponsored activities is prohibited. Those involved shall be subject to a referral, counseling and a parent conference and may be subject to restriction of privileges, suspension, expulsion, or arrest. (Refer to Penal Code 288 and Ed Code 48900)

### **LOITERING**

In accordance with the laws of California and the Penal Code, no person shall be on school premises or adjacent areas, except as a properly enrolled student or upon lawful business, unless he/she has first presented himself/herself to the administration office. Lawful business shall not include being upon school property for any of the following purposes except on specific approval of the school administration: Conversation, contact, solicitation, or any other association by a non-student with students, faculty, or administrators during regular school hours or at school-sponsored events not open to the general public. "Non-student" shall mean any person, minor or adult, not regularly enrolled in day classes on the school property upon which he/she is present. A person who fails to leave on request of school personnel is subject to arrest (Penal Code 653 sec. g).

## **OFF LIMIT AREAS**

Before school, during brunch, and during lunch the following areas are off limits (unless supervised by a staff member): parking lot, tennis courts, all athletic fields, the Ag farm, the area behind the support building, gym, music building, behind the 300 building, the 400 building, and the bus stop area. Students are not to use the back gate by the Ag lab.

## **OVERNIGHT STUDENT TRIPS/FIELD TRIPS**

Students fall under the guidelines of the Parent/Student Handbook. On overnight field trips, students may not be in the rooms of students of the opposite sex. The only exception will be when there is an advisor, chaperone, or administrator in the room. Violation of this rule will result in a referral being written by the advisor. Punishment will be a behavior contract for remainder of school year and subject to restriction of privileges and suspension. Any violation of Ed Code 48900, parent may be required to pick up student.

## **PROFANITY/VULGARITY**

The use of profanity or vulgarity will result in any or all of the following; including counseling, referral, parent conference and contract, restriction of privileges, suspension, transfer, or expulsion. (Ed Code 48900)

The writing, distribution or possession of pornographic literature by a student shall result in a referral, counseling, parent conference and contract, and may result in restriction of privileges, suspension, transfer, or expulsion. (Refer to KUSD Policy 5131 and Ed. Code 48900).

## **RECORDS**

Proper written records, protected in accordance with the Family Educational and Privacy Acts of 1974, will be maintained on all students involved in disciplinary actions and procedures. These notes and summaries that complete the documentation shall be finished, using appropriate district forms, immediately after an incident has occurred and placed in the student's confidential file.

## **REST ROOMS**

Gathering around the rest room areas (either in the rest rooms or near the rest room entrances) blocking free access to, or use of, school rest rooms will be in violation of district rules and regulations. Such students will be subject to a referral, parent conference and possible suspension, transfer, or expulsion. (Refer to KUSD Policy 5131)

## **SEARCHES**

The site administrator /designee has the authority to conduct a search. The scope of a search may include a student's person and areas over which he/she has control, including, but not limited to, any locker assigned to the student by the school, and the student's vehicle.

Specially trained non-aggressive dogs will be used to sniff out and alert staff to the presence of substances prohibited by law or district policy. The dogs may sniff the air around lockers, desks, bags, backpacks, items or vehicles on district property or at district sponsored events as long as they are not allowed to sniff any person. (Refer to KUSD AR 5145.12 (a))

## **STEALING/THEFT**

Students stealing school or personal property while under the jurisdiction of the school shall be subject to a referral, parent conference, contract, and possible suspension, transfer, expulsion, and/or arrest. The parent/guardian and student will be responsible for restitution of item(s) stolen and for any reward payment offered.

## **STUDENT EXPRESSION**

Student expression that materially disrupts class work, causes disorder, or invades the rights of others is prohibited. The use of slanderous and obscene language, buttons, badges, or insignia shall result in counseling and may result in parent conference, referral, contract, suspension, transfer, expulsion or arrest. (Refer to KUSD Policy 5145.1)

## **TARDINESS**

Students will be considered tardy if they are not in the room or assigned area prior to the tardy bell ringing. Tardiness is disruptive to the educational process and deprives other students in the classroom of valuable instructional time. Disciplinary action will be taken on students with excessive tardies. (Refer to KUSD policy 5144.1). Parent notes and/or phone calls for students arriving late to school, within the first ten (10) minutes of the period, will only be accepted three (3) times a semester. The Tardy Policy will start over at the semester.



**TOBACCO**

Kerman Unified School District is a tobacco free district. The use or possession of tobacco on school premises or while under the jurisdiction of the school is prohibited. Violators may be subject to school suspension and placed on a behavior contract on the first offense. Repeated violations will result in suspension and/or may lead to a transfer to alternative education.

**TRANSFERS**

Students may be transferred into an alternative education program not specific to a particular school. (KUSD Policy 6184) Involuntary transfers can be made based upon grades, lack of credits, attendance, and discipline problems.

**TRESPASSING OR FORCED ENTRY**

Trespassing or forced entry with respect to school buildings or school events is prohibited. Any violation by a student shall result in a suspension pending further action including but not limited to expulsion and criminal prosecution. (Refer to Penal Code 626.8 and Penal Code 459)

**VANDALISM**

Acts of vandalism (defacing or damaging school or private property) may result in immediate suspension pending an investigation. The case may then be referred to the district administration for expulsion proceedings before the Board of Trustees. Students will be responsible for restitution.

**WEAPONS, POSSESSION OF**

Possession of a weapon (i.e. firearms, knives, explosives, razor blades) on campus (including within vehicles) or at school-sponsored activities is illegal and constitutes grounds for suspension and expulsion (as defined in Ed Code 49330). Weapons are subject to immediate confiscation and may be turned over to the police. Any student who threatens a person with a weapon shall be immediately suspended, referred to the appropriate law enforcement agency, and subject to expulsion. (Refer to KUSD Policy 5131.7 and Ed Code 48900)

## SECTION #5 REQUIRED SITE & DISTRICT DOCUMENTS

### **Students**

#### **Admission (AR 5111)**

##### Age of Admittance to Kindergarten and First Grade

At the beginning of each school year, the Superintendent or designee shall enroll any eligible child whose fifth or sixth birthday is on or before September 1 of that year into kindergarten or first grade, as applicable. (Education Code 48000, 48010)

Admission into transitional kindergarten shall be in accordance with law and as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 48000)

On a case-by-case basis, and with the approval of the child's parent/guardian, a child who will turn five years old in a given school year may be enrolled in kindergarten at any time during that school year provided that: (Education Code 48000)

1. The Governing Board determines that admittance is in the best interest of the child.
2. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

The Superintendent or designee shall make a recommendation to the Board regarding whether a child should be granted early entry to kindergarten, as appropriate. In doing so, the Superintendent or designee shall consider various factors including the availability of classroom space and any negotiated maximum class size.

##### Documentation of Age/Grade

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age. (Education Code 48002)

Evidence of the child's age may include: (Education Code 48002)

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. A passport
4. When none of the above documents is obtainable, an affidavit of the parent/guardian
5. Other means prescribed by the Board

Regulation approved: 6/21/1990

Amended: 9/19/1991; 10/15/1992; 5/11/1998; 6/21/2012; 3/15/2018; 9/20/2018; 8/18/2022

### **Students**

#### **Absences and Excuses (AR 5113)**

##### Excused Absences

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health. (Education Code 48205)
2. Quarantine under the direction of a county or city health officer. (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic service or appointment. (Education Code 48205)
4. Attendance at funeral services for a member of the student's immediate family. (Education Code 48205)
  - a. Such absence shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)
5. Jury duty in the manner provided for by law. (Education Code 48205)
6. Illness or medical appointment of a child to whom the student is the custodial parent. (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
  - a. Appearance in court
  - b. Attendance at a funeral service
  - c. Observance of a religious holiday or ceremony
  - d. Attendance at religious retreats for no more than four hours per semester

- e. Attendance at an employment conference
- f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
- 8. Service as a member of a precinct board for an election pursuant to Elections Code 12302. (Education Code 48205)
- 9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment. (Education Code 48205)

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

- 10. Attendance at the student's naturalization ceremony to become a United States citizen. (Education Code 48205)
- 11. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people. (Education Code 48205)
- 12. For a middle school or high school student, engagement in a civic or political event, provided that the student notifies the school ahead of the absence. Unless otherwise permitted by the Superintendent or designee, students shall be limited to one such school day-long absence per school year. (Education Code 48205)
- 13. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school property as designated by the religious group, church, or denomination. (Education Code 46014)

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 - School Day, and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)

- 14. Work in the entertainment or allied industry. (Education Code 48225.5)

Work for a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days. For this purpose, student absence shall be excused for a maximum of up to five absences per school year. (Education Code 48225.5)

- 15. Participation with a nonprofit performing arts organization in a performance for a public school audience. (Education Code 48225.5)

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

- 16. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances. (Education Code 48205, 48260)

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household. (Education Code 48205)

#### Method of Verification

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

For other absences, the student shall, upon returning to school following the absence, present a satisfactory explanation, either in person or by written note, verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the student, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

- 1. Written note, fax, email, or voicemail from parent/guardian or parent representative.
- 2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student
  - b. Name of parent/guardian or parent representative
  - c. Name of verifying employee
  - d. Date(s) of absence
  - e. Reason for absence
- 3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in Item #2 above.

4. Physician's verification.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
- b. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship or at other suitable places away from school property designated by a religious group, church, or denomination. (Education Code 46014, 48980)
2. Notify students in grades 7-12 and the parents/guardians of all students enrolled in the district that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)
3. Notify parents/guardians that a student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Such notice shall include the full text of Education Code 48205. (Education Code 48980)

Regulation approved: 10/07/1983

Amended: 12/18/1988; 09/19/1991; 10/15/1992; 07/20/1995; 08/15/1996; 04/13/2000; 11/19/2009; 06/21/2012; 11/29/2017; 04/11/2019; 8/18/2022; 3/1/2023

**Instruction**

**Alternative Schools/Programs of Choice (AR 6181)**

Notifications

At the beginning of each school year, the "Notice of Alternative Schools" shall be sent to all parents/guardians as set forth in Education Code 58501. During the entire month of March of each year, a copy of this notice shall be posted at each school in at least two places normally visible to students, teachers, and visiting parents/guardians. (Education Code 58501)

Copies of the law providing for alternative schools or programs of choice (Education Code 5850058512) shall be made available in the district office and each school office to any interested parent/guardian, teacher, or student. (Education Code 58501)

Proposals

All proposals for the establishment of an alternative school or program of choice shall:

Address the district's vision, goals, and academic standards

Demonstrate that the number of students interested in enrolling in the alternative school or program of choice is sufficient to meet desired student-teacher staffing ratios

Demonstrate that teachers are willing to work within the school or program

Demonstrate that the proposed operational plan conforms with district timelines and makes equitable use of district staff, facilities, and resources

Provide a statement of the specific anticipated costs of implementing the proposal as well as funding sources, including outside funding sources and/or district support

Include a comprehensive plan for an annual evaluation of the program to be carried out by the district

The Superintendent or designee may establish an advisory committee of staff, parents/guardians, and community members to evaluate proposals for alternative schools or programs of choice and make recommendations to the Superintendent.

Enrollment

The district may establish alternative schools or programs of choice in each attendance area and/or on a districtwide basis with enrollment open to all students districtwide. (Education Code 58505)

Students enrolled in alternative schools or programs of choice shall be selected entirely from volunteers. (Education Code 58503)

Alternative schools and programs of choice shall comply with state and federal law and Board policy regarding nondiscrimination in district programs.

Previous classroom performance shall not be a criterion limiting any student from the opportunity to attend an alternative school or program of choice. (Education Code 58504)

When an alternative class group is established within a school, the Superintendent or designee shall ensure that students currently enrolled in the school will not be displaced.

Operations

The district shall maintain and fund alternative schools or programs of choice at the same level of support as other district educational programs for students of the same age level. (Education Code 58507)

Teachers employed in alternative schools or programs of choice shall be selected entirely from volunteers. (Education Code 58503)

Course credits earned in an alternative school or program of choice shall be equivalent to the credits earned in other district schools. Students enrolled in such schools or programs shall be expected to complete all district graduation requirements and shall earn a regular diploma.

Students enrolled in alternative schools may be eligible for district transportation in the same manner as students attending other district schools.

Regulation approved: 5/20/2021

## **Athletic Competition Policy & Procedures (BP 6145.2)**

**Policy adopted: 06/28/1983**

**Amended: 08/13/1986; 09/03/1987; 09/16/1993; 03/19/1998; 05/16/2002; 10/18/2007; 08/16/2012; 11/19/2015; 11/14/2017; 04/11/2019**

The Governing Board recognizes that the District's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The District's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 5030 - Student Wellness)

(cf. 5137 - Positive School Climate)

(cf. 6142.7 - Physical Education and Activity)

(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

The Board encourages business and community support for District athletic programs, subject to applicable District policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 1325 - Advertising and Promotion)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 3290 - Gifts, Grants and Bequests)

### **Nondiscrimination and Equivalent Opportunities in the Athletic Program**

The District's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, and that students are permitted to participate in athletic activities consistent with their gender identity.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Any complaint alleging discrimination in the District's athletic program shall be filed in accordance with the District's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

### **California Interscholastic Federation**

Any District school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with CIF bylaws and rules and any applicable District policy and regulation. The Superintendent or designee shall have responsibility for the District's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. The Superintendent or designee shall recommend a candidate for the position who demonstrates an understanding of the District's goals for student learning and interscholastic activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the District, and interpersonal communication and leadership skills.

The designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and report regularly to the Board on league, section, and statewide issues related to athletic programs.

(cf. 0500 - Accountability)

### **Student Eligibility**

Eligibility requirements for student participation in the District's interscholastic athletic program, including requirements pertaining to academic achievement, shall be the same as those set by the District for participation in extracurricular and cocurricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.

(cf. 3260 - Fees and Charges)  
(cf. 5143 - Insurance)

#### Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)  
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5131 - Conduct)  
(cf. 5131.1 - Bus Conduct)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

#### Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)  
(cf. 5131.63 - Steroids)  
(cf. 5141.3 - Health Examinations)  
(cf. 5141.6 - School Health Services)  
(cf. 5141.7 - Sun Safety)

Coaches and appropriate District employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

The Superintendent or designee shall develop a written emergency action plan that describes the location of automated external defibrillator(s) and procedures to be followed in the event of sudden cardiac arrest or other medical emergency related to the athletic program's activities or events. The plan shall be posted in accordance with guidelines of the National Federation of State High School Associations. (Education Code 35179.4)

In the event of a serious injury or a perceived imminent risk to a student's health during or immediately after an athletic activity, the coach or any other District employee who is present shall remove the student athlete from the activity, observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)  
(cf. 5141.22 - Infectious Diseases)

Whenever a serious injury or illness is suffered by a student athlete, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury or illness suffered by the student and any actions taken to treat the student.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination  
17578 Cleaning and sterilizing of football equipment  
17580-17581 Football equipment  
32220-32224 Insurance for athletic teams, especially:  
32221.5 Required insurance for athletic activities  
33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program

33354 California Department of Education authority over interscholastic athletics  
 33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act  
 35160.5 District policies; rules and regulations  
 35179 Interscholastic athletics  
 35179.1 California High School Coaching Education and Training Program  
 35179.4 Emergency action plan  
 35179.5 Interscholastic athletics; limitation on full-contact practices  
 35179.6 Automated external defibrillator, athletic activities  
 48850 Interscholastic athletics; students in foster care and homeless students  
 48900 Grounds for suspension and expulsion  
 48930-48938 Student organizations  
 49010-49013 Student fees  
 49020-49023 Athletic programs; legislative intent, equal opportunity  
 49030-49034 Performance-enhancing substances  
 49458 Health examinations, interscholastic athletic program  
 49475 Health and safety, concussions and head injuries  
 49700-49701 Education of children of military families  
 51242 Exemption from physical education for high school students in interscholastic athletic program  
 HEALTH AND SAFETY CODE  
 1797.196 Automated external defibrillator  
 PENAL CODE  
 245.6 Hazing  
 CODE OF REGULATIONS, TITLE 5  
 4900-4965 Nondiscrimination in elementary and secondary education programs, especially:  
 4920-4922 Nondiscrimination in intramural, interscholastic, and club activities  
 5531 Supervision of extracurricular activities of students  
 5590-5596 Employment of noncertificated coaches  
 UNITED STATES CODE, TITLE 20  
 1681-1688 Discrimination based on sex or blindness, Title IX  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 106.31 Nondiscrimination on the basis of sex in education programs or activities  
 106.33 Comparable facilities  
 106.41 Nondiscrimination in athletic programs  
 COURT DECISIONS  
 Mansourian v. Regents of University of California, (2010) 602 F. 3d 957  
 McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275  
 Kahn v. East Side Union High School District, (2003) 31 Cal. 4th 990  
 Hartzell v. Connell, (1984) 35 Cal. 3d 899  
 Management Resources:  
 CSBA PUBLICATIONS  
 Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017  
 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
 Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013  
 CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS  
 Athletic Department Emergency Action Plan: Response Teams  
 California Interscholastic Federation Constitution and Bylaws  
 A Guide to Equity in Athletics  
 Guidelines for Gender Identity Participation  
 Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians  
 Event Emergency Guidelines, 2013  
 Pursuing Victory with Honor, 1999  
 CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS  
 Heads Up: Concussion in High School Sports, Tool Kit, June 2010  
 Heads Up: Concussion in Youth Sports, Tool Kit, July 2007  
 Acute Concussion Evaluation (ACE) Care Plan, 2006  
 NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS PUBLICATIONS  
 Emergency Action Planning Guide for After-School Practices and Events  
 U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
 Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017  
 Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague Letter, April 20, 2010  
 WEB SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 California Interscholastic Federation: <http://www.cifstate.org>  
 Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>  
 National Federation of State High School Associations: <http://www.nfhs.org>  
 National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>  
 U.S. Anti-Doping Agency: <http://www.usada.org>  
 U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group

identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics.

