

# PARENT HANDBOOK 2019-2020



## **ADDISON ELEMENTARY SCHOOL**

650 Addison Avenue, Palo Alto, CA 94301 • (650) 322-5935 • [www.addison.pausd.org](http://www.addison.pausd.org)

# **ADDISON VISION / MISSION STATEMENT**

## **VISION**

As an Addison community we develop our students' knowledge, critical thinking, and problem solving skills. We nurture curiosity, creativity, empathy and resilience. We empower every child to reach their full intellectual, social/emotional, and creative potential to become a lifelong learner.

## **MISSION**

The Addison community supports students' learning and growth through clear and open communication, collaboration, taking risks, and building on the assets of one another with open minds.

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# WELCOME!

Dear Addison Families,

Welcome to Addison School! Addison's long history began in 1925 when it was founded on land intended for a high school. The original building rose two stories with single-story wings at either end. The two wings still exist – rooms 1, 2, 3, 8, and 9. These are the oldest existing elementary school classrooms in the Palo Alto Unified District. The central two-story structure, declared unsafe in an earthquake, was replaced in 1968 by the current courtyard rooms. The main office houses a (graciously donated) photo of the 1927-28 class, showing the original two-story building. Come on in and take a look at this record of Addison's history.

Addison hums with community energy and a passion for learning. Our test scores have consistently been among the highest in the state, while we continue to honor our long tradition of balanced curricula. Addison supports the whole child – academically, socially and emotionally. The students at Addison not only learn, they have fun as well, supported by a dedicated staff and a caring community that puts the welfare and achievement of its students at the center of everything it does.

One of the most distinctive features of Addison is its community. The school anchors friendships and social activities year-round. About 70% of our students (and their families) walk or ride their bikes to Addison. You're sure to see your neighbors and community members regularly on the way to and from school. Addison is Palo Alto's "downtown school", projecting a distinctive urban and cosmopolitan vibe. We speak dozens of languages and hail from all continents. There is one common theme, though: we love learning and we all come together at Addison School!

Our goal at Addison School is for each child to learn and grow academically, socially, emotionally and physically so that they will be better prepared to be citizens of the 21<sup>st</sup> century. While the staff and I shoulder a big part of that responsibility, we relish the partnership with you, our students' families. It's what makes Addison work so well.

This handbook contains useful information about our school's policies and procedures. Equally important is information which will help you connect with Addison's vibrant, engaging and powerful community. Please don't hesitate to ask me or members from our PTA or School Site Council (SSC) if you have any questions about Addison. I look forward to our journey together!

Fondly,

*Amanda Boyce*

Principal

# BOARD OF EDUCATION

## PALO ALTO UNIFIED SCHOOL DISTRICT

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***Melissa Baten Caswell***

(650) 823-1166  
mcaswell@pausd.org  
Term expires 2020

***Todd Collins***

(650) 403-2084  
tcollins@pausd.org  
Term expires 2020

***Ken Dauber***

(650) 906-4340  
kdauber@pausd.org  
Term expires 2022

***Shounak Dharap***

(650) 575-6485  
sdharap@pausd.org  
Term expires 2022

***Jennifer DiBrienza***

(917) 501-0930  
jdibrienza@pausd.org  
Term expires 2020

***Superintendent  
Dr. Donald B. Austin***

(650) 329-3737

School Board meetings are generally held on the second and fourth Tuesdays of the month at 7 p.m. in the Board Room at 25 Churchill Avenue.

# ADDISON STAFF

Amanda Boyce, *Principal*  
 Nancy Panayides, *Secretary*  
 Joy Frick, *Clerk*  
 Lina Castaneda, *Head Custodian*  
 Eric Pascual, *Evening Custodian*

