

# Comprehensive School Safety Plan SB 187 Compliance Document

**2023-2024  
School Year**

**School:** Kerman Middle School  
**CDS Code:** 10-73999-6006696  
**District:** Kerman Unified School District  
**Address:** 601 S. First Street  
Kerman, CA 93630  
**Date of Adoption:** March 2023  
**Date Approved by School Board:** August 2023

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## **Senate Bill 187: Comprehensive School Safety Plan Purpose**

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the Kerman Middle School Administration Office.

### **Safety Plan Vision**

It is the goal of all staff of Kerman Unified School District to provide a nurturing, safe and secure learning environment for all students, staff, families and community.

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Safety Committee**

The KMS staff and School Site Council review, amend, and approve the safety plan annually.

### **Assessment of School Safety**

Kerman Unified School District has a "Safe Schools Plan of Action" in compliance with the District's expectations and procedures. Parents and visitors must sign at the front office to get access to our campus. Classified and Certificated staffs are used to supervise and monitor our students. The school Administration and where available, Campus Security/On Campus Liaison are monitoring recesses and lunch times as well as before and after school.

### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

1. All students and staff members are provided a safe teaching and learning environment.
2. All students are safe and secure while at school and to and from school.
3. District programs and approved community resources are made available to parents and students
4. School provides the educational environment where students, parents, staff, and community members are notified in a manner that is respectful.
5. Safety is discussed at our School Site Council meetings in order to ensure implementation of safety strategies or discuss additional concerns.
6. Extremely secured campus, highly monitored and records are kept of individuals that visit our school.

All staff are required to display their school ID badge at all times while on campus.

All access gates to the school are locked during school hours, and the only entrance to campus is through the administration office.

All visitors to the campus are checked in using the Raptor system.

Safety is discussed at staff meetings to ensure implementation of safety strategies or discuss additional concerns.

Dress code is strictly enforced to maintain a safe learning environment.

Emergency drills are practiced quarterly, with input from Kerman Police Department.

The campus camera system was updated in January, 2022 to now include 29 cameras that can be accessed by KMS administrators from their desktop and phone.

### **(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

1. All suspected child abuse incidents are reported to the county department of social services; child protective services.
2. Each incident is telephoned as well as put on the Social Service Suspected Child Abuse Report (SS8572 rev.7-87) form, and mailed.
3. Police notification by Child Protective Services or school notifies police per directive of Child Protective Services.

### **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

#### **Disaster Plan (See Appendix C-F)**

The dismissal of students from the school shall be governed by the emergency procedures outlined in this procedure guide and consistent with the Initial Response System. However, this policy does not preclude the exercise of professional judgment by an administrator when the circumstances of the situation indicate dismissal to be in the best interest of the student.

- A. Mass panic can be one of the greatest dangers to students. Staff members should remember that in times of stress, students will look for leadership to those who are normally in an authoritative position. REMAIN CALM, size up the situation and take action based on known facts and plans.
- B. Each teacher MUST KEEP THE REGISTER OR ENROLLMENT SHEET OF PUPILS READILY AVAILABLE AT ALL TIMES. The teacher will remain with students until directed otherwise.
- C. A well-prepared and tested plan for prompt and positive protection minimizes injuries and loss of life in a major disaster.
- D. In the absence of orders from the superintendent, each school principal is authorized and directed to implement plans as described herein or take such other action as may be necessary to save lives and mitigate the effects of disasters.
- E. During an emergency period or condition created by disaster occurrence students may only be released to parent, guardian or other adult specified on the Emergency Data Card. THERE SHALL BE NO EXCEPTIONS TO THIS POLICY.

Additionally, Kerman Middle School has an established and practice safe school plan to be reviewed and updated annually; Kerman Middle School practices different evacuation drills such as; fire drills, duck and cover/evacuation, and lock down drills quarterly during school hours as well as during the after school program hours. Kerman Middle School Staff have designated responsibilities and an established chain of command.