Designated Compliance Officer: Assistant Superintendent Personnel

Address: 151 S. First Street, Kerman, CA 93630

Phone Number: (559) 843-9000)

## **Students**

### **Before/After School Programs (AR 5148.2)**

#### **Definitions**

Expanded learning opportunities means before school, after school, summer, vacation, and/or intersessional learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences.

Expanded learning opportunities does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)

Offer access, with regard to an Expanded Learning Opportunities (ELO) program, means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels. (Education Code 46120)

Provide access, with regard to an ELO program, means to register or enroll a student in an ELO program. (Education Code 46120)

Unduplicated student means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)

#### **Grades TK-9**

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades TK-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

The district's ELO program shall serve students in grades TK-6. (Education Code 46120)

The district's programs shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies, including city and county parks and recreation departments, local law enforcement, community organizations, and the private sector. As appropriate, the Superintendent or designee may include other stakeholders in such collaborative process. (Education Code 8482.5, 8484.75, 46120)

For the 2022-23 school year, the district shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs to at least 50 percent of enrolled unduplicated students. (Education Code 46120)

Commencing with the 2023-24 school year, the district shall offer access to the ELO program to all classroom-based students in grades TK-6. The district shall provide access to any student whose parent/guardian requests placement in an ELO program.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8322)

The district's ASES, 21st CCLC, and ELO program(s) shall be operated in accordance with the following:

#### **1. Program Elements**

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, 8484.75, 46120)
- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3, 8484.75, 46120)

#### **2. Nutrition**

- a. Snacks or meals made available in the program shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3, 8484.75, 46120; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, 8484.75)

#### **3. Location of Program**

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, 8484.75)
- b. When there is a significant barrier to student participation in either the before- school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school



site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, 8484.75)

- i. Fewer than 20 students participating in the program component
- ii. Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
- iii. A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, 8484.75)

#### 4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 8484.75, 45330, 45344, 45344.5)
- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4, 8484.75)
- c. The student-to-staff ratio shall be no more than 20 to 1, except that programs serving transitional kindergarten or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1 (Education Code 8483.4, 8484.75, 46120)

#### 5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1, 8484.75)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483, 8484.75)
- c. An ELO program shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, shall not be less than nine hours of combined instructional time and expanded learning opportunities per instructional day. (Education Code 46120)

#### 6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6, 8484.75)
- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:
  - i. First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, and to students who are eligible for free or reduced-price meals. (Education Code 8483, 8483.1, 8484.75)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth, or student eligible for free or reduced price meals, of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, 8484.75)

- ii. Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, 8484.75)
- iii. Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.
- iv. Any remaining capacity shall be filled by students selected at random.
- v. A waiting list shall be established to accommodate additional students if space becomes available.

#### 7. Attendance/Early Release

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that the student participates. An ELO program offered pursuant to Education Code 46120 does not have an attendance requirement, but the district may track student attendance for safety and continuous quality improvement purposes.

- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or the reasonable early daily release from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

- a. ELO programs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersessional periods.
- b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)
- c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)
- f. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

Grades 9-12

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code 8421)

The district's ASSETs program shall be planned through a collaborative process that includes

parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422)

The program shall be operated in accordance with the following guidelines:

1. Program Elements

- a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)
  - i. Tutoring
  - ii. Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content
  - iii. Homework assistance
  - iv. College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460
- b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)
  - i. Community service
  - ii. Career and technical education
  - iii. Job readiness
  - iv. Opportunities for mentoring and tutoring younger students
  - v. Service learning
  - vi. Arts
  - vii. Computer and technology training
  - viii. Physical fitness
  - ix. Recreation activities

- c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)
  - d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)
  - e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)
2. Location of Program
- a. The district's program may operate on one or multiple school sites or at another location approved by CDE. (Education Code 8421)
  - b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)
3. Hours of Operation
- a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
  - b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

### Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. The volunteer shall also submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

### Reports

The Superintendent or designee shall annually submit to CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

- 1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
- 2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

Regulation approved: 4/19/2007

Amended: 2/18/2010; 1/21/2016; 3/15/2018; 8/18/2022; 3/16/2023

## **Bullying Information Policy & Procedures (BP 5131.2)**

### **What is Bullying?**

**"A person is bullied when he or she is exposed to negative actions repeatedly and over time on the part of one or more persons, and he or she has difficulty defending himself or herself."**

This definition includes three important components:

- 1. Bullying is aggressive behavior that involves unwanted, negative actions.
- 2. Bullying involves a pattern of behavior repeated over time.
- 3. Bullying involves an imbalance of power or strength.

### **Types of Bullying**

- 1. Verbal bullying including derogatory comments and bad names
- 2. Bullying through social exclusion or isolation
- 3. Physical bullying such as hitting, kicking, shoving, and spitting
- 4. Bullying through lies and false rumors
- 5. Having money or other things taken or damaged by students who bully
- 6. Being threatened or being forced to do things by students who bully
- 7. Racial bullying
- 8. Sexual bullying
- 9. Cyber bullying (via cell phone or Internet)

### **Consequences**

Pursuant to Education Code 48900.4 a student may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

### **What can parents do?**

- 1. **Encourage your child to report bullying incidents to you.**

- Validate your child's feelings by letting him/her know that it is normal to feel hurt, sad, scared, angry, etc.
- Let your child know that s/he has made the right choice by reporting the incident(s) to you and assure your child that s/he is not to blame.
- Help your child be specific in describing bullying incidents: who, what, where, when. (Look for patterns or evidence of repeated bullying behaviors.)

**2. Treat the school as your ally.**

- Share your child's concerns and specific information about bullying incidents with appropriate school personnel.
- Work with school staff to protect your child from possible retaliation.
- Establish a plan with the school and your child for dealing with future bullying incidents.

**3. Encourage your child to seek help and to report bullying incidents immediately to someone s/he feels safe with at the school:**

- Adult in charge of a specific activity or area
- Teacher
- Counselor
- Principal

**4. Encourage your child to continue to talk with you about all bullying incidents.**

- Do not ignore your child's report.
- Do not advise your child to physically fight back. (Bullying lasts longer and becomes more severe when children fight back. Physical injuries often result.)
- Do not confront the child who bullies.
- Do not confront the family of the child who bullies.
- Engaging in any retaliatory behavior may result in disciplinary consequences.

**What is Cyber-Bullying?**

Cyber-bullying includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the Internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

**Suggestions for Parents (Cyber-Bullying)**

- Keep your home computer(s) in easily viewable places, such as a family room or kitchen.
- Talk regularly with your child about online activities he or she is involved in.
- Talk specifically about cyber-bullying and encourage your child to tell you immediately if he or she is the victim of cyber-bullying, cyber-stalking, or other illegal or troublesome online behaviors.
- Encourage your child to tell you if he or she is aware of others who may be the victims of such behavior.
- Explain that cyber-bullying is harmful and unacceptable behavior.
- Outline your expectations for responsible online behavior and make it clear that there will be consequences for inappropriate behavior. Although adults must respect the privacy of children and youth, concerns for your child's safety may sometimes override these privacy concerns. Tell your child that you may review his or her online communications if you think there is reason for concern.
- Consider installing parental control filtering software and/or tracking programs, but don't rely solely on these.
- Remind your child that any posts made online are not private and they are permanent. Online messages cannot be reversed or deleted.

**Students**

**Bullying Policy & Procedures (BP 5131.2)**

## KERMAN UNIFIED SCHOOL DISTRICT

BP 5131.2

StudentsBullying

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)  
(cf. 5136 - Gangs)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)  
(cf. 0450 - Comprehensive Safety Plan)  
(cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying

requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. 5116.1 - Intradistrict Open Enrollment)  
(cf. 5117 - Interdistrict Attendance).

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination  
32282 Comprehensive safety plan  
32283.5 Bullying; online training  
35181 Governing board policy on responsibilities of students  
35291-35291.5 Rules  
46600 Student transfers  
48900-48925 Suspension or expulsion  
48985 Translation of notices  
52060-52077 Local control and accountability plan

##### PENAL CODE

422.55 Definition of hate crime  
647 Use of camera or other instrument to invade person's privacy; misdemeanor  
647.7 Use of camera or other instrument to invade person's privacy; punishment  
653.2 Electronic communication devices, threats to safety

##### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

##### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

##### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

##### CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

##### COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

#### Management Resources:

##### CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief,

February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in

Responding to Immigration Issues, April 2018

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and

Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ss/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <http://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <http://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <http://www.partnerforchildren.org>

U.S. Department of Education: <http://www.ed.gov>

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Policy adopted: 08/16/2012

Amended: 11/19/2015; 09/20/2018; 10/17/2019; 04/16/2020

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## **Business and Noninstructional Operations (BP 3312)**

### **Contracts**

The Governing Board recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the Board shall ensure that the district's interest is protected and that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111.

(cf. 2121- Superintendent's Contract)  
(cf. 3311 - Bids)  
(cf. 4312.1 - Contracts)  
(cf. 9124 - Attorney)

The Board may, by a majority vote, delegate to the Superintendent or designee the authority to enter into contracts on behalf of the district. To be valid or to constitute an enforceable obligation against the district, all such contracts must be approved and/or ratified by the Board.

(cf. 3300 - Expenditures and Purchases)  
(cf. 3314 - Payment for Goods and Services)

Every contract entered into on behalf of the district shall be made available for public inspection, except when the law prohibits disclosure. No contract shall prohibit a district employee from disparaging the goods or services of any contracting party.

(cf. 1340 - Access to District Records)

### **Contracts for Non-nutritious Foods or Beverages**

The district shall not enter into or renew a contract for the sale of foods or beverages that do not meet applicable nutritional standards specified in Education Code 49431-49431.7, 5 CCR 15500-15501 or 15575-15578, or 7 CFR 210.11 or 220.12, unless the contract specifies that such sale will occur off campus or outside the time restriction specified in the applicable law.

(cf. 3554 - Other Food Sales)  
(cf. 3555 - Nutrition Program Compliance)

Before the district enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods as defined in law, the Board shall ensure that the district has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education. (Education Code 35182.5)

The Superintendent or designee shall develop the district's internal control procedures to protect the integrity of public funds. Such internal controls may include, but not be limited to, the following:

1. Procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property. Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.

(cf. 3100 - Budget)  
(cf. 3400 - Management of District Assets/Accounts)  
(cf. 3460 - Financial Reports and Accountability)

2. Procedures to ensure that district personnel do not handle cash or product at the school site. The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for district proceeds directly to the control office.

To ensure that funds raised by the contract benefit district schools and students:

1. The Superintendent or designee may invite parents/guardians, students, staff, and interested community members to make recommendations regarding the contract, including recommendations as to how the funds will be spent in a manner that benefits public education.

(cf. 1220 - Citizen Advisory Committees)

2. Prior to ratifying the contract, the Board shall designate the specific programs and activities that will be funded by the proceeds of the contract and consider how the contract reflects the district's vision and goals.

(cf. 0000 - Vision)  
(cf. 0100 - Philosophy)  
(cf. 0200 - Goals for the School District)

3. The contract shall specify that the contractor report, on a quarterly basis, to the Superintendent or designee the number of food items or beverages sold within the district and the amount of money raised by the sales.
4. The Superintendent or designee shall ensure that the contract does not limit the ability of student and parent organizations to plan and operate fundraising activities.

(cf. 1230 - School-Connected Organizations)



(cf. 1321 - Solicitation of Funds from and by Students)

Any contract for the sale or advertisement of non-nutritious foods or carbonated or non-nutritious beverages shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a Request for Proposal. (Education Code 35182.5)

(cf. 3311 - Bids)

The Board shall not enter into or renew any contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled Board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code 35182.5.)

(cf. 9322 - Agendas/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The public hearing shall include, but not be limited to, a discussion of the nutritional value of foods and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the foods and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code 35182.5)

(cf. 5030 - Student Wellness)

The contract shall be accessible to the public and may not include a confidentiality clause that would prevent the district or a district school from making any part of the contract public. (Education Code 35182.5)

Contracts for Electronic Products or Services

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.

(cf. 9320 - Meetings and Notices)

2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.

(cf. 0440 - District Technology Plan)

3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.

(cf. 1325 - Advertising and Promotion)

4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.

(cf. 5145.6 - Parental Notifications)

5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. A request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

Contracts for Digital Storage and Maintenance of Student Records

The district may enter into or renew a contract with a third party for the purpose of providing services, including cloud-based services, for the digital storage, management, and retrieval of student records and/or to provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records. For these purposes, student records include any information maintained by the district that is directly related to a student and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other district employee, and do not include de-identified information. (Education Code 49073.1)

(cf. 5125 - Student Records)

Any such contract shall contain all of the following: (Education Code 49073.1)

1. A statement that student records continue to be the property of and under the control of the district
2. If applicable, a description of the means by which students may retain possession and control of their own student-generated content, as defined in Education Code 49073.1, including options by which a student may transfer student-generated content to a personal account
3. A prohibition against the third party using any information in the student record for any purpose other than those required or specifically permitted by the contract
4. A description of the procedures by which a parent/guardian or a student age 18 years or older may review personally identifiable information in the student's records and correct erroneous information
5. A description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of student records
6. A description of the procedures for notifying the affected parent/guardian, or the affected student if age 18 years or older, in the event of an unauthorized disclosure of the student's records

7. A certification that a student's records shall not be retained or available to the third party upon completion of the terms of the contract and a description of how that certification will be enforced, except that these requirements shall not apply to student-generated content if the student chooses to establish or maintain an account with the third party for the purpose of storing that content
8. A description of how the district and the third party will jointly ensure compliance with the federal Family Educational Rights and Privacy Act, 20 USC 1232g
9. A prohibition against the third party using personally identifiable information in student records to engage in targeted advertising

#### Contracts for Personal Services

In order to achieve cost savings, the district may enter into or renew a contract for any personal service that is currently or customarily performed by classified employees, if the contract does not displace school district employees and meets other conditions specified in Education Code 45103.1. To enter into or renew such a contract, the Board shall ensure that the district meets the numerous conditions specified in Education Code 45103.1.

(cf. 4200 - Classified Personnel)

In addition, the district may enter into or renew any contract for personal service without meeting the conditions described above, if any of the following conditions exists: (Education Code 45103.1)

1. The contract is for new district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
2. The services contracted are not available within the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district.
3. The services are incidental to a contract for the purchase or lease of real or personal property, including, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.
4. The district's policy, administrative, or legal goals and purposes cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary district hiring process.
5. The nature of the work is such that the criteria for emergency appointments, as defined in Education Code 45103.1, apply.
6. The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the district in the location where the services are to be performed.
7. The services are of such an urgent, temporary, or occasional nature that the delay that would result from using the district's regular or ordinary hiring process would frustrate their very purpose.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex 14505 Provisions required in contracts for audits 17250.10-17250.55 Design-build contracts 17595-17606 Contracts

35182.5 Contract prohibitions

45103.1 Personal services contracts

45103.5 Contracts for management consulting service related to food service

49073.1 Contract requirements for digital storage, maintenance and retrieval of student records

49431-49431.7 Nutritional standards CODE OF CIVIL PROCEDURE 685.010 Rate of interest

##### GOVERNMENT CODE

12990 Nondiscrimination and compliance employment programs 53260 Contract provision re maximum cash settlement 53262 Ratification of contracts with administrative officers LABOR CODE

1775 Penalties for violations 1810-1813 Working hours PUBLIC CONTRACT CODE

4100-4114 Subletting and subcontracting fair practices 7104 Contracts for excavations; discovery of hazardous waste 7106 Noncollusion affidavit

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder 20104.50 Construction Progress Payments 22300 Performance retentions CODE OF REGULATIONS, TITLE 5

15500 Food sales by student organizations

15501 Sales in high schools and junior high schools

15575-15578 Food and beverage requirements outside of the federal school meal programs

##### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

##### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program 220.1-220.21 National School Breakfast Program

#### Management Resources:

##### CSBA PUBLICATIONS

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005 WEB SITES

CSBA: <http://www.csba.org>

California Association of School Business Officials: <http://www.casbo.org>

Policy adopted: 6/28/1983 Renumbered: 8/13/1986

Amended: 4/28/1994; 4/13/2000; 7/15/2004; 3/16/2006; 5/20/2021

## **Business and Noninstructional Operations (BP 3555)**

#### Nutrition Program Compliance

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate on any basis prohibited by law.