CLASSROOM TEACHERS		
<p><b>KINDERGARTEN</b>                      Karen Kitayama, Room 1                      Lisa Suyemoto, Room 2                      Lee Mitchell, Room 3</p> <p><b>FIRST GRADE</b>                      Kelly Dowd, Room 4                      Monika Hastings, Room 5                      Carol Miller, Room 7</p>	<p><b>SECOND GRADE</b>                      Sheila Schweitzer, Room 6                      Laura Wright, Room 8                      Amy Kageyama, Room 20                      Heidi Maier-Deveau, Room 20</p> <p><b>THIRD GRADE</b>                      Shelley Ganschow, Room 9                      Sylvie Cordova, Room 18                      Susie Deutsch, Room 19                      Lynn Beck, Room 19</p>	<p><b>FOURTH GRADE</b>                      Jessica Collins, Room 10                      Katie Bramlett, Room 12                      Cindy Ando, Room 13                      Susan Deutsch, Room 13</p> <p><b>FIFTH GRADE</b>                      Taline Cox, Room 11                      Nikki Davidson, Room 14                      Desiree Rudd, Room 15</p>
CLASSROOM AIDES & STUDENT ATTENDANTS		
<p>Malisa Moore                      Anita Fiedel                      Sue Crown                      Vera Mazov                      Tamlin Connel-Kinnan                      Linda Nguyen                      Jeanny Punzalan                      Molly Naughton</p>	<p>Agnes Ryczkowski                      Karleen Lykken                      Ana Picazo                      Ann Lemmenes                      Caroline Camhy                      Marilyn Uzan</p>	
SUPPORT STAFF		
<p>Patricia Ohanian ..... <i>Librarian</i>                      Rita Rodriguez ..... <i>School Psychologist</i>                      Wendy Jacobsen ..... <i>Counselor</i>                      Sabrina Cheng ..... <i>Speech/Language Specialist</i>                      Kim Peckenpaugh ..... <i>Reading Specialist</i>                      Mandy Gantley ..... <i>ELD</i>                      Marissa Tessman ..... <i>Resource Specialist</i>                      Tedi Mills ..... <i>Intervention TOSA</i>                      Jonathan Kessler ..... <i>PE</i>                      Melanie Kang ..... <i>Music</i>                      Brian Casino ..... <i>IT Tech</i>                      Ana Picazo ..... <i>Activities Director</i>                      Claudia Quiroga ..... <i>Family Engagement Specialist</i>                      Uyen Nguyen ..... <i>Occupational Therapist</i>                      Jeanny Punzalan ..... <i>Lunch Server</i></p>		

## GET CONNECTED!

To contact a staff person, you can leave a note in their mailbox in the Addison Office, leave a voicemail on their extension, request a meeting, or email the staff member. For contact information go to <http://addison.pausd.org>.

# DISTRICT CALENDAR

## IMPORTANT DATES & HOLIDAYS 2019-2020

<i>School Year 2019-2020 Begins</i> .....	Wednesday, August 14
<i>Back-To-School Night</i> .....	Tuesday, August 20
<i>Labor Day</i> .....	Monday, September 2
<i>Student Holiday (PAUSD Staff Professional Development)</i> .....	Friday, October 11
<i>Veterans' Day</i> .....	Monday, November 11
<i>Thanksgiving Break</i> .....	Monday-Friday, November 25-29
<i>Winter Break Begins</i> .....	Monday, December 23
<i>School Resumes</i> .....	Tuesday, January 7
<i>Martin Luther King, Jr. Day</i> .....	Monday, January 20
<i>Student Holiday (PAUSD Staff Professional Development)</i> .....	Thursday, February 13
<i>Presidents' Holidays</i> .....	Friday, February 14 & Monday, February 17
<i>Local Holiday</i> .....	Tuesday, February 18
<i>Local Holidays</i> .....	Friday, March 6 and Monday, March 9
<i>Spring Break</i> .....	Monday-Friday, April 6-10
<i>Memorial Day</i> .....	Monday, May 25
<i>Last Day of School</i> .....	Thursday, June 4

## MINIMUM DAYS

*1:15 p.m. Dismissal*

<i>Each Wednesday</i> .....	* Restructured
<i>Last Day Before Winter Break</i> .....	Friday, December 20
<i>Last Day Before Spring Break</i> .....	Friday, April 3
<i>Last Day of School</i> .....	Thursday, June 4

\* A restructured week was approved by the PAUSD in 1971. Children receive the same number of minutes of instruction as required by State Law and District Policy, but the schedule is rearranged (restructured) to provide one **minimum day** per week.

Parents who have experienced this schedule enjoy its consistency and the time that it affords for medical appointments, dental appointments, music lessons, haircuts, etc.