#### **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 all health classes.
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, they 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 (printed on all student ID cards) 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)
  - \* The Trevor Lifeline – 1.866.488.7386, [www.thetrevorproject.org](http://www.thetrevorproject.org)
  - \* Suicide prevention phone numbers are printed on the back of every KMS Identification Card.
5. All students will be expected to help 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. Students will receive "Signs of Suicide" training from a company called Screening for Mental Health, Inc., and staff received suicide prevention training from the Jason Foundation.
8. A parent night is held for parents using the "Signs of Suicide" video.
9. For a more detailed review of policy changes, please see the district's full suicide prevention policy.

#### **Public Agency Use of School Buildings for Emergency Shelters**

Procedures are in place to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community.

#### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Refer to the Student Parent Handbook

#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC49079)**

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the Site Administration. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the Site Administration immediately. The Student Study Team, and/or District SARB should be used for referral or added support in such cases. The district office will insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils.

#### **(E) Sexual Harassment Policies (EC 212.6 [b])**

Sexual harassment of any student by any employee, student or other person at school or at any school related activity is prohibited. The principal and school staff will ensure that students receive age appropriate information related to sexual harassment. Students must be assured that they need not endure any form of sexual conduct or communication, including harassment because of sexual orientation. They must further be assured that they need not endure, for any reason, any harassment that impairs their educational environment or emotional well-being at school. They must be informed that they should immediately contact the principal or a trusted staff member if they feel they are being harassed.

School Suspension & Expulsion/Due Process: Any student who engages in the sexual harassment of anyone at school or a school related activity shall be subject to disciplinary action up to and including expulsion for all the schools of the Kerman Unified School District.

Failure to Report: Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

School Reporting Procedure: Staff must immediately report complaints of sexual harassment to the Site Principal and/or the District Office. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

District Complaint Procedure: If a situation involving sexual harassment is not promptly investigated and remedied by the principal or designee, a complaint of harassment may be filed in accordance with the district's uniform complaint procedures or procedures for complaints concerning district employees. The Superintendent or Assistant Superintendent shall determine which procedure is appropriate.

Prohibition Against Retaliatory Behavior: Kerman Unified School District prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

**(F) School-wide Dress Code Relating to Gang-Related Apparel (EC35183)**

All students will be held to the Kerman Unified School District Dress Code Policy. Students who violate the dress code policy will be requested to fix inappropriate clothing, change into loaners, or call home to have proper clothing items brought to school. Parents may be called at home or work to bring appropriate clothing to school.

Gang-Related apparel is defined as apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 35294. 1)

California Education Code Title V, Section 302: A pupil who goes to school without proper attention having been given to personal cleanliness or neatness of dress, may be sent home to be properly prepared for school, or shall be required to prepare himself for the schoolroom before entering. Students may not wear clothing or hairstyles that will be disruptive to the educational process.

Refer to the Student Parent Handbook for additional information regarding dress code.

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Kerman Unified School District has in place procedures and steps to follow in case of an emergency.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

**Component:**

School Discipline: Kerman Middle School has created a school-wide discipline plan in order to communicate high standards and expectations.

**Opportunity for Improvement:**

Maintaining a consistent discipline program throughout the school that holds students accountable for their behavior

<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
Creating a consistent discipline program that promotes positive behavior.	Implement classroom rules, behavioral interventions, as well as a 3-step referral process.	Behavior plans, rewards for good behavior, (Lion Pride Cards, Lion Pride Store, Student of the Quarter) use of behavior posters in classrooms.	Administration, school Psychologist, counselor, and teachers.	Self-evaluation and suspension report.

**Component:**

Bullying Policy: Kerman Middle School follows bullying policies set forth by Kerman Unified School District to ensure that any act of bullying is addressed appropriately in a timely manner.

**Opportunity for Improvement:**

Ensure that bullying is not tolerated in any way at Kerman Middle School.

<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
Educate parents and students about what bullying is.	School Assemblies, presentations in classrooms, counseling, SSC Meetings, ELAC meetings, PFC meetings, advisory lessons.	Anti-bullying materials and information from the police department.	Site Administration, school Psychologist, counselor, and teachers.	Data on number of reports of bullying.
Investigate all accusations of bullying upon the knowledge of a report.	Use the district bullying policy as a guide to investigate and resolve situation.	District and school policy.	School Administration, school Psychologist, counselor, and teachers.	Data on number of reports of bullying.
Provide interventions for students accused of bullying others to help them change their behavior.	Set up social skills groups meetings with school psychologist and counselor, counseling sessions, follow consequences of referral form, contact parents for at-risk students.	Materials from school psychologist and counselor.	School Administration, school Psychologist, counselor, and teachers.	Data on the students who are provided these interventions.