### Compliance Coordinator

The Board shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures, to ensure compliance with the laws governing the district's nutrition programs.

The responsibilities of the compliance coordinator include, but are not limited to:

1. Providing the name of the compliance coordinator, the Section 504 coordinator, and Title IX coordinator, if different from the compliance coordinator, to the California Department of Education (CDE) and other interested parties
2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff  
  
The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.
3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs
4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below
6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet
9. Implementing procedures to process and resolve civil rights complaints, including alleged discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability, and program-related complaints, including maintaining a complaint log, working with the appropriate person to resolve any complaint, and referring the complainant to the appropriate state or federal agency when necessary
10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

### Notifications

The compliance coordinator shall ensure that the U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster, or a substitute poster approved by USDA's Food and Nutrition Service, is displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

The compliance coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their rights and responsibilities and steps necessary to participate in the nutrition programs, including program requirements and program availability. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be filed anonymously or by a third party.

In addition, the compliance coordinator shall ensure that all forms of communication available to the public regarding program availability shall contain, in a prominent location, the most current version of the nondiscrimination statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude items such as cups, buttons, magnets, menus, and pens that identify the program when the size or configuration makes it impractical. The nondiscrimination statement need not be included on

every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

### Complaints of Discrimination

A complaint alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, sexual orientation, gender identity, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at any of the following: (5 CCR 15582)

Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW  
Washington, D.C. 20250-9410

Phone: (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish)  
Fax: (833) 256-1665 or (202) 690-7442  
Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

#### Complaints Regarding Noncompliance with Program Requirements

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses in relation to any child nutrition program specified in Education Code 49550-49564.5 shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints against a program operator that is not an educational agency shall be filed with or referred to CDE. (5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's duly authorized representative by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

1. A statement that the district has violated a law or regulation relating to its child nutrition program
2. The facts on which the statement is based
3. The name of the district or the school against which the allegations are made
4. The complainant's contact information
5. The name of the student if alleging violations regarding a specific student

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 60 days of the district's receipt of the complaint. (5 CCR 15583; 5 CCR 4631)

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Policy adopted: 10/20/2016 Amended: 10/15/2020; 4/25/2023

### **Business and Noninstructional Operations (BP 3580)**

#### District Records

The Governing Board recognizes the importance of securing and retaining District documents.

The Superintendent or designee shall ensure that District records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3440 - Inventories)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 5125 - Student Records)

The Superintendent or designee shall consult with District legal counsel, site administrators, District information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of District documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

(cf. 0440 - District Technology Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 9011 - Board Member Electronic Communications)

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

(cf. 5125.1 - Release of Directory Information)

The Superintendent or designee shall ensure that employees receive information about the District's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

(cf. 4131/4231/4331 - Staff Development)

If the District discovers or is notified that a breach of security of District records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

(cf. 1112 - Media Relations)  
(cf. 1113 - District and School Web Sites)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

#### Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish District residency requirements for enrollment and for school emergency purposes.

(cf. 5111.1 - District Residency)  
(cf. 5141 - Health Care and Emergencies)

#### Legal Reference:

##### EDUCATION CODE

35145 Public meetings  
35163 Official actions, minutes and journal  
35250-35255 Records and reports  
44031 Personnel file contents and inspection  
49065 Reasonable charge for transcripts  
49069 Absolute right to access

##### CIVIL CODE

1798.29 Breach of security involving personal information CODE OF CIVIL PROCEDURE 1985.8 Electronic Discovery Act  
2031.010-2031.060 Civil Discovery Act, scope of discovery demand 2031.210-2031.320 Civil Discovery Act, response to inspection demand GOVERNMENT CODE  
6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking 6252-6265 Inspection of public records  
12946 Retention of employment applications and records for two years PENAL CODE

11170 Retention of child abuse reports

##### CODE OF REGULATIONS, TITLE 5

430 Individual student records; definition  
432 Varieties of student records  
16020-16022 Records, general provisions  
16023-16027 Retention of records

##### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act  
CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy Act

#### Management Resources:

##### WEB SITES

California Secretary of State: <http://www.sos.ca.gov/safeathome>

Policy adopted: 06/28/1983 Renumbered: 08/13/1986

Amended: 12/01/1988; 04/13/2000; 11/15/2001; 04/19/2007; 09/15/2016

#### CAASPP Testing

ED Code 60615 Mandatory Notifications, Title 5 Section 852b requires LEAs to notify parents of their pupil's participation in CAASPP testing and their right to an exemption:

- (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.
- (b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.
- (c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year.

If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children.

Note:  
Authority cited: Sections 33031 and 60640, Education Code. Reference: Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code. 60615. Notwithstanding any other provision of law, a parent or guardian's written request to school officials to excuse his or her child from any or all parts of the assessments administered pursuant to this chapter shall be granted.

### **Certificated Personnel** **Certification (BP 4112.2)**

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

(cf. 4111/4211/4311 - Recruitment and Selection)  
(cf. 4112.21 - Interns)  
(cf. 4112.22 - Staff Teaching English Learners)  
(cf. 4112.23 - Special Education Staff)  
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)  
(cf. 4113 - Assignment)  
(cf. 4121 - Temporary/Substitute Personnel)  
(cf. 5148 - Child Care and Development)  
(cf. 6178 - Career Technical Education)  
(cf. 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. 4131 - Staff Development)  
(cf. 4131.1 - Teacher Support and Guidance)

#### **Priorities for Hiring Based on Unavailability of Credentialed Teacher**

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

#### **National Board for Professional Teaching Standards Certification**

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students
3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

(cf. 4161.3 - Professional Leaves)

#### **Parental Notifications**

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

Legal Reference:

EDUCATION CODE

8360-8370 Qualifications of child care personnel

32340-32341 Unlawful issuance of a credential

35186 Complaints regarding teacher vacancy or misassignment

44066 Limitations on certification requirements

44200-44399.1 Teacher credentialing, especially:

44250-44277 Credential types; minimum requirements

44300-44302 Emergency permit

44325-44328 District interns

44330-44355 Certificates and credentials

44420-44440 Revocation and suspension of credentials

44450-44468 University intern program

44830-44929 Employment of certificated persons; requirement of proficiency in basic skills

56060-56063 Substitute teachers in special education

CODE OF REGULATIONS, TITLE 5

80001-80674.6 Commission on Teacher Credentialing

UNITED STATES CODE, TITLE 20

6312 Title I local educational agency plans; notifications regarding teacher qualifications

CODE OF FEDERAL REGULATIONS, TITLE 34

200.48 Parent notification regarding teacher qualifications

COURT DECISIONS

Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 Basic Skills Requirement

CL-856 Provisional Internship Permit

CL 858 Short-Term Staff Permit

Credential Information Guide

Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016

Waiver Requests Guidebook, 2015

Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013

Subject Matter Authorization Guideline Book, 2012

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS

Considerations for Using Federal Funds to Support National Board Certification, 2018

WEB SITES

CSBA: <http://www.csba.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Commission on Teacher Credentialing, Credential Information Guide (for employers' use only): <http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching Standards: <http://www.nbpts.org>

National Board Resource Center: [nbcalistrong.net](http://nbcalistrong.net)

U.S. Department of Education: <http://www.ed.gov>

Policy adopted: 04/20/1995

Amended: 05/16/2002; 01/15/2004; 07/15/2004; 03/16/2006; 05/17/2012; 10/20/2016; 5/21/2020

## **Classified Personnel**

### **Teacher Aides/Paraprofessionals (AR 4222)**

**Adoption Date: 2/13/2003, Revised: 7/15/2004; 3/16/2006;10/20/2016**

**4000 - Personnel**

#### Qualifications

No person shall be initially assigned to assist in instruction as a paraprofessional unless he/she has demonstrated proficiency in reading, writing, and mathematics skills up to or exceeding that required for local high school seniors pursuant to Education Code 51220(a) and (f). (Education Code 45330, 45344.5, 45361.5)

A paraprofessional who has passed a proficiency test in another district and was employed in the same capacity shall be considered to have met the District's proficiency standards, unless the District determines that the other district's test is not comparable. (Education Code 45344.5, 45361.5)

#### Duties

A paraprofessional shall perform only such duties as, in the judgment of the certificated personnel to whom the paraprofessional is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45330)

(cf. 4112.2 - Certification)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6171 - Title I Programs)

Instructional aides need not perform their duties only in the physical presence of the teacher, but the teacher shall retain responsibility for the instruction and supervision of the students in his/her charge. (Education Code 45344)

#### Parental Notification

At the beginning of each school year, parents/guardians shall be notified that they may request information regarding whether their child is provided services by a paraprofessional and, if so, the paraprofessional's qualifications. (20 USC 6312)

(cf. 5145.6 - Parental Notifications)

### **Students**

#### **Challenging Student Records (AR 5125.3)**

**Adoption Date: 10/15/1992, Revised: 7/20/1995; 8/15/1996;9/21/2017**

##### **5000 – Students**

At the beginning of each school year or, for a student enrolled after the beginning of the school year, at the time of enrollment, parents/guardians shall be notified of the availability of the following procedures for challenging the contents of student records. Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records in accordance with the following procedures. (Education Code 49061, 49063)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

#### Procedures for Challenging Records

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070; 34 CFR 99.20)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

Within 30 days of receiving a request to correct or remove any information from a record, the Superintendent or designee shall meet with the parent/guardian and the District employee who recorded that information, if he/she is presently employed by the District. (Education Code 49070)

If the challenge involves a student's grade, the teacher who gave the grade shall be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. Insofar as practicable, the teacher shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher shall be final. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

#### Resolution of Challenge/Appeals

After considering all relevant information, the Superintendent or designee shall sustain or deny the parent/guardian's allegations. (Education Code 49070)

If the parent/guardian's allegations are sustained, the Superintendent or designee shall order the correction or removal and destruction of the information. (Education Code 49070)

If the Superintendent or designee denies the allegations, the parent/guardian may, within 30 days, appeal the decision in writing to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the District employee who recorded the information, if he/she is presently employed by the District. The Board shall then decide whether to sustain or deny the allegations. The decision of the Board shall be final. (Education Code 49070)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board sustains any or all of the allegations, the Superintendent or designee shall immediately order the correction or removal and destruction of the pertinent information from the student's records and shall inform the parent/guardian in writing that the information has been corrected or destroyed. (Education Code 49070)



If the parent/guardian does not file an appeal, or if the appeal is denied by the Board, the parent/guardian shall be informed of his/her right to submit a written objection to the information. Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed. (Education Code 49070; 34 CFR 99.21)

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49066 Grades; change of grade; physical education grade

49070 Challenging content of records

49071 Hearing panel

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1681-1688 Title IX of the Education Amendments of 1972

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy, especially:

99.20-99.22 Procedures for amending educational records

## **Instruction**

### **Curriculum Development & Evaluation Policy & Procedures (BP 6141)**

**Policy adopted: 6/28/1983**

**Amended: 4/19/2001; 11/17/2011; 11/19/2015**

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, discrimination, harassment, intimidation and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. Designated Compliance Officer: Assistant Superintendent Personnel/Address: 151 S. First Street, Kerman, CA 93630/Phone Number: (559) 843-9000. In addition, the Governing Board desires to provide a research-based, sequential curriculum which promotes high levels of student achievement and emphasizes the development of basic skills, problem solving, and decision making. Upon recommendation of the Superintendent or designee, the Board shall adopt a written District curriculum which describes, for each subject area and grade level, the content objectives which are to be taught in all District schools.

*(cf. 6000 - Concepts and Roles)*

*(cf. 6141.6 - Multicultural Education)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6142.5 - Environmental Education)*

*(cf. 6142.6 - Visual and Performing Arts Education)*

*(cf. 6142.7 - Physical Education)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6142.91 - Reading/Language Arts Instruction)*

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6142.93 - Science Instruction)*

*(cf. 6143 - Courses of Study)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6178.2 - Regional Occupational Center/Program)*

*(cf. 9000 - Role of the Board)*

The District's curriculum shall be aligned with the District's vision and goals for student learning, Board policies, academic content standards, state curriculum frameworks, state and District assessments, graduation requirements, school and District improvement plans, and, when necessary, related legal requirements.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0420.1 - School-Based Program Coordination)*

*(cf. 0520.1 - High Priority Schools Grant Program)*

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement Districts)*

*(cf. 0520.4 - Quality Education Investment Schools)*

*(cf. 6011 - Academic Standards)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6171 - Title I Programs)*

*(cf. 9310 - Board Policies)*

The Superintendent or designee shall establish a process for curriculum development, selection, and/or adaptation which utilizes the professional expertise of teachers, principals, and District administrators representing various grade levels, disciplines, special programs, and categories of students as appropriate. The process also may provide opportunities for input from students, parents/guardians, representatives of local businesses and postsecondary institutions, and other community members.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1700 - Relations between Private Industry and the Schools)*

The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 6161 - Equipment, Books and Materials)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6163.1 - Library Media Centers)*

When presenting a recommended curriculum for adoption, the Superintendent or designee shall provide research, data, or other evidence demonstrating the proven effectiveness of the proposed curriculum. He/she also shall present information about the resources that would be necessary to successfully implement the curriculum and describe any modifications or supplementary services that would be needed to make the curriculum accessible to all students.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3100 - Budget)*

*(cf. 4131 - Staff Development)*

*(cf. 4143/4243 - Negotiations/Consultation)*

*(cf. 5149 - At-Risk Students)*

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6174 - Education for English Language Learners)*

*(cf. 6179 - Supplemental Instruction)*

The Board shall establish a review cycle for regularly evaluating the District's curriculum in order to ensure continued alignment with state and District goals for student achievement. At a minimum, these reviews shall be conducted whenever the State Board of Education adopts new or revised content standards or the curriculum framework for a particular subject or when new law requires a change or addition to the curriculum.

In addition, the Board may require a review of the curriculum in one or more subject areas as needed in response to student assessment results; feedback from teachers, administrators, or parent/guardians; new research on program effectiveness; or changing student needs.

*(cf. 0500 - Accountability)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*Legal Reference:*

EDUCATION CODE

221.5 Equal opportunity

35160 Authority of governing boards

35160.1 Broad authority of school districts

51050-51057 Enforcement of courses of study

51200-51263 Required courses of study

51500-51540 Prohibited instruction

51720-51879.9 Authorized classes and courses of instruction

60000-60424 Instructional materials

GOVERNMENT CODE

3543.2 Scope of representation

CODE OF REGULATIONS, TITLE 5

4000-4091 School improvement programs

4400-4426 Improvement of elementary and secondary education

*Management Resources:*

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Content Standards for California Public Schools: Kindergarten Through Grade 12

Curriculum Frameworks for California Public Schools: Kindergarten Through Grade 12

WEB SITES

CSBA: <http://www.csba.org>

Association for Supervision and Curriculum Development: <http://www.ascd.org>

Association of California School Administrators: <http://www.acsa.org>

California Association for Supervision and Curriculum Development: <http://www.cascd.org>

California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics.

Designated Compliance Officer: Assistant Superintendent Personnel

Address: 151 S. First Street, Kerman, CA 93630

Phone Number: (559) 843-9000

## **Students**

### **District Residency (BP 5111.1)**

The Governing Board desires to admit all students who reside within District boundaries or who fulfill the District residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the District, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a District school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing students' residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

(cf. 5145.13 - Response to Immigration Enforcement)

A student's enrollment may be denied when the submitted documentation is insufficient to establish District residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

#### **Investigation of Residency**

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets District residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The Superintendent or designee may assign a trained District employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the District. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

#### **Appeal of Enrollment Denial**

If the Superintendent or designee, upon investigation, determines that a student does not meet District residency requirements and denies the student's enrollment in the District, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the District's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the District's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the District shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the District shall not be permitted to attend any District school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that District residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the District's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

#### **Enrollment Not Requiring District Residency**

When approved by the Board and the appropriate agency, the District may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

The District may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - Regional Occupational Center/Program)

**Legal Reference:**

**EDUCATION CODE**

220 Prohibition of discrimination

234.7 Student protections relating to immigration and citizenship status

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.4 Evidence of residency

48300-48317 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48645.5 Former juvenile court school students, enrollment

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

**FAMILY CODE**

6550-6552 Caregivers

**GOVERNMENT CODE**

6205-6210 Confidentiality of residence for victims of domestic violence

**CODE OF REGULATIONS, TITLE 5**

432 Retention of student records

**UNITED STATES CODE, TITLE 8**

1229c Immigration and Nationality Act

**UNITED STATES CODE, TITLE 42**

11431-11435 McKinney-Vento Homeless Assistance Act

**COURT DECISIONS**

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Plyler v. Doe, 457 U.S. 202 (1982)

**Management Resources:**

**CSBA PUBLICATIONS**

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

**CALIFORNIA ATTORNEY GENERAL'S OFFICE PUBLICATIONS**

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

**U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS**

Dear Colleague Letter: School Enrollment Procedures, May 8, 2014

Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014

**WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

U.S. Department of Justice: <http://www.justice.gov>

Policy Adopted: 10/20/201

Amended: 3/15/2018; 09/20/2018

**Instruction**

**Education for English Language Learners (AR 6174)**

**Definitions**

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

#### Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

(cf. 6159 - Individualized Education Program)  
(cf. 6162.51 - State Academic Achievement Tests)  
(cf. 6164.6 - Identification and Education Under Section 504)

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
  - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
  - b. The manner in which the program will meet the educational strengths and needs of the student
  - c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
  - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
  - e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

#### Language Acquisition Programs

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As

needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
  - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
  - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
  - c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
  - d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

#### Reclassification/Redesignation

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The procedures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian involvement, including:
  - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
  - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process
4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305) (cf. 5125 - Student Records)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

#### Advisory Committees

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

The DELAC shall advise the Board on at least the following tasks: (5 CCR 11308)

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. Conducting a districtwide needs assessment on a school-by-school basis
3. Establishing a district program, goals, and objectives for programs and services for English learners
4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements
5. Administering the annual language census
6. Reviewing and commenting on the district's reclassification procedures
7. Reviewing and commenting on the required written parental notifications

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

#### LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

(cf. 0460 - Local Control and Accountability Plan)

The DELAC may also serve as the LCAP English learner advisory committee.