Teachers use the minimum day for parent conferences, gathering materials, planning lessons, meetings, and other professional activities.



# ADDISON SCHEDULE

GRADES 1-5	Begins	Ends
Daily, except Wednesday – Grades 1-3	8:15 a.m.	2:20 p.m.
Grades 4-5	8:15 a.m.	2:45 p.m.
Recess – Grades K-3	10:00 a.m.	10:20 a.m.
Grades 4-5	10:20 a.m.	10:40 a.m.
Lunch – Grades K-3	12:00 Noon	12:45 p.m.
Grades 4-5	12:30 p.m.	1:15 p.m.
Wednesday – Grades 1-5 and other minimum days	8:15 a.m.	1:15 p.m.
ALL GRADES – Wednesday lunches	11:50 a.m.	12:30 p.m.
KINDERGARTEN	Begins	Ends
Daily (August - October)	8:15 a.m.	12:00 Noon
Full Day (October - June)	8:15 a.m.	2:20 p.m.
ALL KINDERS – Wednesday	8:15 a.m.	1:15 p.m.
Schoolwide Minimum Day Schedule	8:15 a.m.	12:00 Noon
RAINY DAYS – GRADES K-5	Begins	Ends
Lunch M,T,Th,Fri (Grade 5: 11:50 a.m.-11:55 a.m.)	12:00 p.m.	12:15 p.m.
Lunch Recess (May be in or out)	12:15 p.m.	12:45 p.m.
OFFICE HOURS	8:00 a.m.	4:00 p.m.



**Note: SCHOOL STARTS AT 8:15 a.m.**

**Please be on time!**

# ATTENDANCE POLICY

## ***Attendance Expectations***

Students who attend school consistently have a greater chance of excelling academically. Being present in the classroom provides students the ability to ask for clarification, engage in meaningful discussion, and take notes in preparation for examinations. Daily attendance promotes educational success and builds stronger relationships with peers and teachers. Consistent attendance is also recognized as a protective factor that provides students with the foundation to grow into happy, healthy, and productive adults.

The Palo Alto Unified School District (PAUSD) recognizes that success in school is related to prompt and regular classroom attendance. Frequent absences or tardies, which result in a student missing all or parts of presentations, demonstrations, discussions, explanations, and/or other classroom activities, are detrimental to the individual student and the class. Further, school attendance is compulsory as per Education Code (48200); therefore, student non-attendance and/or persistent tardiness are matters of serious concern (*Board Policy, BP 5113*).

The following are attendance expectations for all students:

- Attend school daily and on time to promote academic and social success.
- Be accounted for at all times throughout the school day, to promote safety.
- Remain after school when directed by a school official to complete disciplinary or other requirements.
- Abide by district policies related to school attendance.

## ***Excused Absences***

Excused Absences fall into one of two categories:

1. Health – Absences due to illness, medical appointments, or quarantine. \*See *Health Related Absences for further information*
2. Warranted – These include, but are not limited to the following: (*Education Code, 48205*)
  - Funeral service for member of immediate family members
  - Religious Purposes
  - Court Appearances
  - Pre-arranged college visits\*
  - Conference or meeting with employer\*

Please see PAUSD AR 5113 for a detailed description of excused absences.

*\*For high school students only.*

## ***Health Related Absences***

The district realizes that students may experience illness or health issues (physical/mental) throughout the year, requiring them to be absent from school. In order to provide appropriate supports to students with situational or chronic health issues, the following procedures apply.

In health related cases, in which the student is absent five (5) consecutive days, a physician's note is requested in order to excuse the absences. In cases where the student is absent over five (5) days (non-consecutive) or the equivalent of 10% of the semester (after state enrollment date) for health reasons, a physician's note is requested in order to excuse the absences. Health related absences may not be excused without appropriate medical documentation provided by an authorized health care provider (AR 5113).

### ***Health Appointments***

Parents/guardians should make every effort to schedule appointments outside of school hours. However, if not possible, parents/guardians are urged to consider varying the times of the day during which health appointments are made in order to avoid missing the same class consistently. If a student must leave during the day for a doctor/dentist appointment, the parent/guardian should come to the school office to sign out the student from school. If a student returns to school the same day, they are required to report to the school office before returning to class to provide verification of the health visit.

