

Comprehensive School Safety Plan SB 187 Compliance Document

**2019-2020
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 2019
Date Approved by School Board: August 2019

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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 school site council reviews, amends and approves 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 with the exception of the main entrance gate. 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.

(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 which they can contact for additional support, such as: The National Suicide Prevention Lifeline – 1.800.273.8255 (TALK), www.suicidepreventionlifeline.org and The Trevor Lifeline – 1.866.488.7386, www.thetrevorproject.org (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. 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 (EC 49079)

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 (EC 35183)

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: KMS 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.

Objectives	Action Steps	Resources	Lead Person	Evaluation
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, use of behavior posters in classrooms.	Administration, school psychologist 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.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Educate parents and students about what bullying is.	School Assemblies, presentations in classrooms, counseling, SSC Meetings, ELAC meetings, PFC meetings, School newspaper articles.	Anti-bullying materials and information from the police department.	Site Administration, school psychologist, 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, 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 psychologists, counseling sessions, follow consequences of referral form, contact parents for at-risk students.	Materials from school psychologist.	School Administration, school psychologist, 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	Action Steps	Resources	Lead Person	Evaluation
Staff members will serve as crossing guards and supervise five different areas on the campus. The front gate to the main parking lot is closed for twenty minutes before the start and end of the school day to ensure students are able to safely enter and exit the campus. Staff members actively supervise students on yard duty before school, during break, lunch, and after school.	Maintain and cross walk duty schedule as well as a staff duty schedule.	Schedules of student supervision duty and radios for better communication.	All staff members 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: 2018-2019	LEA: Kerman Unified	User ID: maria.lomeli@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	1
		104-Possession of a Knife or Dangerous Object	1
		202-Possession Use Sale or Furnishing a Controlled Substance Alcohol Intoxicant	4
		204-Offering, Arranging, or Negotiating Sale of Drug Paraphernalia	2
		403-Sexual Harassment	8
		500-Caused Physical Injury	1
		501-Caused Attempted or Threatened Physical Injury	16
		504-Used Force or Violence	30
		510-Obscene Acts, Profanity, and Vulgarity	3
		511-Disruption, Defiance	12
		512-Property Damage	1
		513-Bullying	4
		601-Property Theft	1
TOTAL	84		

Grade: All (7 th – 8 th)	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)

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
2nd Incident	
Gang Related	Gang Letter 2, 1 day school suspension, 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

3rd Incident	
Gang Related	5 days school suspension, 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
4th Incident	
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 I 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)