Regulation approved: 8/15/1996

Amended: 2/18/1999; 1/15/2004; 3/15/2018; 9/20/2018; 11/19/2019; 8/18/2022

### **Extra-Curricular and Co-Curricular Activities Policy & Procedures (BP 6145)**

**Policy adopted: 6/28/1983**

**Amended: 2/12/1985; 1/08/1987; 9/1/1988; 3/21/1996; 5/16/2002; 8/16/2012; 11/19/2015; 9/21/2017**

The Governing Board recognizes that extracurricular and co-curricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The District shall encourage and support student participation in extracurricular and co-curricular activities without compromising the integrity and purpose of the educational program.

(cf. 1330 - Use of School Facilities)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

(cf. 5148.2 - Before/After School Programs)

Prerequisites for student participation in extracurricular and co-curricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or co-curricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or co-curricular activity be required or refused on those bases. (5 CCR 4925)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6145.5 - Student Organizations and Equal Access)

Any complaint alleging unlawful discrimination in the District's extracurricular or co-curricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Unless specifically authorized by law, no student shall be charged a fee for his/her participation in educational activities, including extracurricular and co-curricular activities and materials or equipment related to such activities. (Education Code 49010, 49011)

(cf. 3260 - Fees and Charges)

(cf. 3452 - Student Activity Funds)

#### Eligibility Requirements

To be eligible to participate in extracurricular and co-curricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Any decision regarding the eligibility of a homeless student, foster youth, or child of an active duty military family for extracurricular or co-curricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and co-curricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

#### Student Conduct at Extracurricular/Co-curricular Events

When attending or participating in extracurricular and co-curricular activities on or off campus, District students are subject to District policies and regulations relating to student conduct. Students who violate District policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co-curricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

#### Annual Policy Review

The Board shall annually review this policy and implementing regulations. (Education Code 35160.5)

#### Legal Reference:

##### EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of homeless students and foster youth in extracurricular activities and interscholastic sports

48930-48938 Student organizations

49010-49013 Student fees

49024 Activity Supervisor Clearance Certificate

49700-49704 Education of children of military families

##### CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

##### CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

##### UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

##### COURT DECISIONS

Hartzell v. Connell, (1984) 35 Cal. 3d 899

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

##### CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

##### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), Coded Correspondence 10-11, July 20, 2010

##### WEB SITES

CSBA: <http://www.csba.org>

California Association of Directors of Activities: <http://www.cada1.org>



Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (Designated Compliance Officer: Assistant Superintendent Personnel, Address: 151 S. First Street, Kerman, CA 93630, Phone Number: (559) 843-9000)

## **Instruction**

### **Evaluation of the Instructional Program Policy & Procedures (BP 6190)**

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the District's educational program in meeting District goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to identify strategies for improving student achievement.

(cf. 0200 - Goals for the School District) (cf. 0500 - Accountability)  
(cf. 6000 - Concepts and Roles)  
(cf. 6141 - Curriculum Development and Evaluation)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall provide the Board and the community with regular reports on student achievement. The reports shall include data for each District school and for each numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the District's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan) (cf. 0510 - School Accountability Report Card) (cf. 6011 - Academic Standards)  
(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - State Academic Achievement Tests) (cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth) (cf. 6174 - Education for English Learners)

In addition, the Superintendent or designee shall conduct an evaluation of any new instructional program implemented in the District and shall regularly assess District progress toward increasing student achievement in all subject areas taught in the District. The findings of such evaluations and assessments shall be reported to the Board.

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education provided to District students.

#### **Annual Evaluation of Consolidated Application Programs**

The Board and the Superintendent or designee shall annually determine whether the District's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the District level. These criteria may include, but are not necessarily limited to, the progress of all students participating in the program and of each numerically significant subgroup toward goals contained in the District's LCAP, the school's single plan for student achievement, and/or other applicable District or school plans.

#### **Western Association of Schools and Colleges (WASC) Accreditation**

The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the District's schools. The results of the accreditation process also may demonstrate to parents/guardians and the community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.

The Superintendent or designee shall undertake procedures whereby District schools may achieve and maintain full WASC accreditation status. The schools shall conduct a self-study in accordance with WASC requirements, cooperate with the WASC committee during a site visit, and develop and review action plans to increase the effectiveness of the instructional program for students. The Superintendent or designee shall regularly report to the Board on the status of District schools and any WASC recommendations for school improvement.

Not later than 60 days after receiving the results of an inspection of a school by WASC or any other accrediting agency, the Superintendent or designee shall notify parents/guardians in writing of the inspection results and/or shall post the information on the District's or school's web site. (Education Code 35178.4)

(cf. 1113 - District and School Web Sites) (cf. 5145.6 - Parental Notifications)

If any District school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the District's web site and the school's web site. (Education Code 35178.4)

Legal Reference: EDUCATION CODE

33400-33407 Educational evaluations 35178.4 Notice of accreditation status

44662 Evaluation and assessment guidelines, certificated employee performance 48985 Compliance with translation of parental notifications  
51041 Education program, evaluation and revisions 51226 Model curriculum standards  
52052 Accountability; numerically significant student subgroups 52060-52077 Local control and accountability plan

Management Resources:

WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

Focus on Learning: Joint ACS WASC/CDE Process Guide, 2017 WEB SITES

California Department of Education: <http://www.cde.ca.gov>

Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools: <http://www.acswasc.org>

Policy adopted: 06/28/1983 Renumbered: 09/03/1987

Amended: 03/15/1990; 08/18/1996; 10/17/2002; 07/20/2006; 10/18/2007; 11/19/2015; 04/11/2019

### **Guidance/Counseling Services Policy & Procedures (BP 6164.2)**

The Governing Board recognizes that a structured, coherent, and comprehensive counseling program promotes academic achievement and growth, and serves the diverse needs of district students. The district shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

The Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, school social work services to students, and/or implement equitable school programs and services that support students' academic and social emotional development and college and career readiness shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions.

Responsibilities of such positions shall be clearly defined in a job description. Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services and indirect services, including but not limited to, positive school climate strategies, teacher and parent consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within an MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services, and by developing a variety of intervention strategies, and using those strategies, to meet individual, group, and school community needs before, during, and after a crisis
6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services
9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs
10. Providing counseling services for unduplicated students who are classified as English learners, or foster youth, homeless children, and students eligible for free and reduced- priced meals, including interventions and support services that enhance equity and access to appropriate education systems and public and private services
10. Engaging in continued development as a professional school counselor

### **Educational And Career Counseling**

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

The educational counseling program shall include academic counseling and postsecondary services, in the following areas (Education Code 49600):

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress toward achievement of proficiency standards and competencies

3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes
4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to colleges and universities, standardized admissions tests, and financial aid
5. High-quality career programs at all grade levels in which students are assisted in doing all of the following:
  - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition
  - b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
  - c. Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on quality of life
  - d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
  - e. Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the United States Department of Labor offering free education and vocational training to students, known as "Job Corps," the California Conservation Corps, work-based learning, industry certifications, college preparation and credit, and employment opportunities
  - f. Understanding the need to develop essential employable skills and work habits
  - g. Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with their peers, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for students who fail to meet graduation requirements to continue with their education.

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. (Education Code 48431)

As part of the district's educational counseling program, students may be offered mental and behavioral health services under which a student may receive prevention, intervention, short-term counseling services, and mental health related classroom instruction to reduce stigma and increase awareness of counseling support services.

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 - Nondiscrimination in District Programs and Activities.

In addition, counselors shall affirmatively explore with a student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code 221.5)

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (Education Code 49603; 10 USC 503; 20 USC 7908)

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair. (Labor Code 3074.2)

#### Personal or Mental Health Counseling

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by their credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by the student's parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. (Education Code 49602)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

#### Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

#### Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to this Board policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

Policy adopted: 06/28/1983

Amended: 08/13/1986; 07/17/1997; 05/16/2002; 02/13/2003; 12/15/2005; 04/19/2007; 11/19/2009; 11/19/2015; 10/20/2016; 3/16/2023

### **Students**

#### **Health Examinations (AR 5141.3)**

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities, including scoliosis screening, when the Budget Act does not provide reimbursement during that fiscal year. As a result, districts should determine whether the Budget Act for the current fiscal year allows for the suspension of these requirements, and if so, suspend certain provisions of the following administrative regulation related to scoliosis screening. For more information, the district should consult CSBA's District and County Offices of Education Legal Services or district legal counsel.

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

A parent/guardian may annually file with the principal a written statement withholding consent to the child's physical examination. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451; 20 USC 1232h)

#### Vision Tests

Each student's vision shall be appraised, by the school nurse or other personnel authorized under Education Code 49452, during the kindergarten year or upon first enrollment or entry in a district elementary school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the district in grade 4 or 7 shall not be required to be appraised in the next immediate year. (Education Code 49455)

The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested once for color vision in grade 1 or later and the results of the appraisal shall be entered in the student's health record. (Education Code 49455)

Appraisal of a student's vision may be waived under either of the following conditions: (Education Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from a physician/surgeon, physician assistant, or optometrist showing the results of an examination of the student's vision, including visual acuity and, in male students, color vision.
2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The report of a visual defect, if made in writing, shall be made on a form prescribed by the Superintendent of Public Instruction. The report shall not include a referral to any private practitioner. However, the student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county, or city department of public health. (Education Code 49456)

In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties. (Education Code 49455)

#### Eye Examinations for the Purpose of Eyeglasses

In addition to the vision appraisals described above, the district may enter into a memorandum of understanding with a nonprofit eye examination provider, including a mobile provider, to provide noninvasive eye examinations at a district school exclusively for the purpose of providing eyeglasses. (Education Code 49455.5)

Prior to any eye examination, the school shall notify parents/guardians of the upcoming eye examination and include a form that allows them to opt their child out of the examination. Parents/guardians who have submitted a general opt-out written statement in accordance with Education Code 49451 are deemed to have opted out. (Education Code 49455.5)

Parents/guardians whose child receives an eye examination shall be provided a report by the provider in accordance with Education Code 49456. (Education Code 49455.5)

#### Hearing Tests

The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.

Each student shall be given a hearing screening test at the following times: (17 CCR 2951)

1. Kindergarten or grade 1
2. Grade 2
3. Grade 5
4. Grade 8
5. Grade 10 or 11
6. Upon first entry into the California public school system

Each student enrolled in a special education program, other than those enrolled because of a hearing problem, shall be given a hearing test when enrolled in the program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student. (17 CCR 2951)

A follow-up hearing threshold test shall be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation. (17 CCR 2951)

The Superintendent or designee shall provide written notification of test results to the parents/guardians of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained. (17 CCR 2951)

The dates and results of all screening tests and copies of threshold tests shall be included in the student's health records. (17 CCR 2951)

The principal or designee shall prepare an annual report of the school hearing testing program, using forms provided by the Department of Health Services, with copies to the Superintendent and the County Superintendent of Schools. (17 CCR 2951)

#### Scoliosis Screening

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

#### Type 1 Diabetes Information

The Superintendent or designee shall provide parents/guardians of children enrolled in elementary school for the first time, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by the California Department of Education (CDE) regarding type 1 diabetes as specified in Education Code 49452.6.

#### Type 2 Diabetes Information

Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors of the disease, including excess weight, and to request tests of their child's blood glucose to determine if the child has type 2 diabetes or pre-diabetes.

The Superintendent or designee shall provide parents/guardians of incoming students in grade 7, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by CDE regarding type 2 diabetes, which includes: (Education Code 49452.7)

1. A description of the disease and its risk factors and warning signs
2. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes be screened for the disease
3. A description of the different types of diabetes screening tests available
4. A description of treatments and prevention methods

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

Regulation approved: 11/21/1996 Amended: 3/15/2018; 3/16/2023

## **Homeless Rights**

Even if you have:

- **Uncertain housing**
- **A temporary address**
- **No permanent physical address**

**2. You are guaranteed enrollment in school by the federal McKinney-Vento Act and California state law if you live:**

- In a shelter (family, domestic violence, or youth shelter or transitional living program)
- In a motel, hotel, or weekly rate housing
- In a house or apartment with more than one family because of economic hardship or loss
- In an abandoned building, in a car, at a campground, or on the street
- In temporary foster care or with an adult who is not your parent or guardian
- In substandard housing (without electricity, water, or heat)
- With friends or family because you are a runaway or an unaccompanied youth

**3. To enroll in or attend school if you live under any of these conditions, you do NOT need to provide:**

- Proof of residency
- Immunization records or tuberculosis skin-test results
- School records
- Legal guardianship papers

**4. You may:**

- Participate fully in all school activities and programs for which you are eligible.
- Continue to attend the school in which you were last enrolled even if you have moved away from that school's attendance zone or district.
- Receive transportation from your current residence back to your school of origin.
- Qualify automatically for child nutrition programs (free and reduced-price lunches and other district food programs).
- Contact the district liaison to resolve any disputes that arise during the enrollment process.

**5. Parents' responsibilities are to:**

- Make sure your child attends school regularly and completes homework and projects on time.
- Attend parent/teacher conferences, Back-to-School Nights, and other school-related activities.
- Stay informed of school rules, regulations, and activities.
- Participate in school advisory/decision-making activities.

**For questions about enrolling in school or for assistance with school enrollment, contact:**

**Your school district liaison:**

**Pam Sellick**

State/Federal Programs Director  
Kerman Unified School District  
15218 West Whitesbridge Avenue  
Kerman, California 93630  
Phone: 559-843-9057

**Your county liaison:**

**Pamela Hancock**

Homeless Liaison for Fresno County  
2011 Fresno Street, Suite 301  
Fresno, California 93721  
Phone: 559-453-4812

**Your state coordinator:**

**Leanne Wheeler**

State Coordinator  
California Department of Education  
1430 N Street, Suite 6208  
Sacramento, California 95814  
Phone: 1-866-856-8214

## **Instruction**

### **Homework /Make-Up Work (BP 6154)**

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

(cf. 6011 - Academic Standards)

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

(cf. 4131 - Staff Development)

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

To further support students' homework efforts, the Superintendent or designee may establish and maintain electronic forums, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6112 - School Day)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6163.1 - Library Media Centers)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

#### Makeup Work

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.6 - Parental Notifications)

#### Suspended Students

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Policy adopted: 06/28/1983

Amended: 09/25/1984; 02/15/1990; 5/20/2021

## **Students**

### **Immunizations (AR 5141.31)**

#### **Required Immunizations**

Upon a student's registration at a district school, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in

accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease deemed appropriate by CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

#### Exemptions

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)

When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

3. The student is enrolled in an independent study program pursuant to Education Code 5174551749.6 and does not receive classroom-based instruction. (Health and Safety Code 120335)

#### Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035. (Health and Safety Code 120340; 17 CCR 6035)

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)



The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

#### Exclusions Due to Lack of Immunizations

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or principal.