### ***Unexcused Absences***

Unexcused absences include absences not included above and/or not cleared with your child's school administration. Absences that do not qualify as excused as defined in Education Code have the potential to accrue toward truancy. Education Code §48260 provides that a student is truant if that student is:

- Absent from school without valid excuse three full days in one school year, or
- Tardy or absent for more than any 30-minute period during the school day
- Without a valid excuse on three occasions in one school year, or any combination thereof. (*Education Code, 48260, subd. (a).*)

### ***Family Trips***

We realize there are times families need to travel for various reasons during the school year. However, family trips are not considered excused absences by Education Code §48205. Given that classroom instruction and the interactive dynamic of the classroom experience are irreplaceable, consistent school attendance allows students to fully benefit from the educational experience. Students may be given the opportunity to make up missed work in extraordinary circumstances when a family leave is necessary, such as under emergency situations. Please contact your school principal to discuss your family's situation.

### ***Absence Reporting Procedure***

It is the parent/guardian's responsibility to report their student's absences. Only parents/guardians can excuse a student's absence. Parents/guardians must call or email the School Office on the first day of absence.

When a child is absent because of illness or for a doctor or dental appointment, call or email the school office 322-5935 before 8:15 a.m. on the day of the absence and indicate the reason. If contact is not made, the school requires the returning student bring a note signed by the parent/guardian. In a situation where a health condition begins to impact attendance and learning, a referral to the District Health Services Office may be initiated.

If a student is absent from class for any reason and the absence has not been cleared with the school staff, parents/guardians will receive a call from school staff. Any absence not cleared by the student's parent/guardian within 72 hours will be treated as an unexcused absence.

Detailed student attendance information is available for parents/guardians to review through the Infinite Campus Parent/Student Portal.

### ***Early Dismissal***

A child may be dismissed early from school only when a telephone call or note to the school office/teacher has indicated the specific reason. The school is not permitted to excuse children for music lessons, scouting, sports, or other extracurricular activities. A child leaving school at a time other than the usual dismissal time must report to the school office and await transportation there, NOT at the curb.

### **Tardy Policy**

Children should be at school on time. Arriving after school has started is considered tardy. Teachers submit attendance online and if the teacher has already completed the daily attendance report while a child is not present, the student will need to go to the office upon arrival at school so the attendance report can be amended to “tardy” rather than “absent.”

Persistent tardiness is a problem for students, teachers and the classroom routine. When children are late, it causes disruptions and requires teachers to repeat instruction or re-explain directions. This results in a loss of learning time for the entire class. Perhaps most important for children of elementary age, they are learning patterns for life. Being on time and ready to begin the day is an important habit for life. Since parents/guardians are largely responsible for getting children to school on time in elementary school, we ask you to plan a morning routine which ensures that your child arrives at school early.

### **Habitual Truancy and Chronic Absenteeism**

Families of students who are repeatedly tardy or absent, as per Education Code definitions, will be sent a letter to raise awareness of the situation. If the pattern of tardiness or absenteeism persists, the family will receive a second notice and the school will ask to meet with the parents to see how the situation can be resolved. If attendance does not improve over a reasonable period of time and the repeated tardiness and absences persist, the situation may be referred to the PAUSD Student Attendance Review Board. Please refer to the PAUSD School Attendance Review Board Brochure.

### **Actions to Address Poor Attendance**

Given the importance of school attendance to academic success and the requirements put forth by Education Code stating that school attendance is compulsory, the district makes every effort to keep students engaged in school. The following actions may be taken to address poor school attendance:

- Parent contact/meetings to discuss school attendance
- Development of attendance contracts
- Attendance at a District Attorney Mediation
- Referral to SARB

## **REGULARLY SCHEDULED EVENTS/TIMES/LOCATIONS**

<b>Event</b>	<b>Date/ Time</b>	<b>Location</b>
School Board Meetings***	7:00 p.m. usually on 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday each month	District Office: 25 Churchill Ave. or broadcast on Cable Coop Channel 28
PTA Meetings	Generally, 2 <sup>nd</sup> Tuesday each month; 8:15-10 a.m. Check Addison website	Addison Kids Club
School Site Council Meetings	Generally, 3 <sup>rd</sup> Wednesday each month; 3-5 p.m. Check Addison website	Addison Library
Weekly Assembly	8:25 a.m. Monday (weekly)	Addison courtyard

\*\*\*Upcoming School Board meeting dates and times are listed in the Addison Advisor and on the following websites:  
PAUSD: <http://www.pausd.org>  
Addison: <http://www.addison.pausd.org>

Please check the Addison School Calendar (<https://addison.pausd.org>) often as you will want to stay on top of the many exciting events which happen all year long.