Emergency Contact Numbers

Utilities, Responders and Communication Resources

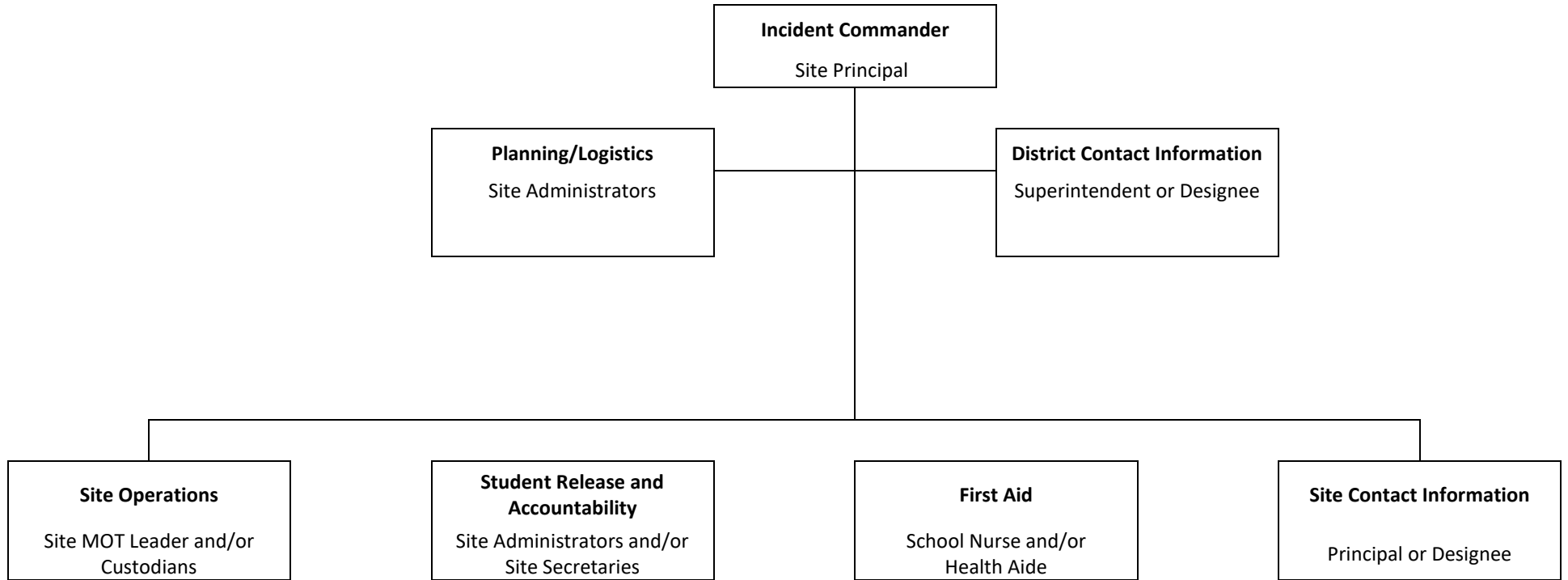
Type	Vendor	Number
School District	Superintendent – Robert Frausto	(559) 843 – 9016
School District	Assistant Superintendent Personnel – Mark Ruiz	(559) 843 – 9003
School District	Assistant Superintendent CBO – Kraig Magnussen	(559) 843 – 9004
School District	Assistant Superintendent Educational Services – Pam Millspaugh	(559) 843 – 9026
School District	Director State & Federal Programs – Gordon Pacheco	(559) 843 – 9051
School District	Director State & Federal Programs – Pam Sellick	(559) 843 - 9057
School District	Director Pupil Personnel Services – Melissa Andresen	(559) 843 - 9036
School District	Director Maintenance & Operations – Jock Millspaugh	(559) 843 - 9031
School District	Director of Information & Technology – Margarita Aguilar	(559) 843 - 9081
School District	Principal Kerman High School – Matthew Toews	(559) 843 - 9701
School District	Principal Kerman Middle School – Margaret Nichols	(559) 843 - 9601
School District	Principal Goldenrod Elementary School – Mandi Guizar	(559) 843 - 9501
School District	Principal Kerman Floyd Elementary – Gabe Melgoza	(559) 843 - 9401
School District	Principal Liberty Elementary School – Sandeep Jaspal	(559) 843 - 9301
School District	Principal Sun Empire Elementary – Diane Lira	(559) 843 - 9201
School District	Principal Enterprise High School – Rebecca Sanchez	(559) 843 - 9581
Law Enforcement	Kerman Police Department	911 / (559) 846 - 8800
Law Enforcement	Fresno County Sheriff's Department	911 / (559) 488 - 3111
Law Enforcement	California Highway Patrol	911 / (559) 441 - 5400
Fire Department	North Central Fire Department	911 / (559) 275 - 5531
Paramedics	American Ambulance	911
Hospitals	Fresno Community Medical Center	(559) 459 - 6000
Hospitals	Valley Children's Hospital	(559) 353 - 3000

Safety Plan Review, Evaluation and Amendment Procedures

Each Site will review and discuss the Safety Plan with staff prior to reviewing and discussing the Safety Plan with their School Site Council. The Safety Plan will be updated and approved prior to March 1st of each year for the following school year.