#### Exclusion Due to Exposure to Disease

If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

#### Records

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

#### Audits

If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

Regulation approved: 9/17/1992

Amended: 4/17/1997; 10/15/1998; 6/21/2001; 10/20/2016; 8/18/2022

## **Students**

### **Involuntary Student Transfers (BP 5116.2)**

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the District. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6173.3 - Education for Juvenile Court School Students)

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at District schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

#### Students Convicted of Violent Felony or Misdemeanor

A student may be transferred to another District school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6164.2 - Guidance and Counseling Services)

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the District's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

#### Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

(cf. 6184 - Continuation Education)

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal District process, he/she may be transferred to a community day school. (Education Code 48662)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6185 - Community Day School)

#### Legal Reference:

##### EDUCATION CODE

35146 Closed sessions; student matters

48430-48438 Continuation classes, especially:

48432.5 Involuntary transfer to continuation school

48660-48666 Community day schools, especially:

48662 Involuntary transfer to community day school

48900 Grounds for suspension and expulsion

48929 Transfer of student convicted of violent felony or misdemeanor

48980 Notice at beginning of term

##### PENAL CODE

667.5 Violent felony, definition

29805 Misdemeanors involving firearms

##### WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

#### Management Resources:

##### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy adopted: 5/20/2021

## **Students**

### **Married/Pregnant/Parenting Students Policy & Procedures (BP 5146)**

**Policy adopted: 06/28/1983**

**Renumbered: 08/13/1986**

**Amended: 11/15/2001; 11/19/2015; 10/20/2016; 04/11/2019**

The Governing Board recognizes that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)  
(cf. 6164.5 - Student Success Teams)

The District shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the District shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

(cf. 5145.6 - Parental Notifications)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

#### Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

(cf. 6158 - Independent Study)  
(cf. 6181 - Alternative Schools/Programs of Choice)  
(cf. 6184 - Continuation Education)  
(cf. 6200 - Adult Education)

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other District students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6183 - Home and Hospital Instruction)

To the extent feasible, the District shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

2. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

3. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

#### Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses. A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)  
(cf. 5113 - Absences and Excuses)

#### Parental Leave

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

(cf. 5113.11 - Attendance Supervision)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the District. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete District graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

#### Accommodations

When necessary, the District shall provide accommodations to enable a pregnant or parenting student to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

#### Complaints

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, District noncompliance with the requirements of Education Code 46015, or District noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE). If the District or CDE finds merit in an appeal, the District shall provide a remedy to the affected student. (Education Code 222, 46015; 5 CCR 4600- 4670)

(cf. 1312.3 - Uniform Complaint Procedures)

#### Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of District strategies to support married, pregnant, and parenting students, which may include data on student participation in District programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on District programs and services.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

#### Legal Reference:

##### EDUCATION CODE

221.51 Nondiscrimination; married, pregnant, and parenting students

222 Reasonable accommodations; lactating students

222.5 Pregnant and parenting students, notification of rights

230 Sex discrimination

8200-8498 Child Care and Development Services Act

46015 Parental leave

2023-24 Student Parent Handbooks

48205 Excused absences  
 48206.3 Temporary disability, definition  
 48220 Compulsory education requirement  
 48410 Persons exempted from continuation classes  
 48980 Parental notifications  
 49553 Nutrition supplements for pregnant/lactating students  
 51220.5 Parenting skills and education  
 51745 Independent study  
 52610.5 Enrollment of pregnant and parenting students in adult education  
 CIVIL CODE  
 51 Unruh Civil Rights Act  
 FAMILY CODE  
 7002 Description of emancipated minor  
 HEALTH AND SAFETY CODE  
 104460 Tobacco prevention services for pregnant and parenting students  
 CODE OF REGULATIONS, TITLE 5  
 4600-4670 Uniform complaint procedures  
 950 Nondiscrimination, marital and parental status  
 CODE OF REGULATIONS, TITLE 22  
 101151-101239.2 General licensing requirements for child care centers  
 101351-101439.1 Infant care centers  
 UNITED STATES CODE, TITLE 20  
 1681-1688 Title IX, Education Act Amendments  
 UNITED STATES CODE, TITLE 42  
 1786 Special supplemental nutrition program for women, infants, and children  
 CODE OF FEDERAL REGULATIONS, TITLE 7  
 246.1-246.28 Special supplemental nutrition program for women, infants, and children  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 106.40 Marital or parental status  
 ATTORNEY GENERAL OPINIONS  
 87 Ops.Cal.Atty.Gen. 168 (2004)  
 COURT DECISIONS  
 American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307  
 Management Resources:  
 CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS  
 Pregnant Students and Confidential Medical Services, 2013  
 Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012  
 The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002  
 U.S. DEPARTMENT OF EDUCATION PUBLICATIONS  
 Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013  
 WEB SITES  
 California Department of Education: <http://www.cde.ca.gov>  
 California Women's Law Center: <http://www.cwlc.org>  
 U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>  
 U.S. Department of Education: <http://www.ed.gov>

## **Students**

### **Intradistrict Open Enrollment (AR 5116.1)**

#### **Transfers for Victims of a Violent Criminal Offense**

Within a reasonable amount of time, not to exceed 14 calendar days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and parent/guardian in making the offer. If the parent/guardian elects to transfer the student, the transfer shall be completed as soon as practicable.

#### **Transfers from a "Persistently Dangerous" School**

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," intradistrict transfers shall be granted as follows:

1. Within 10 days of receipt of the notification from CDE, the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.

(cf. 0450 - Comprehensive Safety Plan)

2. Parents/guardians who desire to transfer their child out of the school shall provide a written response to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students.
3. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. The Superintendent or designee shall notify the parents/guardians of the assigned school.
4. For students whose parents/guardians accept the offer, the transfer shall be made as quickly as possible. If the parents/guardians decline the assigned school, the student may remain in the current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

(cf. 5117 - Interdistrict Attendance)

#### Other Intradistrict Open Enrollment

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.
2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.
3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
4. Approved applicants must confirm their enrollment within 10 school days.

Any student who is granted a transfer out of a school that had been identified by CDE for comprehensive support and improvement shall be allowed to remain in the school of enrollment until completing the highest grade offered at that school. (20 USC 6311)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

A student granted intradistrict enrollment under other circumstances shall not be required to reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

#### Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by CDE

(cf. 5145.6 - Parental Notifications)

Regulation approved: 11/1/1990

Amended: 2/15/2007; 11/19/2015; 10/20/2016; 9/17/2020

## **Students**

### **Interdistrict Attendance (AR 5117)**

#### Interdistrict Attendance Permits

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
  - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.
  - b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries (cf. 5148 - Child Care and Development)
2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel (cf. 6159 - Individualized Education Program)
3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
4. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year
5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school
6. To allow a high school senior to attend the same school attended as a junior, even if the student's family moved out of the district during the junior year
7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district
8. When the student will be living out of the district for one year or less
9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence  
  
(cf. 5113.1 - Chronic Absence and Truancy)  
(cf. 5113.12 - District School Attendance Review Board)
10. When there is valid interest in a particular educational program not offered in the district of residence
11. To provide a change in school environment for reasons of personal and social adjustment

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

#### Transfers Out of the District

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.
3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)
  - a. A court-ordered desegregation plan
  - b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31
  - c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

Regulation approved: 04/21/2005

Amended: 11/19/2009; 12/13/2012; 10/17/2019; 5/20/2021

## **Students**

### **Nondiscrimination / Harassment Policy & Procedures (BP 5145.3)**



## KERMAN UNIFIED SCHOOL DISTRICT

BP 5145.3

StudentsNondiscrimination/Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment 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.

The Governing Board desires to provide a safe school environment that allows all students equal access to 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, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.6 - Identification and Education Under Section 504)

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 occurs when prohibited conduct 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.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying

and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)  
 (cf. 1330 - Use of Facilities)  
 (cf. 4131 - Staff Development)  
 (cf. 4231 - Staff Development)  
 (cf. 4331 - Staff Development)  
 (cf. 6145 - Extracurricular and Cocurricular Activities)  
 (cf. 6145.2 - Athletic Competition)  
 (cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 4119.21/4219.21/4319.21 - Professional Standards)  
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 5144 - Discipline)  
 (cf. 5144.1 - Suspension and Expulsion/Due Process)  
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
 (cf. 5145.2 - Freedom of Speech/Expression)

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct  
 48907 Student exercise of free expression  
 48950 Freedom of speech  
 48985 Translation of notices  
 49020-49023 Athletic programs  
 49060-49079 Student records  
 51500 Prohibited instruction or activity  
 51501 Prohibited means of instruction  
 60044 Prohibited instructional materials  
 CIVIL CODE  
 1714.1 Liability of parents/guardians for willful misconduct of minor  
 GOVERNMENT CODE  
 11135 Nondiscrimination in programs or activities funded by state  
 PENAL CODE  
 422.55 Definition of hate crime  
 422.6 Crimes, harassment  
 CODE OF REGULATIONS, TITLE 5  
 432 Student record  
 4600-4670 Uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs  
 UNITED STATES CODE, TITLE 20  
 1681-1688 Title IX of the Education Amendments of 1972  
 UNITED STATES CODE, TITLE 29  
 794 Section 504 of Rehabilitation Act of 1973  
 UNITED STATES CODE, TITLE 42  
 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
 6101-6107 Age Discrimination Act of 1975  
 12101-12213 Title II equal opportunity for individuals with disabilities  
 CODE OF FEDERAL REGULATIONS, TITLE 28  
 35.107 Nondiscrimination on basis of disability; complaints  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 99.31 Disclosure of personally identifiable information  
 100.3 Prohibition of discrimination on basis of race, color or national origin  
 104.7 Designation of responsible employee for Section 504  
 104.8 Notice  
 106.8 Designation of responsible employee for Title IX  
 106.9 Notification of nondiscrimination on basis of sex  
 110.25 Prohibition of discrimination based on age  
 COURT DECISIONS  
 Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

#### Management Resources:

##### CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017

##### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

##### FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

##### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights

Division, (2013) OCR 09-12-1020, DOJ 169-12C-70

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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Policy adopted: 06/28/1983

Renumbered: 08/13/1986

Amended: 11/27/1984; 07/20/1995; 04/13/2000; 05/16/2002; 07/15/2004; 08/16/2012; 09/18/2014; 11/19/2015; 2/18/2016; 11/17/2016; 09/20/2018; 10/15/2020

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## **Philosophy, Goals, Objectives and Comprehensive Plans**

### **Nondiscrimination in District Programs and Activities (BP 0410)**

Policy adopted: 06/28/1983

Renumbered: 08/13/1986

Amended: 08/13/1986; 06/21/1990; 02/20/1992; 12/16/1999; 01/15/2004; 08/16/2012; 09/18/2014; 11/19/2015; 09/21/2017; 09/20/2018

The Governing Board is committed to providing equal opportunity for all individuals in District programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 1240 - Volunteer Assistance)  
(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4033 - Lactation Accommodation)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)  
(cf. 5131.2 - Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6164.6 - Identification and Education Under Section 504)  
(cf. 6178 - Career Technical Education)  
(cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of District and school services. Personally identifiable information collected in the implementation of any District program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the District shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

(cf. 3540 - Transportation)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review District programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing District programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in District programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the District. The notification shall also be posted on the District's web site and social media and in District schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

The District's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

#### Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing District facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the District provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to District and school web sites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the District's response to complaints and for complying with state federal civil rights laws is hereby designated as the District's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to District programs, services, activities, or facilities.

Assistant Superintendent Personnel

151 S. First Street, Kerman, CA 93630

(559) 843-9000

AssistSupPersonnel@kermanusd.com

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48980 Parental notifications

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

8310.3 California Religious Freedom Act

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

2023-24 Student Parent Handbooks

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter, May 26, 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

## **Parent Involvement Policy/District**

### **PART I. GENERAL EXPECTATIONS**

The Kerman Unified School District agrees to implement the following statutory requirements:

- The school district will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- Consistent with section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with section 1118(d) of the ESEA.
- The school district will incorporate this district wide parental involvement policy into its LEA plan developed under section 1112 of the ESEA.
- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan (LEA's plan) to the State Department of Education.
- The school district will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
- The school district will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—

- (A) that parents play an integral role in assisting their child's learning;
- (B) that parents are encouraged to be actively involved in their child's education at school;
- (C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- (D) the carrying out of other activities, such as those described in section 1118 of the ESEA.

**PART II. DESCRIPTION OF HOW DISTRICT WILL IMPLEMENT REQUIRED DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS**

1. The **Kerman Unified School District** will take the following actions to involve parents in the joint development of its district wide parental involvement plan under section 1112 of the ESEA:
  - a. KUSD will develop the Parent Involvement Policy in consultation with SSC, ELAC, and DELAC whose members will be teachers, site and/or district administrators, other appropriate school personnel, and parents of children in schools served under Title I.
  - b. Each site will convene an annual meeting to inform parents of their schools participation in the development of the Parent Involvement Policy and their right to be involved.
2. The **Kerman Unified School District** will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:
  - a. When a school is identified as Program Improvement, the Principal, Academic Coach, Teachers, Parent, and a Director are trained to write an Addendum to their Single Plan for Student Achievement by an outside agency. A draft of the addendum is developed and is shared with staff at the site and with the School Site Council, which includes parent members. The School Site Council reviews the plan, incorporates changes, and approves the plan. The plan is then turned in to the State and Federal Programs office. A District Peer Review Team consisting of parents, a teacher, principals, and directors review the plan and make recommendations to adjust the plan to better meet the No Child Left Behind (NCLB) requirements. The final Addendum Plan is taken to the school board for final approval.
  - b. WASC Focus Groups for school review include teachers, parents, and site administrators.
  - c. Action Plan quarterly review is conducted by a districtwide committee whose members are: teachers, parents, and site and district administrators.
  - d. GATE, ELAC, DELAC, Migrant PAC and SSC involve parent in the process of school review.
3. The **Kerman Unified School District** will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:
  - a. State and Federal Program staff will assist site administrators in the coordination of categorical funds and appropriate use of funds to implement effective parent involvement activities.
  - b. Technical assistance will be provided by the State and Federal Programs office, including; sample agenda items lists, agenda and minutes templates, School Site Council trainings on use of categorical funds and School Site Council legal responsibilities, ELAC parent training, Connect Ed phone calling for meetings, and parent training.
  - c. Other support provided by the State and Federal Program office include; transportation to parent/teacher conferences, meeting translation services, parent recruitment for trainings, and planning for the Annual Migrant Parent Mini-Conference.
  - d. Provide information on literacy training available in the community.
  - e. Home visits by the District Parent Trainer to encourage parent attendance and participation in parent meetings and/or trainings.
  - f. Student Study Team meetings are attended by the District Parent Trainer as needed.
4. The **Kerman Unified School District** will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs:
  - a. Parental involvement strategies are coordinated and integrated with Title III, Title III Immigrant, Migrant, Pre-school, and Adult Education.
  - b. English Learner Advisory Committees (ELAC), District English Learner Advisory Committee (DELAC), District GATE Advisory, and the Adult Ed Advisory coordinate and integrate parent involvement and staff trainings through involvement and input of parents, teachers, and administrators

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5. The **Kerman Unified School District** will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.
  - a. The results of the evaluation will be analyzed yearly by each School Site Council, ELAC & DELAC.
  - b. Changes to the District Parent Involvement Policy will be agreed upon by these groups.
6. The **Kerman Unified School District** will build the schools' and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:
  - A. The school district will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described below:
    - the State's academic content standards,
    - the State's student academic achievement standards,
    - the State and local academic assessments including alternate assessments,
    - the requirements of Part A,
    - how to monitor their child's progress, and
    - how to work with educators:
    - a. Convening an annual school meeting (i.e. Back to School Night) to discuss the required topics of Part A.
    - b. Migrant Parent Mini-conference, Migrant State and Regional Parent Conferences
    - c. Parent/Teacher Conferences 2x per year for (K-6), (7-12 as needed).



- d. Parent training workshops
  - e. Development and dissemination of district parent involvement policy
  - f. Reservation of a minimum of 1% of the Title I Part A allocation for parent involvement, with the minimum of 95% going to school sites.
  - g. Conducting an annual review of the effectiveness of the parent involvement policy.
  - h. Each site maintains a School Site Council with staff and parent representatives. Each SSC analyzes reports on overall State student assessment results.
  - i. Testing reports are sent home to parents with a explanation on how to interpret the scores.
  - j. District Fresno Bee insert
  - k. Bi-annual, quarterly, or monthly newsletters to parents
  - l. Monitoring and survey each site to ensure that each school: a. develops a parent involvement policy; b. offers flexible meeting times; c. provides information to parents about the school's program; d. develops and uses school-parent compacts; e. provide training for parents in working with their children to improve academic achievement.
  - m. Family Literacy Nights, Parent Forums, Open House, Multi-Cultural Events, Frosh Parent Orientation, Kindergarten Orientation
  - n. Parent Faculty Meetings
  - o. Adult Ed Courses
  - p. SARC
- B. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:
- a. Adult Ed ESL/CBET courses focusing on fluency, basic computer literacy, and helping students succeed in school. Funding from Title I, Part A for this program may be considered as needed.
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- b. Parent training in Spanish and English- Bowdoin Method, Parents Assuring Student Success, and Latino Family Literacy Program.
  - c. Provide resources for parents to learn about child development, child rearing practices, and academic strategies that are designed to help parents become full partners in the education of their children.
- C. The school district will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, administrators and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:
- a. Enhance the awareness of teachers, pupil services personnel, administrators, and staff on how to reach out to, communicate with, and work with parents as equal partners.
  - b. Provide the latest research to site administration to share with staff.
  - c. Input provided by parent advisory committees which are attended by school staff.
  - d. New teacher inservice
  - e. BTSA
- D. The school district will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children:
- a. Pre-School parent training
  - b. Parents as Teachers Program
- E. The school district will take the following actions to ensure that information related to the school and parent- programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:
- a. Ensuring, to the extent possible, that information is sent home in a language and form parents can understand.
  - b. Research price and accuracy of translation software to assist the sites and the State and Federal Programs office with translation of agendas, minutes, plans, and other communications with parents.
  - c. Headphone translation device used in large meetings with a translator
  - d. Connect Ed used for attendance and parent notifications of meetings and district information. System set up to send messages in Spanish & English.