**Component:**

Safe Physical Environment: The staff at Kerman Middle School assures that each student has a safe physical environment.

**Opportunity for Improvement:**

Ensure that students are physically safe from the time they arrive at school until they leave the campus at the end of the day.

Objectives	Actions Steps	Resources	Lead Person	Evaluation
Staff members will provide safe arrival to and exit from school each day by serving as crossing guards and supervise five different areas on the campus. The only entrance to the campus is through the Administration Office door. Staff members actively supervise students on yard duty before school, during break, lunch, and after school.	Maintain cross walk duty schedule as well as a staff duty schedule.	Schedules of duty and radios for communication	Administration creates duty schedule, and all staff member who are scheduled for duty.	Data on incidents that occur to and from school and while on campus.

**(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

**Kerman Middle School Student Conduct Code**

The School Rules and Procedures were developed and adopted in accordance with California Education Code 35291.5. This document represents the collaborative efforts of teachers, parents and other school staff and administration. These rules and procedures are intended as guidelines for enhancing the instructional climate and personal safety.

**Conduct Code Procedures**

Refer to the Student Parent Handbook

**(J) Hate Crime Reporting Procedures and Policies**

Students are expected to respect all others while on school grounds or while participating in school activities. Any student engaging in hate-motivated behavior will be subject to the school discipline policies in accordance with the district policies and guidelines.

**Safety Plan Review, Evaluation and Amendment Procedures**

The school site safety plan will be reviewed, evaluated, and approved by the School Site Council each year. It will also be shared with the staff for review. Any changes/amendments in the plan must be approved by the School Site Council.

## Safety Plan Appendices

Academic Year: 2022-2023	LEA: Kerman Unified	User ID: liria.rivera@kermanusd.com
	School: Kerman Middle - 6006696	

School Code	School Name	Most Severe Offense	Incident Count
6006696	Kerman Middle	101-Possession, Sale, Furnishing a Firearm, Knife, Explosive, or Other Dangerous Object	2
		202- Possession Use Sale or Furnishing a Controlled Substance Alcohol Intoxicant	11
		204-Offering, Arranging, or Negotiating Sale of Drug Paraphernalia	2
		300-Possession or Use of Tobacco Products	2
		403-Sexual Harassment	5
		501- Caused Attempted or Threatened Physical Injury	42
		504- Used Force or Violence	35
		506-Harassment and Intimidation	6
		508- Made Terrorist Threats	1
		510-Obscene Acts, Profanity, and Vulgarity	1
		511- Disruption, Defiance	8
		512-Property Damage	2
		513- Bullying	2
		<b>Total</b>	<b>119</b>

Grade: ALL (7 <sup>th</sup> -8 <sup>th</sup> )	Ethnicity/Race: ALL	Gender: ALL	Enrollment Status: ALL
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## **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.

## **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.

### **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)

## **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 contained in this handbook are to be considered in effect when the following 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.

## **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)

















































## **BP 5145.3**

### **Students**

#### **Nondiscrimination/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 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, 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. 4131/4231/4331 - Staff Development)
- (cf. 6145 - Extracurricular and Co-Curricular 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)

#### Recordkeeping

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  
12101-12213 Title II equal opportunity for individuals with disabilities  
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  
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  
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

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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 Safe Schools Coalition: <http://www.casafeschools.org>

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

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy adopted: 6/28/1983

Renumbered: 08/13/1986

Amended: 11/27/1984; 7/20/1995; 4/13/2000; 5/16/2002; 7/15/2004; 8/16/2012; 9/18/2014; 11/19/2015; 2/18/2016; 11/17/2016; 09/20/2018; 10/15/2020

Emergency Evacuation Map(s)

# KERMAN MIDDLE SCHOOL

601 South First Street  
Kerman, CA 93630