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Safety Plan reviewed at the Staff Meeting	Ongoing throughout the School Year (August – June)	Meeting notes and sign in sheet are maintained in a binder in the principal's office. Copies are also sent to State and Federal Programs.
Safety Plan reviewed at the School Site Council Meeting	Annually Each Year (January or February)	Meeting notes and sign in sheet are maintained in a binder in the principal's office. Copies are also sent to State and Federal Programs.
Safety Plan approved at the School Site Council Meeting	Annually Each Year (January or February)	Meeting notes and sign in sheet are maintained in a binder in the principal's office. Copies are also sent to State and Federal Programs.

Kerman Middle School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of seven functions:

Incident Commander

The incident commander will oversee any school emergencies and relay any needed information to the District Office and parents. Parents will be kept informed via the Connect Ed system.

Planning/Logistics

The planning/logistics team will be led by the principal. This team will evaluate each emergency drill to determine how it can be improved so that the school is well prepared for any real emergencies.

District Contact Information

The District Office will be kept informed of the situation and relay any needed information to the appropriate agencies.

Site Operations

The lead custodian will take charge of any site operations as needed.

Student Release and Accountability

The senior secretary and attendance secretary will be in charge of student release and accountability.

First Aid

The LVN will be in charge of any needed first aid until any outside services arrive.

Site Contact Information

The site contact information will be the number in which parents can call to find out updated information. Parents will be kept informed via the Connect Ed system with information as to where to call for updates.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

The principal will determine the type of the emergency with the advisement from other office staff members.

Step Two: Identify the Level of Emergency

The level of emergency will be determined, setting forth the necessary next steps.

Step Three: Determine the Immediate Response Action

The decision will be made in terms of who to call (police, fire department) and how to keep students safe (lockdown, evacuation).

Step Four: Communicate the Appropriate Response Action

The District Office will be informed immediately. A Connect Ed call will be sent out to the parents if necessary.

Emergency Response Guidelines including adaptations for pupils with disabilities

Kerman Unified's plan includes procedures ensuring the full participation of students and staff with special needs and disabilities through the planning and implementation of mitigation, preparedness, response and recovery strategies as part of the overall management of school emergencies and disasters.

Types of Emergencies & Specific Procedures

Aircraft Crash

- 1) Call 911
- 2) Determine if any staff or students are in immediate danger. If necessary, evacuate to a safe area. All others are to remain at their assigned locations. Render First Aid as necessary.
- 3) Take roll and report results to the Principal/Incident Commander.

Animal Disturbance

- 1) Determine if any staff or students are in immediate danger. If necessary, evacuate to a safe area. All others are to remain at their assigned locations. Render First Aid as necessary.
- 2) If possible, the Site Custodian may assist in securing the animal. The animal may be confined to a secured area until it is removed from campus by the City Animal Control Unit.
- 3) Take roll and report results to the Principal/Incident Commander.

Armed Assault on Campus

- 1) Call 911
- 2) Institute Lockdown Procedures
- 3) Remain on Lockdown until "All Clear" is instituted by Police and/or Law Enforcement Personnel.

Biological or Chemical Release

- 1) If you become aware of potentially hazardous release or accident, notify the office immediately. Render first aid as necessary.
- 2) Determine if any staff or students are in immediate danger. If necessary, evacuate to a safe area. All others are to remain at their assigned locations. Render First Aid as necessary. If evacuation is not imminent, students and staff should remain in classrooms or in assigned areas.
- 3) Until ordered to evacuate, assume that a "shelter-in-place strategy" will be employed and do the following:
 - All students and staff are to remain indoors.
 - Turn off all heating and ventilation systems (HVAC).
 - All windows should be closed.

PESTICIDE EXPOSURE (Pesticide Drift)

- 1) If you become aware of potentially hazardous pesticide exposure, notify the office immediately. Render first aid as necessary.
- 2) Determine if any staff or students are in immediate danger. If necessary, evacuate to a safe area. All others are to remain at their assigned locations. Render First Aid as necessary. If evacuation is not imminent, students and staff should remain in classrooms or in assigned areas.
- 3) Until ordered to evacuate, assume that a "shelter-in-place" strategy will be employed and do the following:
 - Direct all students and staff to remain indoors until it is safe or directed otherwise.
 - Direct all heating and ventilation systems (HVAC) to be shut down.
 - Direct all windows to be closed.