# PARENT GROUPS

## PARTNERS IN EDUCATION

Partners in Education (PiE) is a non-profit foundation dedicated to sustaining Palo Alto's community tradition of extraordinary public education. As budget cuts across the state have reduced the Palo Alto Unified School District budget, PiE has played an increasingly important role in supplementing core programs funded by the district. PiE makes it possible for us to provide instructional aides in every classroom, supplemental science instruction from the Junior Museum and Zoo, Spectra art lessons in all classrooms, and additional staffing support for the students and teachers at Addison. PiE is entirely funded by parents and other community members.

Addison PiE Representatives: Missy Reller and Sonia Sethi

## ADDISON SCHOOL SITE COUNCIL

The Addison School Site Council is responsible for establishing school goals, and allocating the School Improvement Program (SIP) funds received annually from the state for prioritized school improvements. The Site Council is composed of parents and staff serving two-year terms. The Site Council meets once a month (see the Addison School calendar for days and times). Meetings are open to all parents and staff members.

The 2019-2020 Addison School Site Council Representatives include:

Site Council Representatives	
<i>Principal</i>	Amanda Boyce
<i>Teacher</i>	Karen Kitayama
<i>Teacher</i>	Marissa Tessman
<i>Custodian</i>	Joy Frick
<i>Parent</i>	Karna Nisewaner
<i>Parent</i>	John Bressler
<i>Parent</i>	Sanjiv Wadhvani
<i>Parent</i>	Emily Meyer

## ADDISON PARENT & TEACHER ASSOCIATION (PTA)

The Addison PTA is an essential component of school, providing three key functions to the school: volunteer support, financial and community support.

### **Volunteer Support**

The PTA recruits and manages hundreds of people and thousands of hours-worth of support. They ensure that the teachers and staff have the resources and support they need to provide our students with the best education possible.

### **Financial Support**

The PTA raises a critical portion of the annual school budget covering such essential non-personnel items as technology support, staff development, supplies, and operational needs. These PTA funds are raised primarily through parent contributions through the Addison School annual auction in October.

### **Community Support**

Through our annual events such as the Book Fair and Hoedown, parent breakfasts, Silent Auction, outreach events, parent education program, the PTA is a central link in the Addison community. Beyond school events, the PTA connects with the community through our weekly electronic newsletters (the Addison Advisor) and our website.

An Executive Board is elected from the parent community serving one-year terms. The Executive Board meets monthly. All parents are welcome to attend. The 2019-2020 PTA Executive Board includes:

<b>PTA Executive Board</b>	
<i>President</i>	Lauren Williams
<i>Executive Vice President</i>	Adrienne Germain
<i>VP Events &amp; Fundraising</i>	Lisa Bertelsen-Kivett
<i>VP Outreach &amp; Membership</i>	Rikki Fakatou
<i>VP Safety &amp; Education, Health &amp; Wellness</i>	Roberta Pinheiro
<i>VP Communications</i>	Sarah Kimbau & Michelle Gustavson
<i>Secretary</i>	Sush Vij
<i>Treasurer</i>	Raluca Perkins
<i>Financial Secretary</i>	Patty Dhillon
<i>Auditor</i>	Rachel Thomas
<i>Historian</i>	Julia Moran
<i>Parliamentarian</i>	Sarah Gibbs
<i>Principal</i>	Amanda Boyce
<i>Teacher</i>	Katie Bramlett

The Addison PTA website contains lots of important information about the school year. Please do take the time to become familiar with it. Additionally, the PTA sponsors this comprehensive parent directory (also available online) and sends you weekly updates through the online Addison Advisor. You will want to read it regularly to stay up-to-date on important information and activities at Addison school.