### **PART III. DISCRETIONARY DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS**

- Kerman Unified School District encourages paying reasonable and necessary expenses associated with parental involvement activities, including transportation by District Community Liaisons, child care costs, and providing food, as needed, to enable parents to participate in school-related meetings and training sessions.
- School committee meetings and parent trainings are adjusted to meet the needs of parents in order to maximize parental involvement and participation in their children's education.
- Sun Empire has adopted and implemented a model approach to improve parental involvement through a grant with the Central Valley Foundation

### **PART IV. ADOPTION**

This District-wide Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by agendas and minutes of the District English Language Learners Advisory Committee(DELAC), the Migrant Parent Advisory Committee(MPAC), School Site Council(SSC),and ELAC.

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This policy was adopted by the **Kerman Unified School District** on **06/21/07** and will be in effect for the period of 1 year. The school will distribute this policy to all parents of participating Title I, Part A children on or before September 1st each year. It will be made available to the local community on or before September 1st annually. The Kerman Unified School District's notification to parents of this policy will be in an understandable and uniform format and, to the extent practicable, provide a copy of this policy to parents in a language the parents can understand.

Approved by School Board at the August/September meeting each year. (Signature of Authorized Official) (Date)

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

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## **Parent Involvement Policy/Site**

### **PART I. GENERAL EXPECTATIONS**

The Kerman High School agrees to implement the following statutory requirements:

- o The school will jointly develop with parents, distribute to parents of participating children, a School Parental Involvement Policy that the school and parents of participating children agree on.
- o The school will notify parents about the School Parental Involvement Policy in an understandable and uniform format and, to the extent practicable, will distribute this policy to parents in a language the parents can understand.
- o The school will make the School Parental Involvement Policy available to the local community.
- o The school will periodically update the School Parental Involvement Policy to meet the changing needs of parents and the school.
- o The school will adopt the school's school-parent compact as a component of its School Parental Involvement Policy.
- o The school agrees to be governed by the following statutory definition of parental involvement, and will carry out programs, activities and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring-

- (A) that parents play an integral role in assisting their child's learning;
- (B) that parents are encouraged to be actively involved in their child's education at school;
- (C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- (D) the carrying out of other activities, such as those described in section 1118 of the ESEA.

### **PART II. DESCRIPTION OF HOW THE SCHOOL WILL IMPLEMENT REQUIRED SCHOOL PARENTAL INVOLVEMENT POLICY COMPONENTS**

1. The Kerman High School will take the following actions to involve parents in the joint development and joint agreement of its School Parental Involvement Policy and its schoolwide plan, if applicable, in an organized, ongoing, and timely way under section 1118(b) of the ESEA:

Review, planning, and implementation of the Parental Involvement Policy will be communicated by and through the following Kerman High School parent groups and meetings:

1. School Site Council (SSC) - This group meets quarterly to discuss, review, and implement school programs and oversee the categorical budgets for Kerman High School.
2. English Learner Advisory Committee (ELAC) - This group meets quarterly to discuss, review, and implement school programs as they effect and are focused on the English Learner student and parent population of Kerman High School.
3. Kerman High School Boosters - This group meets monthly primarily to oversee and direct resources to enhance athletic and academic endeavors at Kerman High School. The Site Principal, Athletic Director, and Activities Director attends these meetings to inform the Boosters of events and programs at Kerman High School.
4. Western Association of Schools and Colleges (WASC) Focus Groups - Parent involvement in WASC Focus Groups allow for input on the entire educational program at Kerman High School. These Focus Groups meet throughout the year as needed to implement and review the Self-Study Action Plan or to review the Self-Study accreditation report.
5. Parent Surveys are used to gauge support and/or knowledge of school programs. Surveys are typically given annually.
6. Title I Back to School Night is an annual event for parents to learn about the Title I programs at Kerman High School and to become informed of the educational program at Kerman High School.
7. Freshman Parent Night - This meeting is held annually before the start of school to inform parents of the opportunities for involvement at the school. All educational programs and opportunities for students are discussed at this meeting.
8. Junior Parent Night - This meeting is held annually in the spring to inform parents of junior students all of the activities and events during senior year, in addition to information about applying for colleges, and the cost of the senior year.
9. AP/Honors Parent Night - This meeting is held annually in the spring to present the academic requirements for each AP and Honors course offered in the following school year.
10. Family Safety Nights - These meetings are offered throughout the school year to present information regarding topics such as school safety and drug abuse. The Kerman Police Department works with the school to schedule these meetings.

2. The Kerman High School will take the following actions to distribute to parents of participating children and the local community, the School Parental Involvement Policy:

The School Parental Involvement Policy is included in the registration packet for each student enrolled. The policy will be available in both English and Spanish. The policy will also be placed in the Kerman High School Student/Parent Handbook. The policy will also be a handout item at the annual Title I Back to School Night. The policy will also be placed on the school's website.

3. The Kerman High School will update periodically its School Parental Involvement Policy to meet the changing needs of parents and the school:

The School Parental Involvement Policy will be placed on the agendas for the quarterly meetings of the School Site Council and English Learner Advisory Committee to be reviewed and amended as needed. The policy will also be discussed at the Boosters meetings.

4. The Kerman High School will convene an annual meeting to inform parents of the following:

- o That their child's school participates in Title I,
  - o About the requirements of Title I
  - o Of their rights to be involved,
- and
- o about their school's participation in Title I:

The Title I Back to School Night is held during the evening to allow for working parents to attend this very informative meeting. Parents receive a personal invitation to attend the meeting through the District's ConnectEd phone system and via the mail. The last several Title I Back to School Nights have been very well attended by parents and staff.

The School Site Council and English Learner Advisory Committees meet in the late afternoon to allow for working parents to attend. Babysitting can be provided for parents that need to have that service provided.

5. The Kerman High School will hold a flexible number of meetings at varying times, and provide transportation, child care, and/or home visits, paid for with Title I funding as long as these services relate to parental involvement:

The English Learner Advisory Committee (ELAC) and School Site Council meetings are held quarterly in the evening to accommodate family work schedules. Babysitting and transportation can be provided. A District-Home Liaison is available to make home visits to inform parents of upcoming meetings. The staff at the State and Federal Programs department avail themselves to support and participate in the attendance of parents at these meetings. A light meal can also be provided at times if warranted.

The Kerman High School will provide timely information about Title I programs to parents of participating children in a timely manner:

The following educational opportunities and formats are made available to parents to provide timely information to parents regarding Title I programs:

1. Registration packets
2. Back to School Nights
3. School Site Council (SSC) meetings
4. English Learner Advisory Committee (ELAC) meetings
5. Parent/Teacher conferences
6. Learning Director/Student/Parent conferences
7. Individualized Educational Program (IEP) meetings
8. 504 meetings
9. School Attendance Review Team/Board (SART/SARB) meetings
10. Alternative Education Student Transfer Meetings
11. Meetings of the Parent Institute for Quality Education (PIQE) program that focuses on parents of English Learners, but all will be welcomed. The next PIQE program is expected to start in the Fall of 2019.

The Kerman High School will provide to parents of participating children a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet:

The following educational opportunities and formats are made available to parents to provide timely information to parents regarding descriptions and explanations of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet:

1. Course Description Book
2. Parent/Student Handbook
3. Title I Back to School Night
4. Freshman Parent Night
5. California Assessment of Student Performance and Progress (CAASPP) reports
6. Course Grade results
7. Californian English Language Development Test (CELDT) results
8. Special Education assessments
9. Students are expected to perform at the proficient level or higher on the CAASPP Language Arts test, meet all graduation requirements as set forth by the State of California and the Kerman Unified School District, and pass the CAHSEE to receive a diploma.

(a) The Kerman High School will provide parents of participating children if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible:

The following meetings can take place at the request of parents, students, teachers, counselors, and administrators regarding educational decisions as they affect students:

1. Parent/Teacher conferences
2. Learning Director/Student/Parent conferences
3. Student Success Team (SST) meetings
4. Individualized Educational Program (IEP) meetings
5. 504 meetings
6. School Attendance Review Team/Board (SART/SARB) meetings
7. Alternative Education Student Transfer Meetings

(b) The Kerman High School will submit to the district any parent comments if the schoolwide plan under section (1114)(b)(2) is not satisfactory to parents of participating children:

Parent complaints as they relate to under section (1114)(b)(2) are given to the appropriate District level administrator. Kerman High School is also required to submit quarterly Williams Compliance reports and/or complaints to the Governing Board. Parents may come to the school or appropriate District-level department to express concerns regarding the schoolwide plan.

### PART III. SHARED RESPONSIBILITIES FOR HIGH STUDENT ACADEMIC ACHIEVEMENT

1. The Kerman High School will build the schools' and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

1. School Site Council (SSC)
2. English Learner Advisory Committee (ELAC)
3. Future Parent Institute for Quality Education (PIQE) sessions
4. Regional Occupation Program (ROP) Advisory Committees
5. Agriculture Advisory Committee
6. Western Accreditation of Schools and Colleges (WASC) Focus Groups
7. Kerman High School Boosters
8. 4-yr Career Plan Meetings
9. 10th Grade Counseling Meetings

2. The school will incorporate the school-parent compact as a component of its School Parental Involvement Policy:

The compact is distributed during the Summer Registration Packet mail out. A copy of the compact is attached to this policy.

3. The school will, with the assistance of its district, provide assistance to parents of children served by the school in understanding topics such as the following, by undertaking the actions described in this paragraph:

the State's academic content standards,  
the State's student academic achievement standards,  
the State and local academic assessments including alternate assessments,  
the requirements of Title I,  
how to monitor their child's progress, and  
how to work with educators:

1. Copies of assessment (CAASPP) results sent home
2. Syllabi from classes given to students and parents
3. Quarterly and 5-week progress reports sent home
4. Communication between parents, teachers, and counselors (e-mail, phone correspondence, and conferences)
5. Student Success Team (SST) meetings

4. The school will, with the assistance of its district, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:

1. Parent Institute for Quality Education sessions
2. District parenting classes
3. Child Welfare and Attendance (CWA) outreach person
4. Home School Liaison
5. Migrant Liaison
6. Adult Education classes
7. Financial Aid workshops

5. The school will, with the assistance of its district and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:

1. Western Accreditation of Schools and Colleges (WASC) Focus Groups
2. Future Parent Institute for Quality Education sessions (PIQE)
3. ConnectEd phone system; Remind App, Twitter, Facebook, Quarterly Newsletters mailed home
4. Professional Development opportunities for both certificated and classified staff

6. The school will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by:

1. Attending future Parent Institute for Quality Education sessions
2. District parenting classes

7. The school will, to the extent feasible and appropriate, take the following actions to ensure that information related to the school and parent- programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

All information related to the school and parent programs, meeting and other activities is sent to the parents in English and Spanish as needed either by mail or by the ConnectEd phone system. The ConnectEd phone system is capable of sending information out in the Spanish language.

#### PART IV. DISCRETIONARY SCHOOL PARENTAL INVOLVEMENT POLICY COMPONENTS

NOTE: The School Parental Involvement Policy may include additional paragraphs listing and describing other discretionary activities that the school, in consultation with its parents, chooses to undertake to build parents' capacity for involvement in the school to support their children's academic achievement, such as the following discretionary activities listed under section 1118(e) of the ESEA:

involving parents in the development of training for teachers, principals, and other educators to improve the effectiveness of that training; providing necessary literacy training for parents from Title I, Part A funds, if the school district has exhausted all other reasonably available sources of funding for that training; paying reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions; training parents to enhance the involvement of other parents; in order to maximize parental involvement and participation in their children's education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend those conferences at school; adopting and implementing model approaches to improving parental involvement; establishing a district wide parent advisory council to provide advice on all matters related to parental involvement in Title I, Part A programs; developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parental involvement activities; and providing other reasonable support for parental involvement activities under section 1118 as parents may request.

#### PART V. ADOPTION

This School Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by agendas and minutes of the School Site Council.

This policy was reviewed and adopted by the Kerman High School Site Council annually by March 2019 and will be in effect for the period of one year. The school will distribute this policy to all parents of participating Title I, Part A children on or before September 2019. It will be made available to the local community on or before September 2019. The Kerman High School's notification to parents of this policy will be in an understandable and uniform format and, to the extent practicable, provide a copy of this policy to parents in a language the parents can understand.

Approved by School Board at the June 2019 meeting.

BP 0410(a)

### **Personnel**

#### **Professional Standards (BP 4119.21/4219.21/4319.21)**

The Governing Board expects District employees to maintain the highest ethical standards, behave professionally, follow District policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the District, advances the goals of the District's educational programs, and contributes to a positive school climate.

(cf. 0200 - Goals for the School District)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board encourages District employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of District students.

(cf. 4112.2 - Certification)

(cf. 4131/4231/4331 - Staff Development)

#### **Inappropriate Conduct**

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.7 - Firearms on School Grounds)

(cf. 4158/4258/4358 - Employee Security)

2. Engaging in harassing or discriminatory behavior toward students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting District or school operations by loud or unreasonable noise or other action

(cf. 3515.2 - Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on District property, or at a school-sponsored activity

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 4020 - Drug and Alcohol-Free Workplace)

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, District employees, or District operations to persons or entities not authorized to receive the information

(cf. 3580 - District Records)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

11. Using District equipment or other District resources for the employee's own commercial purposes or for political activities

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

12. Using District equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of District technological resources at any time without the employee's consent.

(cf. 4040 - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the District
14. Wearing inappropriate attire

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

#### Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process shall be subject to discipline.

#### Notifications

The section(s) of the District's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or District web sites. (Education Code 44050)

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44050 Employee code of conduct; interaction with students

44242.5 Reports and review of alleged misconduct

48980 Parental notifications

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct

80331-80338 Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Educational Leaders, February 2014

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Professional Standards for Educational Leaders, 2015

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WESTED PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 200

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Council of Chief State School Officers: <http://www.ccsso.org> WestEd: <http://www.wested.org>

Policy adopted: 06/28/1983

Renumbered: 08/13/1986

Amended: 09/05/1991; 05/16/2002; 12/13/2012; 6/21/2018

## **Physical Education Annual Notice**

Kerman Unified School District strives to provide the highest quality educational experience we can envision for our students. Included in that is a high quality physical education (P.E.) program in our elementary schools. California Education Code governs how much PE is taught in each classroom. As per California Education Code 51210(g), first through sixth grade teachers are required to teach 200 minutes of physical education over 10 instructional days. It is at the discretion of the classroom teacher as to how and when these minutes are distributed over this time frame. We are providing this notice to inform parents/guardians that, if they have questions regarding P.E. minutes, they should first contact their child's teacher or principal. If they are not satisfied with school's response they may contact the Director of Curriculum, Instruction and Assessment. If there is an interest in filing a formal complaint with the district regarding P.E. minutes of instruction, parents are to use Kerman Unified School District Uniform Complaint Form Board Policy 1312.3(a). We in KUSD encourage a well-rounded educational experience, and physical education is a strong component of that experience.

## **Students**

### **Questioning and Apprehension by Law Enforcement (BP 5145.11(a))**

#### Questioning

The Governing Board believes that the safety of District students and staff is essential to achieving the goal of student learning. In accordance with standards specified in law, law enforcement officers may interview and question students on school premises and may remove them when appropriate.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall collaborate with local law enforcement agencies to establish procedures which enable law enforcement officers to carry out their duties on the school campus, including, when necessary, the questioning and/or apprehension of students.

The principal or designee shall accommodate the interview in a way that causes the least possible disruption for the student and school and provides the student appropriate privacy.

At the law enforcement officer's discretion and with the student's approval, the principal or designee may be present during the interview.

Except in cases of child abuse or neglect, the principal or designee shall attempt to notify the student's parent/guardian as soon as practicable after the law enforcement officer has interviewed the student on school premises.

#### Subpoenas

If a minor student is removed from school into the custody of law enforcement, the principal or designee shall immediately notify the parent/guardian or responsible relative regarding the student's release and the place to which he/she is reportedly being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code 48906)

Although subpoenas may legally be served at school on students age 12 or older, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. When served at school, the principal or designee shall take reasonable steps to protect the student's privacy rights and to minimize loss of class time for the student.