Bomb Threat/ Threat Of violence

- 1) The person receiving the threat should attempt to keep the caller on the phone, stall by saying "Sorry, I can't hear you", etc. Try not to cause concern on the part of your students. Pay close attention to the caller's words, voice, and any background noises. Ask the caller where the bomb is located, what it looks like, and when it is going to explode if possible to gain as much information for Police.
- 2) Contact the office and the Principal/Incident Commander.
- 3) DO NOT use radios or cellular telephones.
- 4) If deemed necessary, Incident Commander will call for evacuation.
- 5) An organized search of the campus may be conducted under the direction of the Principal/Incident Commander or Law Enforcement Agencies.
- 6) In the event that a suspicious object is located, all personnel should be kept clear of the area until Law Enforcement Agencies have evaluated the conditions.
- 7) Return to your normal routine only when the Principal/Incident Commander and the Law Enforcement Agencies are confident that any threat has passed.

Bus Disaster

The following procedures are for use by bus drivers and appropriate school administrators in the event of an earthquake, serious bus accident, or other emergency that occurs while students are on a field trip or being transported to or from school. This section addresses two possible scenarios involving a bus disaster: (1) an earthquake and (2) a serious accident or bus fire. It is important to note that drivers may need to make spontaneous, independent decisions based on the nature of the emergency, age of the children, location of the bus, and other unique circumstances to ensure children's safety.

Scenario 1 – Earthquake

- 1) Upon first indication of an earthquake, the bus driver should issue Drop, Cover, and Hold procedures to all students on the bus.
- 2) The bus should be moved away from all power lines, bridges, overpasses, possible landslide conditions, overhanging trees, or other dangerous situations.
- 3) The bus driver should set the emergency brake, turn off the ignition, and wait for the shaking to stop.
- 4) The bus driver should check students for any injuries and provide first aid, as appropriate.
- 5) In the event the bus is disabled, the driver and students should stay in place until help arrives.
- 6) The bus driver should contact the School Administrator and the District Transportation Director to report the location and condition of students on the bus.
- 7) The School Administrator will determine what additional appropriate notifications should be made and will brief the District Superintendent on the situation.
- 8) If the bus driver is instructed to resume the bus route, the driver should continue to pick students up. Students should only be dropped off if a responsible adult is at the bus stop.
- 9) If it is impossible to return to school, the bus driver should contact the School Administrator and remain with the children until further instructions are received.
- 10) The bus driver is responsible for all students who board the bus throughout the emergency.

Scenario 2 – Serious Accident or Bus Fire

- 1) The bus driver will park the bus in a safe location with the emergency brake set and the ignition off.
- 2) In the event of a fire, students and the driver should evacuate the bus immediately and move to a safe location away from the bus and traffic using available barricades (e.g., trees, cars) when available.
- 3) The bus driver will immediately call 911 and provide the exact location of the bus and wait for the arrival of emergency response personnel.
- 4) The bus driver should check students for injuries and provide appropriate first aid.
- 5) The bus driver should call the School Administrator and the District Transportation Director (refer to the Essential Contacts in the Appendices of this Plan) to report the location and condition of students.
- 6) The School Administrator will determine what additional appropriate notifications should be made and will and the District Superintendent on the situation.
- 7) The bus driver is responsible for accounting for all students throughout the emergency.