# ACADEMIC MATTERS

The Palo Alto Unified School District (PAUSD) has established district curricular goals and standards for every grade level that either meets or exceeds the Common Core State Standards. For a full description of these standards, please visit:

<https://www.pausd.org/curriculum/common-core-state-standards>

## STRATEGIC GOALS

In addition, we support the PAUSD School Board Strategic Goals which were updated and adopted on May 28, 2013. For a complete copy of the PAUSD Strategic plan, please visit:

[https://www.pausd.org/sites/default/files/pdf-faqs/attachments/Strategic\\_Plan\\_2013.pdf](https://www.pausd.org/sites/default/files/pdf-faqs/attachments/Strategic_Plan_2013.pdf)

### **Goal A – Academic Excellence and Learning**

Create an exceptional learning environment that equitably supports and appropriately challenges all students to reach their potential through a love of learning, mastery of the basics, and cultivation of higher-order skills.

### **Goal B – Personal Development and Support**

Support the social-emotional needs of students and celebrate personal growth across multiple dimensions, while ensuring a positive, safe, and healthy environment.

### **Goal C – Staff Development and Recruitment**

Create an exceptional, positive teaching environment by developing, recruiting, and retaining the most talented staff and supporting a culture of professional growth and innovation.

### **Goal D – Budget and Infrastructure**

Optimize use of resources to support student development, and ensure robust long-term plans for physical and financial capacity through prudent stewardship of resources, enhanced public and private support, and strong community partnerships.

### **THE PAUSD PROMISE**

<https://promise.pausd.org/home>

This guiding document is designed to clearly, concisely, and coherently outline our critical priority areas, provide space to explore our aspirations, and determine metrics to monitor our progress.

### **Core Values**

*Students:* Actions & Behaviors – Performance – Options

*Employees:* Leadership – Teamwork – Development

### **Our Priorities**

1. *High-Quality Teaching & Learning*
2. *Equity & Excellence*
3. *Wellness & Safety*
4. *Special Education & Inclusion*
5. *District Office Operations*
6. *Moving the Needle*

# HOMEWORK

The principal, staff, and parents at each school shall regularly review the homework policy, which includes regulations for the assignment of homework and describes the responsibilities of students, staff, and parents/guardians.

Homework should have a positive impact on student learning and is defined as the assigned learning activities that students work on outside of the classroom. The purpose of homework is to provide students an opportunity to practice, reinforce and apply previously taught skills and acquired knowledge and prepare for future lessons, and is directly tied to classroom instruction. Assignments should have a clear purpose and be designed for completion within a reasonable time frame. Completing homework is the responsibility of the student. Parents can play a supportive role through monitoring, encouraging students' efforts and providing a conducive learning environment.

Homework should be designed to:

- Deepen understanding and encourage a love of learning.
- Reflect individual student needs, learning styles, social-emotional health and abilities in order for students to complete their homework.
- Provide timely feedback for students regarding their learning.
- Include clear instructions and performance expectations so students can complete the work independently.
- Be assigned in reasonable amounts that can be completed within a reasonable time frame.
- Provide teachers with feedback regarding overall classroom progress toward expected outcomes.

If weekend homework is deemed necessary, the average cumulative amount of work required should not exceed a regular day's assignment.

Students may choose to use weekends for review, voluntary work, or completion of makeup assignments.

Project-based assignments may be assigned as homework; however, these tasks should not require group meetings outside of class, significant assistance from parents, or costly materials. Teachers should monitor and be mindful of the logistical challenges of group assignments outside of the classroom.

The Winter break is intended to be a time that is free from schoolwork for students and staff. There should be no expectations on the part of students or staff that schoolwork is done over this period. No assignments should be given over the Winter break, and any long-term assignments given before Winter break should not be due during the first week back from the break.

With the exception of Advanced Placement classes, homework should not be required over the summer months.

Besides Winter break, any homework given over school holidays should not exceed the homework given on a typical evening.



Students may choose, as a time management strategy, to allocate break time to work on assignments and projects. This should not be seen as the teacher assigning homework, but as the student employing a valid time management technique.

Homework grading practices should encourage learning and use positive motivation to promote completion of the homework. Teachers should employ homework grading practices that avoid punitive treatment of late homework, and make allowances when circumstances affect a student's ability to complete the work on time.