#### Legal Reference:

##### EDUCATION CODE

44807 Duty concerning conduct of pupils

48264 Arrest of truants

48265 Delivery of truant

48902 Notice to law enforcement authorities

48906 Release of minor pupil to peace officers; notice to parent, guardian

48909 Narcotics and other hallucinogenic drugs (re arrest)

##### CODE OF CIVIL PROCEDURE

416.60 Service of summons or complaint to a minor

##### PENAL CODE

830-832.17 Peace officers

1328 Service of subpoena

##### WELFARE AND INSTITUTIONS CODE

627 Custody of minor

##### CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

##### COURT DECISIONS

Camreta v. Greene, (2011) 131 S.Ct. 2020

People v. Lessie, (2010) 47 Cal. 4th 1152

In re William V., (2003) 111 Cal.App.4th 1464

##### ATTORNEY GENERAL OPINIONS

54 Ops.Cal.Atty.Gen. 96 (1971)

34 Ops.Cal.Atty.Gen. 93 (1959)

#### Management Resources:

##### WEB SITES

California Department of Justice, Office of the Attorney General: <http://oag.ca.gov>

Policy adopted: 08-13-86

Amended: 02-15-90, 09-19-91; 05-17-12

### **School Accountability Report Card (SARC)**

KUSD shall publicize the SARC for each school and each school's SARC can be found on the KUSD website. Parents or guardians can request a hard copy of the SARC and one will be provided upon request.

### **All Personnel**

#### **Sexual Harassment (BP 4119.11/4219.11/4319.11)**

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:



1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Ensuring prompt, thorough, fair, and equitable investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

#### Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports)  
 (cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Policy adopted: 09/21/1989

Amended: 05/20/1993; 07/15/2004; 12/15/2005; 11/19/2015; 09/15/2016; 09/21/2017; 09/20/2018; 8/20/2020; 5/20/2021

## **Students**

### **Sexual Harassment (BP 5145.7)**

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
 (cf. 5131 - Conduct)  
 (cf. 5131.2 - Bullying)  
 (cf. 5137 - Positive School Climate)  
 (cf. 5145.3 - Nondiscrimination/Harassment)

The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 - Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 - Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)  
 (cf. 1312.3 - Uniform Complaint Procedures)  
 (cf. 5141.4 - Child Abuse Prevention and Reporting)  
 (cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

#### Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

#### Record-Keeping

In accordance with law and district policies and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. 3580 - District Records)

Policy adopted: 10/15/1992

Amended: 05/20/1993; 09/16/1993; 11/21/1996; 04/17/1997; 05/16/2002; 08/16/2012; 11/19/2015; 11/17/2016; 8/20/2020; 05/20/2021

## **Students**

### **Sexual Harassment (AR 5145.7)**

#### Definitions

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

#### Examples of Sexual Harassment

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above Title IX

#### Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee investigate, and/or resolve sexual harassment complaints processed under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

#### Assistant Superintendent Educational Services

15218 W. Whitesbridge Avenue, Kerman, CA 93630

(559) 843-9000

[AssistantSupeEdServices@kermanusd.com](mailto:AssistantSupeEdServices@kermanusd.com)

#### Notifications

The Superintendent or designee shall notify students and parents/guardians that the district does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

(cf. 5145.6 - Parental Notifications)

The district shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6; 34 CFR 106.8) (cf. 1113 - District and School Web Sites) (cf. 1114 - District-Sponsored Social Media)
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

#### Reporting Complaints

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.

#### Complaint Procedures

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

Regulation approved: 10/15/1992

Amended: 05/20/1993; 11/21/1996; 05/16/2002; 08/16/2012; 11/19/2015; 08/20/2020; 5/20/2021

### Instruction

#### **Standardized Testing and Reporting Program (AR 6162.51)**

The Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all district students at applicable grade levels, except those students exempted by law.

The students of any charter school that receives its state funding allocation through the district shall be tested in coordination with the testing of district students. In addition, the Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom-based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools. No test shall be administered in a home or hospital except by a test administrator or test examiner. (5 CCR 851)

On or before July 1 of each year, the Superintendent or designee shall identify any district school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor. If available, a paper and pencil version of the assessment may be administered to such students. (5 CCR 853, 857)

On or before July 1 of each year, the Superintendent or designee shall designate a district coordinator who shall oversee all matters related to the testing program and serve as the district representative and liaison with the test contractor and the California Department of Education (CDE). The Superintendent or designee shall also designate a coordinator for each test site. The duties of the district and site test coordinators shall include those specified in 5 CCR 857-858. (5 CCR 857-858)

The Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee or contractor of the district or county office of education. (5 CCR 850)

As appropriate, the Superintendent or designee shall assign a specially trained district employee to serve as a test proctor to assist the test examiner; a specially trained district employee, or other person supervised by a district employee, to serve as a translator to translate the test directions into a student's primary language; and a district employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe. (5 CCR 850)

All test administrators, test examiners, proctors, translators, scribes, district and site test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code 60640 shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit. In addition, all district and site test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR 859. (5 CCR 850, 859)

#### Tests Included in the State Assessment System

The district shall administer the following CAASPP assessments: (Education Code 60640; 5 CCR 851.5)

1. The Smarter Balanced summative assessments for English language arts and mathematics in grades 3-8 and 11, except that:

- a. Recently arrived English learners, defined pursuant to Education Code 60603 as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by the student's parent/guardian.
- b. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided in item #3 below.
2. The California Science Test (CAST) at grades 5, 8, and once in grades 10-12
3. However, students with disabilities who are unable to participate in the CAST, even with the resources described in the "Testing Variations" section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.
4. The California Alternate Assessments (CAA) in English language arts, mathematics, and science for students with significant cognitive disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels

In addition, the Superintendent or designee may administer the California Spanish Assessment (CSA) to English learners. Administration of this test shall not replace the administration of the above tests, administered in English, to English learners. (Education Code 60640)

The CSA also may be used to assess students in a dual language immersion program who are not limited English proficient or who are redesignated fluent English proficient, subject to approval by CDE of an agreement between the district and the state testing contractor. (Education Code 60640)

Throughout the school year, schools may use Smarter Balanced interim assessments and formative assessment tools at any grade level to provide timely feedback regarding students' progress toward mastery of the skills measured by the summative assessments in English language arts and mathematics and to assist teachers in continually adjusting instruction to improve learning. The Superintendent or designee may determine the timing and frequency of the administration of such assessments.

#### Exemptions

Each year the Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code 60615 related to exemptions from testing. (5 CCR 852)

Parents/guardians may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. However, district employees shall not solicit or encourage any exemption request on behalf of any student or group of students. (Education Code 60615; 5 CCR 852)

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records. (5 CCR 852)

#### Testing Period

The Superintendent or designee shall establish testing days for district students within the following available testing windows: (5 CCR 855)

1. Unless otherwise specified in state regulations, assessments shall be administered between the date on which at least 66 percent of the school's or track's annual instructional days have been completed, but no earlier than the second Tuesday in January, and the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
2. The CAA for science shall be administered annually beginning on a date in September as determined by CDE through the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
3. The CSA shall be administered to English learners within the testing window specified in item #1.

Within the above testing windows, the Superintendent or designee may designate one testing period for each school or track or, if a school has multiple tracks, a selected testing period for each track. The district shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-2 above. (5 CCR 855)

Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.

#### Testing Variations

All CAASPP tests shall be administered in accordance with the manuals or other instructions provided by the test contractor or CDE except that, as appropriate, the following testing variations may be used: (5 CCR 850, 853-854.4)

1. Universal tools specified in 5 CCR 854.1-854.4 may be used with any student.
2. Designated supports specified in 5 CCR 854.1-854.4 may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.
3. Accommodations specified in 5 CCR 854.1-854.4 may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.
4. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction and/or assessment and CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the district or school site test coordinator may electronically submit a request to CDE for approval to use that unlisted resource during that year. If CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures. (5 CCR 854.9)

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals. (5 CCR 850, 854.5)

#### Report of Test Results

For any state assessments that produce valid individual student results, the Superintendent or designee shall forward or transmit the student's test results to the student's parents/guardians within 20 working days from receipt of the results from the test contractor or, if the district receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the district. An individual student's scores shall also be reported to the school and teacher(s) and shall be included in the student record. (Education Code 60641; 5 CCR 863)

With parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission. (Education Code 60641)

The Superintendent or designee shall present districtwide, school-level, and grade-level results to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student. (Education Code 49076, 60641)

Regulation approved: 12/20/2001

Amended: 8/18/2005; 3/16/2006; 10/18/2007; 10/20/2016; 8/18/2022

## **Instruction**

### **Student Organizations and Equal Access Policy & Procedures (BP 6145.5)**

**Policy Adopted: 6/28/1983**

**Renumbered: 10/13/1986**

**Amended: 10/13/1986; 12/01/1988; 11/01/1990; 09/17/1992; 11/21/1996; 02/13/2003; 02/18/2010; 11/19/2015**

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, discrimination, harassment, intimidation and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. Designated Compliance Officer: Assistant Superintendent Personnel/Address: 151 S. First Street, Kerman, CA 93630/Phone Number: (559) 843-9000

The Governing Board believes that student groups or clubs reinforce the instructional program, give students experience in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal/designee in accordance with Board policy and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3452 - Student Activity Funds)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

The Board encourages students to pursue interests and clubs which may not directly relate to the District's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during noninstructional time without regard to their religious, political, philosophical, or other speech content. The Board shall ensure that: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term *sponsorship* means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present at religious meetings only in a nonparticipatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Nonschool persons shall not direct, conduct, control, or regularly attend activities of student groups.

(cf. 1330 - Use of School Facilities)

(cf. 3515.2 - Disruptions)

(cf. 5145.2 - Freedom of Speech/Expression)

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal/designee may issue a disclaimer that such activities are not school-sponsored.

All noncurriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 USC 7905)

Legal Reference:

EDUCATION CODE

52 Designation of secondary schools

53 Designation of high schools

200-262.3 Prohibition of discrimination on the basis of sex

38130-38138 Civic Center Act

48900 Hazing

48907 Student exercise of free expression

48930-48938 Student organizations

48950 Freedom of speech

49020-49023 Athletic programs

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 3

20101-240112 Patriotic organizations

COURT DECISIONS

Prince v. Jacoby, (2001) 303 F.3d 1074

Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061

Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093

Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076

Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64

Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

WEB SITES

U.S. Department of Education: <http://www.ed.gov>

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics.

Designated Compliance Officer: Assistant Superintendent Personnel

Address: 151 S. First Street, Kerman, CA 93630

Phone Number: (559) 843-9000

## **Students**

### **Suicide Prevention (AR 5141.52)**

#### Staff Development

Suicide prevention training shall be provided to teachers, interns, counselors, and others who interact with students, including, as appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors, and volunteers. The training shall be offered under the direction of a district counselor, psychologist, and/or social worker who has received advanced training specific to suicide and who may collaborate with one or more county or community mental health agencies.

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Additionally, staff development shall include research and information related to the following topics:

1. The higher risk of suicide among certain groups, including, but not limited to, students who are impacted by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning
2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe or traumatic stressor or loss, family instability, impulsivity, and other factors
3. Identification of students who may be at risk of suicide, including, but not limited to, warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent
4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum, promoting mental and emotional health, reducing the stigma associated with mental illness, and using safe and effective messaging about suicide
6. The importance of early prevention and intervention in reducing the risk of suicide
7. School and community resources and services, including resources and services that meet the specific needs of high-risk groups
8. Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, including, but not limited to, appropriate protocols for constant monitoring and supervision of the student, during the time the student is in the school's physical custody, while the immediate referral of the student to medical or mental health services is being processed
9. District procedures for responding after a suicide has occurred

## 10. Common misconceptions about suicide

The district may provide additional professional development in suicide risk assessment and crisis intervention to district mental health professionals, including, but not limited to, school counselors, psychologists, social workers, and nurses.

### Instruction

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum in an age and developmentally appropriate manner and shall be designed to help students:

1. Identify and analyze warning signs and risk factors associated with suicide, including, but not limited to, understanding how mental health challenges and emotional distress, such as feelings of depression, loss, isolation, inadequacy, and anxiety, can lead to thoughts of suicide
2. Develop coping and resiliency skills for dealing with stress and trauma, and building self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults; school resources, including the district's suicide prevention, intervention, and referral procedures; and/or community crisis intervention resources where youth can get help
5. Develop help-seeking strategies and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention
6. Recognize that early prevention and intervention can drastically reduce the risk of suicide

The Superintendent or designee may develop and implement school activities that raise awareness about mental health wellness and suicide prevention.

### Student Identification Cards

Student identification cards for students in grades 7-12 shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

### Intervention

The Superintendent or designee shall provide the name, title, and contact information of the members of the district and/or school crisis intervention team(s) to students, staff, parents/guardians, and caregivers and on school and district web sites. Such notifications shall identify the mental health professional who serves as the crisis intervention team's designated reporter to receive and act upon reports of a student's suicidal intention.

Students shall be encouraged to notify a teacher, principal, counselor, designated reporter, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, the staff member shall promptly notify the principal, school counselor, or designated reporter, who shall implement district intervention protocols as appropriate.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, discussed, or referred to with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment, or to report child abuse and neglect as required by Penal Code 11164-11174.3. (Education Code 49602)

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision and providing comfort to the student until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If followup care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate steps to ensure the student's readiness for return to school and determine the need for ongoing support.

### Postvention

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. The Superintendent or designee shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed.



Students significantly affected by suicide death and those at risk of imitative behavior should be identified and closely monitored. School staff may receive assistance from school counselors or other mental health professionals in determining how to best discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

Regulation approved: 5/18/2017 Amended: 4/11/2019; 5/21/2020; 8/18/2022

## **Students**

### **Title IX Sexual Harassment Complaint Procedures (AR 5145.71)**

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 - Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

### **Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

### **Emergency Removal from School**

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

Obtains the parties' voluntary, written consent to the informal resolution process

Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

#### Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

The district's complaint process, including any informal resolution process

The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

Findings of fact supporting the determination

Conclusions regarding the application of the district's code of conduct to the facts

A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant

The district's procedures and permissible bases for the complainant and respondent to appeal

#### Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties  
Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator  
Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome  
Issue a written decision describing the result of the appeal and the rationale for the result  
Provide the written decision simultaneously to both parties  
An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

#### Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

#### Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

Transfer from a class or school as permitted by law

Parent/guardian conference

Education of the student regarding the impact of the conduct on others

Positive behavior support

Referral of the student to a student success team

(cf. 6164.5 - Student Success Teams)

Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

(cf. 3580 - District Records)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48985 Notices, report, statements and records in primary language

#### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

#### GOVERNMENT CODE

12950.1 Sexual harassment training

#### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

#### UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

#### UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

#### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

#### COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

### Management Resources:

#### CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Regulation approved: 08/20/2020

## **Students**

### **Title IX Sexual Harassment Complaint Procedures (E 5145.71)**

#### NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY

The Code of Federal Regulations, Title 34, Section 106.8 requires the district to issue the following notification to students at all grade levels and their parents/guardians:

The district does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to employment. The district also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school district to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the district's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education or both.

The district has designated and authorized the following employee as the district's Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Assistant Superintendent Educational Services 15218 W. Whitesbridge Avenue, Kerman, CA 93630  
(559) 843-9000  
[AssistantSupeEdServices@Kermanusd.com](mailto:AssistantSupeEdServices@Kermanusd.com)

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person.

Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable district complaint procedure.

To view an electronic copy of the district's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures on the district's web site at [www.kermanusd.com](http://www.kermanusd.com).

To inspect or obtain a copy of the district's sexual harassment policies and administrative regulations, please contact:

Assistant Superintendent Educational Services 15218 W. Whitesbridge Avenue, Kerman, CA 93620  
(559) 843-9000  
[AssistantSupeEdServices@Kermanusd.com](mailto:AssistantSupeEdServices@Kermanusd.com)

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the district's web site or at the district office upon request.

Exhibit approved: 05/20/2021

## **Students**

### **Suicide Prevention (BP 5141.52)**

The Governing Board recognizes that suicide is a leading cause of death among youth, prevention is a collective effort that requires stakeholder engagement, and school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior, its impact on students and families, and other trauma associated with suicide, the Superintendent or designee shall develop measures, strategies, practices, and supports for suicide prevention, intervention, and postvention.

In developing policy and procedures for suicide prevention, intervention, and postvention, the Superintendent or designee shall consult with school and community stakeholders, school-employed mental health professionals, suicide prevention experts, and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)

School and community stakeholders and school mental health professionals with whom the Superintendent or designee shall consult may include district and school administrators, school counselors, school psychologists, school social workers, school nurses, other staff, parents/guardians and caregivers, students, local health agencies, mental health professionals, community organizations, law enforcement, legal counsel, and/or the district's risk manager or insurance carrier. The Superintendent or designee may also collaborate with county and/or city governments in an effort to align district policy with any existing community suicide prevention plans.

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, interns, school counselors, and others who interact with students, including, as appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors, and volunteers
2. Instruction to students in problem-solving, coping, and resiliency skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others
3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students
4. The review of materials and resources used in awareness efforts and communications to ensure they align with best practices for safe and effective messaging about suicide
5. The provision of information to parents/guardians and caregivers regarding risk and protective factors, warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, the district's suicide prevention policy and procedures, basic steps for helping suicidal youth, the importance of communicating with appropriate staff if suicide risk is present or suspected, access to suicide prevention training, and/or school and community resources that can help youth in crisis
6. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
7. Crisis intervention procedures for addressing suicide threats or attempts
8. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide
9. Establishment of district and/or school-site crisis intervention team(s) to ensure the proper implementation and review of this policy and other district practices related to the emotional and behavioral wellness of students, including, but not limited to, the oversight of mental health and suicide prevention training, collaboration with community mental health organizations, identification of resources and organizations that provide evidence-based treatment, collaboration to build community response, and compliance with Education Code 215

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. The Board may, at its discretion, review the policy more frequently. (Education Code 215)

The Superintendent or designee shall periodically review district data pertaining to school climate and reports of suicidal ideation, attempts, or death to identify patterns or trends and make recommendations regarding program development.