Earthquake

A. INSIDE SCHOOL BUILDING:

- 1) The teacher, or staff member in authority, will implement action, "DUCK, COVER AND HOLD." Stay inside building until the shaking stops.
- 2) Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures.
- 3) Do not use telephones.
- 4) Implement action, "LEAVE BUILDING." Over intercom, when instructed to do so, after the earthquake is over and tremors have subsided. Special consideration should be given to exit routes as some exits have heavy roof structures over the doorways. Go to an open area away from trees, power poles, etc.
- 5) Avoid touching electrical wires and metal objects such as chain link fences.
- 6) Render first aid if necessary.
- 7) Take roll and report results to the Principal/Incident Commander.
- 8) Activate a buddy system and determine needs of neighboring classrooms. Listen for directions.
- 9) Principal/Incident Commander to request assistance through school district channels. Notify the District Emergency Operations Center of any breaks in utility lines.
- 10) The Superintendent/Designee will determine the feasibility of closing the school, based on the report of the Principal/Incident Commander

B. IF OUTSIDE SCHOOL BUILDINGS:

- 1) Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas.
- 2) The safest place is in the open. Stay there until the earthquake is over.
- 3) DO NOT RUN! "DROP AND TAKE COVER!"
- 4) Follow procedures 3 through 10 under "Inside School Building."

Explosion or Risk Of Explosion

- 1) DUCK, COVER, AND HOLD command is to be given immediately. Do not approach windows or doors.
- 2) If the explosion is not in the building, students and staff are to remain at their assigned locations until directed by Principal/Incident Commander
- 3) When directed, evacuate.
- 4) If necessary, move to safe assembly areas outside the building and away from the location of the explosion.
- 5) Render first aid as necessary.
- 6) Take roll and report results to the Principal/Incident Commander.
- 7) If possible, fight small fires without endangering life.

Fire in Surrounding Area

- 1) Sound the school alarm and evacuate building.
- 2) Notify the office and Principal/Incident Commander.
- 3) Assemble at the pre-designated area (refer to evacuation map).
- 4) Assist disabled during the evacuation.
- 5) Render first aid as necessary.
- 6) Check all bathrooms and ancillary rooms for staff and students.
- 7) If it is possible for adults to fight small fires without endangering life and/or causing injury, do so by using the fire extinguisher.
- 8) Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire.
- 9) Take roll and report results to the Principal/Incident Commander. No one should leave the area until instructed to do so.
- 10) In the event of a fire near the school, the Principal/Incident Commander shall determine what action is appropriate and notify the Superintendent.

Fire on School Grounds

- 1) Sound the school alarm and evacuate building.
- 2) Notify the fire department by dialing 911.
- 3) Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment.
- 4) Assist disabled during the evacuation.
- 5) Render first aid as necessary.
- 6) Check all bathrooms and training rooms for staff and students.
- 7) If it is possible for adults to fight small fires without endangering life and/or causing injury, do so.
- 8) Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire.
- 9) Keep access roads open for emergency vehicles.
- 10) Take roll and report results to the Principal/Incident Commander. No one should leave the area until instructed to do so.
- 11) Notify the Superintendent/Designee. The principal will recommend to the Superintendent/Designee whether further action such as the EVACUATION OF SCHOOL should be implemented.
- 12) Notify utility companies of a break or suspected break in their lines.
- 13) After a serious fire, Fire Department officials and maintenance personnel should determine whether the building is safe before students and staff returns.

Flooding

- 1) Warning of an impending flood would normally be received at the endangered location by telephone from the District Office or from a Civil Agency (police or fire). If access to the Internet is available, the National Weather Service supplies current weather information, including severe weather warnings at <http://www.nws.noaa.gov>.
- 2) Communicate with the District Office. The predicted extent of the flood and the amount of time before it arrives will determine the course of action.
- 3) Keep students indoors until it is determined to be safe.
- 4) Move students to pre-designated areas if an evacuation is ordered.
- 5) Take roll and report results to the Principal/Incident Commander
- 6) The Principal/Incident Commander may initiate the following emergency actions:

- Dismiss school
- Leave campus and move to a safe place

Motor Vehicle Crash

- 1) Call 911 to report the crash.
- 2) Determine if any staff or students are in immediate danger. If necessary, evacuate to a safe area. All others are to remain at their assigned locations. Render First Aid as necessary. If evacuation is not imminent, students and staff should remain in classrooms or in assigned areas.
- 3) Consult with District Office and Emergency personnel for further direction and coordinate as needed.