### ***Homework for Elementary Grades***

1. In the primary grades (K-3), homework should consist primarily of reading and a limited number of independent exercises to reinforce previously taught skills and concepts.
2. At the upper grades (4-5), homework should primarily consist of reading, practice and application of key skills and concepts, application of writing skills, and beginning research. At this level, homework should be designed to build independent study habits.
3. Long-term assignments at the upper grades should be limited in number and duration. These assignments should include clear checkpoints to monitor progress towards completion.
4. Homework at the elementary grades should not be assigned over the weekends.
5. As a guideline, when teachers choose to assign homework, students might reasonably be expected to devote the following amounts of undistracted, focused time to nightly homework, including time devoted to long-term projects and reading.  
K = Occasional short homework  
1 = 0-10 minutes average M-Th  
2 = 0-20 minutes average M-Th  
3 = 0-30 minutes average M-Th  
4 = 0-40 minutes average M-Th  
5 = 0-50 minutes average M-Th

Students in 4th and 5th grade who participate in band or strings can expect to practice their instrument for 10 minutes, five days per week.

### ***Homework Guidelines for Teachers***

In assigning homework, teachers should:

1. Clearly explain objectives, timelines, suggested amount of time for completing the homework, and required materials associated with the assignment.
2. Post assignments in a manner that is clear, consistent and easily observed by the student both in and outside of the classroom. The use of online communication tools is strongly encouraged at the secondary level.
3. Encourage students to monitor their own assignments.
4. Monitor homework time requirements and feasibility of assignments using student assignments, student feedback, and parent feedback.
5. Differentiate assignments when it is determined that, despite appropriate effort and learning habits, a student is spending more than the expected time on homework.
6. Clearly communicate to parents and students the expectations regarding the amount and quality of homework required by the student and the level of parental involvement to complete assignments.
7. Inform parents and students of opportunities for student assistance.

8. Suggest and practice techniques to help increase efficiency, such as how to allocate time wisely, meet deadlines, and develop good study habits for each subject area. Examples of this may include the use of a binder reminder or computer based tools as communication avenues between home and school.
9. Provide a process for student or parent feedback if there is a concern.
10. Work with grade and department level colleagues to promote consistent homework practices and reasonable total time requirements for each evening.

### **Makeup Work**

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (*Education Code [2]48980 [2]*)  
(*cf. 5121 - Grades/Evaluation of Student Achievement*)  
(*cf. 5145.6 - Parental Notifications*) [3]

Students who miss schoolwork because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

(*Education Code 48205*)  
(*cf. 5113 - Absences and Excuses*)

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

*Legal Reference: EDUCATION CODE*  
*48205 Absences for personal reasons 48913 Completion of work missed by suspended student 48980 Parental notifications*  
*58700-58702 Tutoring and homework assistance program; summer school apportionment credit*  
*Management Resources: SBE POLICIES*  
*Parent Involvement in the Education of Their Children, 1994 Policy Statement on Homework, 1995*

## **PROGRESS REPORTS (REPORT CARDS)**

Assessing and reporting student progress is a priority in our school district. Progress reports are issued three times a year. Formal conferences with parents, the teacher, and possibly the student are held twice a year, the first in October/November and the second in February/March. However, parents will find teachers open to additional conferences as needs and situations dictate. Appointments arranged in advanced are best.

## **PSYCHOLOGIST**

Rita Rodriguez is assigned to Addison on a part-time basis. Focusing on learning, social, and emotional issues, the psychologist works with staff to provide the best possible environment for all students. Parents with questions or concerns about their children should contact the main office to schedule an appointment with the psychologist or contact Ms. Rodriguez at rrodriguez@pausd.org

## **READING SUPPORT**

Thanks to funding from PAUSD, PiE, and our Title One budget, Reading Specialists Kim Peckenpaugh (grades K-2) and Tedi Mills (grades 3-5) support students that are struggling with reading. Individual reading assessments administered by classroom teachers help identify students who need this service. Instruction is typically provided in small groups. If you have questions about your child's reading abilities, please discuss with your classroom teacher or contact Ms. Peckenpaugh at [kpeckenpaugh@pausd.org](mailto:kpeckenpaugh@pausd.org) or Ms. Mills at [tmills@pausd.org](mailto:tmills@pausd.org).