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Policy Adopted: 5/18/2017

Amended: 4/11/2019; 5/21/2020; 8/18/2022 (Proposed)

## **Title IX Complaint Process**

Title IX is a federal law that was passed in 1972 to ensure that male and female students and employees in educational settings are treated equally and fairly. It protects against discrimination based on sex (including sexual harassment). In addition, Title IX protects transgender students and students who do not conform to sex stereotypes. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation. The preamble to Title IX of the Education Amendments of 1972 states that:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

### **Compliance Officer**

The District designates the individual(s) identified below as the employee(s) responsible for coordinating the District's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the District's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Gordon Pacheco  
Assistant Superintendent Personnel  
15218 West Whitesbridge Avenue, Kerman, CA 93630  
(559) 843-9000  
AssistSupPersonnel@kermanusd.com

Pupil and Rights  
Ed Code 221.8

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), may be used by the department for purposes of Section 221.6:

- (a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- (b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- (c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- (d) You have the right to apply for athletic scholarships.
- (e) You have the right to receive equitable treatment and benefits in the provision of all of the following:
  - (1) Equipment and supplies.
  - (2) Scheduling of games and practices.
  - (3) Transportation and daily allowances.
  - (4) Access to tutoring.
  - (5) Coaching.
  - (6) Locker rooms.
  - (7) Practice and competitive facilities.
  - (8) Medical and training facilities and services.
  - (9) Publicity.
- (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
- (g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
- (h) You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- (i) You have the right to pursue civil remedies if you have been discriminated against.
- (j) You have the right to be protected against retaliation if you file a discrimination complaint.

### **District Responsibility**

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities in federally funded education institutions. Thus, all educational District programs and activities must be operated in a nondiscriminatory manner. Some key issue areas addressed by Title IX include: athletics; sexual misconduct, including sexual harassment and sexual violence; pregnant and parenting students; off-campus activities; recruitment and admission; and employment. Education Institutions must protect against discrimination in these areas and protect against retaliation against any person for opposing an unlawful educational practice or policy, or making charges, testifying or participating in any complaint action under Title IX.

### **Statute of Limitations**

A complaint alleging unlawful discrimination or retaliation must be filed no later than six months from the date the discrimination or retaliation occurred, or six months from when the complainant first learned of the unlawful discrimination. The Superintendent or designee may extend this timeline by up to ninety days for good cause, upon written request by the complainant setting forth the reasons for the extension. If you believe your complaint may be outside this time requirement but want to explore other options, please contact the Title IX Coordinator.

### **How To File A Title IX Complaint**

Individuals who have been subject to discrimination prohibited under Title IX may file a complaint with the District as well as the Office for Civil Rights ("OCR"). If a crime is involved, such as sexual assault or rape, individuals may also file a report with the local police department. Individuals may pursue one or all of these avenues at the same time. Below is a summary of each process

### **District Complaint:**

Individuals may file a complaint as follows:

The complaint should be presented to the compliance officer. All complaints should be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist him/her in the filing of the complaint. (5 CCR 4600) Individuals may file a complaint pursuant to the Uniform Complaint Procedure (UCP) as set forth in District Administrative Regulation No. 1312.3, which can be found at Uniformed Complaint Procedure. Please contact the Title IX Coordinator, as identified above, if you have any questions.

Time Requirement:

In order to file a complaint with the District, individuals must file the complaint as discussed above within six months of the discrimination occurring or awareness of the discrimination (5 CCR 4630(b)). If you have any questions about this time limit, or if you believe your complaint may be outside this time requirement but want to explore other options, please contact the Title IX Coordinator.

OCR Complaint:

For more information regarding filing a complaint with OCR, please see <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

Time Requirement:

OCR requires that the complaint be filed within 180 calendar days after the discrimination. Please contact OCR, or visit the websites above, if you have any questions or concerns about this time requirement.

Police Report:

To file a police report, please contact local law enforcement:

Kerman Police Department  
850 S Madera Ave  
Kerman, CA 93630  
559-846-6633

Fresno County Sheriff  
2200 Fresno Street  
Fresno, CA 93724  
559-600-3111

Investigative Procedures

Complaints filed under the District's Uniform Complaint Procedures will be investigated and a decision made within sixty calendar days of the District's receipt, unless the complainant agrees to an extension. The compliance officer may informally discuss the possibility of mediation with the parties to the complaint. If the parties do not agree to mediation or mediation does not resolve the complaint, the compliance officer will proceed with an investigation of the complaint. The compliance officer or designee will interview alleged victims, alleged offenders, and relevant witnesses. The compliance officer may review available records, statements, or notes related to the complaint, including evidence or information received from the parties during the investigation. The compliance officer may visit reasonably accessible locations where discrimination is alleged to have occurred.

Process for Initiating and Responding to Complaints

Within 30 days of receipt of the complaint, the compliance officer will prepare and send a final written decision to the complainant and respondent. If the compliance officer finds that a complaint has merit, the District will take appropriate corrective action.

If the complainant or respondent is not satisfied with the decision, either the complainant or respondent may, within five business days, file the complaint in writing with the Board. The Board may consider the matter at a Board meeting or decide not to hear the complaint, in which case the compliance officer's decision shall be final. The Board's decision must be within 60 calendar days of the District's receipt of the complaint (unless this deadline is extended by mutual agreement).

The complainant or respondent may appeal the District's decision within fifteen calendar days to the California Department of Education. The appeal must specify the reason for the appeal and whether the District's facts are incorrect and/or the law is misapplied. The appeal must include a copy of the original complaint to the District and a copy of the District's decision. For more information, visit the California

Department of Education's webpage on Uniform Complaint Procedures: <http://www.cde.ca.gov/re/cp/uc/index.asp>

For complaints alleging unlawful discrimination based on state law, the complainant may pursue available civil law remedies, including seeking assistance from mediation centers or public/private interest attorneys, sixty calendar days after filing an appeal with the California Department of Education. (California Education Code § 262.3.) Note that this sixty day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (California Education Code § 262.3.)

Complaints may also be filed with the United States Department of Education, Office for Civil Rights, within 180 days of the alleged discrimination. For Office for Civil Rights contact information, see the section above on "How do I file a complaint of sex discrimination?" To obtain a copy of the Office for Civil Rights complaint form, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

US Department of Education Office of Civil Rights (OCR)  
Telephone: 800-421-3481  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

<https://www2.ed.gov/about/offices/list/ocr/index.html>  
State Equal Opportunities  
<https://www.cde.ca.gov/re/di/or/oeo.asp>



EDUCATION CODE 221.9

(a) Commencing with the 2015–16 school year and every year thereafter, each public elementary and secondary school in the state, including each charter school, that offers competitive athletics shall publicly make available at the end of the school year all of the following information:

- (1) The total enrollment of the school, classified by gender.
- (2) The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
- (3) The number of boys' and girls' teams, classified by sport and by competition level.

(b) The data required pursuant to subdivision (a) shall reflect the total number of players on a team roster on the official first day of competition.

(c) The school shall make the information specified in subdivision (a) publicly available as follows:

- (1) If the school maintains an Internet Web site, by posting the information on the school's Internet Web site.
- (2) If the school does not maintain an Internet Web site, by submitting the information to its school district or, for a charter school, to its charter operator. The school district or charter operator shall post the information on its Internet Web site, and the information shall be disaggregated by school site.

(d) The materials used by a school to compile the information specified in subdivision (a) shall be retained by the school for at least three years after the information is posted on the Internet pursuant to subdivision (c).

(e) As used in this section, "competitive athletics" means sports where the activity has coaches, a governing organization, and practices, and competes during a defined season, and has competition as its primary goal.

## **Uniform Complaint Annual Notice**

**For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties**

The Kerman Unified School District has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code sections 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in the following areas:

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and Early Childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and review Programs for teachers
- Career Technical and Technical Education & Career Technical and technical Training
- Career Technical Education
- Childcare and Development Programs
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Educational Content
- Economic Impact Aid
- Education of Pupils in Foster Care and Pupils who are Homeless
- Every Student Succeeds Act / No Child Left Behind
- Local Control Funding Formula and Local Control Accountability Plans
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Safety Plans
- Special Education
- State Preschool
- Tobacco-Use Prevention Education Program

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees and/or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We shall post a standardized notice of the educational rights of foster and homeless youth, as specified in Education Code Sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

Name or title: **Gordon Pacheco, Assistant Superintendent Personnel**  
Unit or office: **Kerman Unified School District**  
Address: **15218 West Whitesbridge Avenue , Kerman, CA 93630**  
Phone: **(559) 843-9051**  
E-mail address: **gordon.pacheco@kermanusd.com**

A pupil fees complaint is filed with the Kerman Unified School District and/or the principal of a school.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The LEA person responsible for investigating the complaint shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

A copy of our UCP complaint policies and procedures is available free of charge.

## **Community Relations**

### **Uniform Complaint Procedures (AR 1312.3)**

#### **Community Relations Uniform Complaint Procedures**

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

#### **Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

Assistant Superintendent Personnel  
15218 W. Whitesbridge Avenue, Kerman, CA 93630  
(559) 843-9000  
[AssistSupPersonnel@kermanusd.com](mailto:AssistSupPersonnel@kermanusd.com)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

#### **Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children

- of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
9. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
  10. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
  11. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
  12. A statement that copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

#### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

#### Mediation

Districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### Timeline for Investigation Report

Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant.

### Investigation Report

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

#### Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

#### Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to

CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution.

The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

The SSPI or his or her designee shall comply with the requirements of 5 CCR Section 4633 and shall provide a written Investigation Report to the State Board of Education describing the basis for the complaint, the Kerman Unified response to the state preschool health and safety issues pursuant to HSC Section 1596.7925 complaint and its remedy or proposed remedy and, as appropriate, a proposed remedy for the issue described in the complaint, if different from our remedy.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

Regulation approved: 09/17/1992

Amended: 04/17/1997; 03/19/1998; 10/17/2002; 04/21/2005; 07/20/2006; 08/16/2012; 02/19/2015; 01/21/2016; 11/17/2016; 07/17/2017; 09/20/2018; 04/11/2019; 5/20/2021; 4/21/2022

## **Community Relations**

### **Williams Uniform Complaint Procedures (AR 1312.4)**

#### Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)

- a. A semester begins and a teacher vacancy exists.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class. (cf. 4112.22 - Staff Teaching English Learners)
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an

entire semester. (Education Code 35186;5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities,including any complaint alleging that: (Education Code 35186; 5 CCR 4683)

a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation,fire sprinklers,or air-conditioning systems;electrical power failure; major sewer line stoppage; major pest or vermin infestation;broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

b. A school restroom has not been cleaned, maintained,or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.

(cf. 3514 - Environmental Safety)

(cf. 3517 - Facilities Inspection)

#### Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. Flowever, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

#### Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

#### Investigation and Response

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186;5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)



All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

### Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

Legal Reference;

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedures

35292.5-35292.6 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Regulation approved: 4/21/2005

Board approved: 4/21/2022

Amended: 12/15/2005;7/20/2006;3/5/2008;7/17/2017;4/11/2019;7/22/2021

## **Community Relations**

### **Uniform Complaint Procedures (BP 1312.3)**

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

#### Complaints Subject to UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)

17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt programs (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

#### Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Policy adopted: 6/28/1983

Amended: 9/17/1992; 4/17/1997; 5/16/2002; 2/13/2003; 6/19/2003; 4/21/2005; 7/20/2006; 8/16/2012; 2/19/2015; 2/18/2016; 11/17/2016; 11/14/2017; 9/20/2018; 4/11/2019; 5/20/2021; 4/21/2022

#### **Instructions Equity (BP0415)**

The Governing Board believes that the diversity that exists among the district's community of students, staff, parents/guardians, and community members is integral to the district's vision, mission, and goals. Addressing the needs of the most marginalized learners requires recognition of the inherent value of diversity and acknowledgement that educational excellence requires a commitment to equity in the opportunities provided to students and the resulting outcomes.

(cf. 0000 - Vision)  
(cf. 0W0 - Philosophy)  
(cf. 0200 - Goals for the School District)  
(cf 0410 - Nondiscrimination in District Programs and Activities)  
(cf 5145.3 - Nondiscrimination/Harassment)

In order to eradicate institutional bias of any kind, including implicit or unintentional biases and prejudices that affect student achievement, and to eliminate disparities in educational outcomes for students from historically underserved and underrepresented populations, the district shall proactively identify class and cultural biases as well as practices, policies, and institutional barriers that negatively influence student learning, perpetuate achievement gaps, and impede equal access to opportunities for all students.

The Board shall make decisions with a deliberate awareness of impediments to learning faced by students of color and/or diverse cultural, linguistic, or socio-economic backgrounds. To ensure that equity is the intentional result of district decisions, the Board shall consider whether its decisions address the needs of students from racial, ethnic, and indigent communities and remedy the inequities that such communities experienced in the context of a history of exclusion, discrimination, and segregation. Board decisions shall not rely on biased or stereotypical assumptions about any particular group of students.

(cf. 6173 - Education for Homeless children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6174 - Education for English Learners)  
(cf. 6175 - Migrant Education Program)  
(cf. 9000 - Role of the Board)  
(cf. 9310 - Board Policies)

The Board and the Superintendent or designee shall develop and implement policies and strategies to promote equity in district programs and activities, through measures such as the following:

1. Routinely assessing student needs based on data disaggregated by race, ethnicity, and socio- economic and cultural backgrounds in order to enable equity-focused policy, planning, and resource development decisions

(cf. 0400 - Comprehensive Plans)  
(cf. 0460 - Local Control and Accountability Plan)  
(cf. 6162.5 -Student Assessment)

2. Analyzing expenditures and allocating financial and human resources in a manner that provides all students with equitable access to district programs, support services, and opportunities for success and promotes equity and inclusion in the district. Such resources include access to high-quality administrators, teachers, and other school personnel; funding; technology, equipment, textbooks, and other instructional materials; facilities; and community resources or partnerships.

(cf. 0440 - District Technology Plan)  
(cf. 3100 - Budget)  
(cf. 4113 - Assignment)  
(cf. 7110 - Facilities Master Plan)

3. Enabling and encouraging students to enroll in, participate in, and complete curricular and extracurricular courses, advanced college preparation programs, and other student activities

(cf. 6141.4 - International Baccalaureate Program)  
(cf. 6141.5 - Advanced Placement)  
(cf. 6143 - Courses of Study)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6152.1 - Placement in Mathematics Courses)

4. Building a positive school climate that promotes student engagement, safety, and academic and other supports for students

(cf. 5137 - Positive School Climate)

5. Adopting curriculum and instructional materials that accurately reflect the diversity among student groups

(cf. 6141 - Curriculum Development and Evaluation)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

6. Providing and/or collaborating with local agencies and community groups to ensure the availability of necessary support services for students in need

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 6164.2 - Guidance/Counseling Services) (cf. 6164.5 - Student Success Teams)  
(cf. 6179 - Supplemental Instruction)

7. Promoting the employment and retention of a diverse staff that reflects the student demographics of the community

8. Providing district staff with ongoing, researched-based, professional learning and professional development on culturally responsive instructional practices

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 -Staff Development)

9. Conducting program evaluations that focus on equity and address the academic outcomes and performance of all students on all indicators

(cf. 0500 - Accountability)

The Board shall regularly monitor the intent and impact of district policies and decisions in order to safeguard against disproportionate or unintentional impact on access to district programs and achievement goals for specific student populations in need of services.

Policy adopted: 4/21/2022

## **Students**

### **Withholding Grades, Diploma or Transcripts (AR 5125.2)**

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or willfully does not return district property that has been loaned to the student, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages or the student has completed voluntary work or other nonmonetary alternative offered by the district in lieu of monetary damages, the Superintendent or designee may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904, 49014)

(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5125 - Student Records)  
(cf. 5131.5 - Vandalism and Graffiti)  
(cf. 6161.2 - Damaged or Lost Instructional Materials)

This administrative regulation shall not apply to a student who is a current or former homeless or foster youth. (Education Code 49014)

Before withholding a student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

(cf. 5145.6 - Parental Notifications)

The student shall be afforded due process consistent with procedures established for the expulsion of students. (Education Code 48904)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

When a student who is transferring into the district has had grades, a diploma, and/or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by this district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904.

The Superintendent or designee shall also notify the student's parents/guardians in writing that the decision to withhold the student's grades, diploma, and/or transcripts will be enforced by the new district. (Education Code 48904.3)

#### Legal Reference:

##### EDUCATION CODE

48904 Liability of parent

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

48911 Suspension by principal, designee or superintendent

49014 Public School Fair Debt Collection Act

49069 Absolute right to access

Regulation approved: 09/17/1992

Amended: 10/17/2019