Psychological Trauma

Many emergencies may result in psychological trauma for students and school staff. These emergencies may include an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions. Emergencies may result in the following conditions:

- Temporary disruption of regular school functions and routines
- Significant interference with the ability of students and staff to focus on learning
- Physical and/or psychological injury to students and staff
- Concentrated attention from the community and news media

As a result, students and staff may exhibit a variety of psychological reactions. Once the physical safety of those involved has been ensured, attention must focus on meeting the emotional and psychological needs of students and staff.

- 1) The School Administrator will contact the District Superintendent to establish a Crisis Intervention Team, which has primary responsibility for providing necessary assistance after all types of crises.
- 2) The Crisis Intervention Team will assess the range of crisis intervention services needed during and following an emergency.
- 3) The Crisis Intervention Team will provide direct intervention services for students and staff.
- 4) The School Administrator, District Superintendent and Crisis Intervention Team will work together to determine when and how school functions should be restored.
- 5) The Crisis Intervention Team should provide ongoing assessment, if needed, as well as follow-up services, as required.

Unlawful Demonstration or Walkout

- 1) The School Administrator will contact the District Superintendent for direction.

District Board Policies

Students: BP 5144.1 Suspension and Expulsion/Due Process

Adoption Date: 6/28/1983, Revised: 12/13/1983;

**08/13/1986;02/18/1988;02/15/1990;09/19/1991;08/15/1996;05/16/2002;08/18/2005;08/20/2009;08/16/2012;09/18/2014
5000 – Students**

Suspension and Expulsion/Due Process

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)(cf. 5131.1 - Bus Conduct)(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law and the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or other school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s)) While on school grounds; While going to or coming from school; During the lunch period, whether on or off the school campus (cf. 5112.5 - Open/Closed Campus)

During, going to, or coming from a school-sponsored activity; District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies. (cf. 0410 - Nondiscrimination in District Programs and Activities)

Appropriate Use of Suspension and Expulsion

Except when a student commits an act that violates Education Code 48900(a)-(e) or his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

Except when a student commits an act listed in Education Code 48915(c), the Superintendent or designee shall have the discretion to determine whether to recommend to the Board that the student be expelled. (cf. 5131.7 - Weapons and Dangerous Instruments)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to classroom or school removal.

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918) (cf. 5119 - Students Expelled from Other Districts) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Removal from Class by a Teacher and Parental Attendance

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law and that, if there are reasonable factors that may prevent the parent/guardian from complying with the requirement, he/she should contact the school. (Education Code 48900.1) (cf. 5145.6 - Parental Notifications)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by any method that maintains the confidentiality of the student's records. (cf. 5125 - Student Records)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Decision Not to Enforce Expulsion Order

Upon voting to expel a student, the Board may suspend enforcement of the expulsion order pursuant to the requirements of law and administrative regulation. (Education Code 48917)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan. (cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment
233 Hate violence
1981 Enrollment of students in community school
17292.5 Program for expelled students
32261 Interagency School Safety Demonstration Act of 1985
35145 Open board meetings
35146 Closed sessions (regarding suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48645.5 Readmission; contact with juvenile justice system
48660-48666 Community day schools
48853.5 Foster youth
48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
49073-49079 Privacy of student records
52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication
48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt
54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia
11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge/discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting
7151 Gun-free schools

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)
80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

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

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/about/offices/list/osdfs>

Nondiscrimination/Harassment Policy & Procedures (BP 5145.3)

ADOPTION DATE: 6/28/1983

REVISED: 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

RENUMBERED: 08/13/1986

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, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(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 includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

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

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. He/she shall provide training and 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. He/she shall report his/her 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 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 - 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

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

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4687 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

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

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

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

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>

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

Emergency Evacuation Map(s)