## **ENGLISH LANGUAGE LEARNER (ELL) SUPPORT**

In order to support second language learners, Amanda Gantley works at Addison three days per week. Ms. Gantley will administer the annual CELDT assessment for second language learners in early Fall to determine student language proficiency levels in reading, writing, listening, and speaking. Based on the results of the assessment, students will be supported in the classroom by Ms. Gantley or in some cases, a primary language tutor. For more information about ELL services, please contact Ms. Gantley at [agantley@pausd.org](mailto:agantley@pausd.org)

## **MATH SUPPORT**

Amy Kageyama will serve as our Math Specialist, primarily in grades K-2. She will collaborate with teachers on the most effective ways to support struggling mathematicians. Additionally, grade 1-5 students may be invited to Math Academy in the fall or spring if additional support is needed. If you have questions regarding math support, please contact Ms. Kageyama at [akageyama@pausd.org](mailto:akageyama@pausd.org)

## **RESOURCE SPECIALIST SUPPORT**

The Resource Specialist Program is a special education intervention designed to serve students that have qualified for services via assessments administered by the psychologist, the resource specialist, Marissa Tessman, the speech and language specialist, Sabrina Cheng, and other specialists.

Before services can begin, parents must agree to the RSP placement and approve an Individual Education Plan (IEP) for their child, as developed by the Individual Education Planning Team. The IEP team is composed of the Resource Specialist, the school Psychologist, the Principal, the Speech/ Language Therapist, classroom teachers, and the parents of the student being studied or assessed. IEPs for students receiving RSP support are subject to annual and triennial review and parent approval. If you have questions about IEPs, please contact Amanda Boyce at [aboyce@pausd.org](mailto:aboyce@pausd.org)

## **STUDENT SUCCESS TEAM (SST)**

When a student has a special need or there is a concern raised about the child, the Student Study Team is convened. Parents or staff may request the meeting. The team is usually comprised of the student's parents, the classroom teacher, the resource specialist, the psychologist, the principal, and other school specialists, as needed. The team does what its name implies – discusses ways to ensure student success. The team gathers as much information as it can on the student and brainstorms ways to support him/her. Occasionally, the parents may request or approve assessments by the psychologist, the resource specialist, and others to better identify a student's strengths or areas of concern.

# STUDENT SAFETY

## ILLNESS OR ACCIDENTS AT SCHOOL

Fevers must be fully absent for 24 hours (without benefit of medication) before a child returns to school. To minimize the possibility of accidental contagion, please pick up your child promptly when notified that s/he is ill. **It is essential that all children have a current emergency card on file.** These cards are generated from Infinite Campus at the beginning of the year so it's imperative that all emergency information is accurate on Infinite Campus. If there are **any** changes in insurance, work phone, home phone, etc. (whether temporary or permanent); please report them immediately to the office at 322-5935 and the office will update the emergency card on file.

## COMMUNICABLE DISEASES

Parents will be notified of communicable diseases at school. Families may wish to consult family physicians concerning incubation period, duration of illness, and/or immunization.

## LICE POLICY

Head lice are a concern in all schools. As per the PAUSD Board Policy adopted in 2013 (BP5141.33) emphasis is placed on parent and staff education regarding prevention, early detection, prompt treatment and ongoing management of head lice. Parents are encouraged to check their child periodically at home for the presence of lice and to notify the child's school, if lice are detected. More information can be found on the PAUSD website under the Health and Wellness Program (<http://pausd.org/parents/services/health/index.shtml>). In addition, the brochure, *A Parent's Guide to Head Lice* is available in the school office as well as on our website.

If a student is found to have head lice, copies of the Lice Exposure Notice will be sent home with all students in the affected classroom. If live lice are found office staff will contact the parent to pick up their child. All students with lice will be asked to complete the Lice Treatment form. In addition, before returning to the classroom, the parent/guardian must bring their child to the office for a readmission check by office staff. The student will be re-admitted when no live lice are present. If nits are still present the parent/guardian will be encouraged to continue daily nit removal and observation for the presence of live lice. Student may remain in school. Staff shall maintain the privacy of any student identified as having head lice.

Some cases of lice are difficult to eliminate. PAUSD's nurse is available to assist whether the case is new or lingering. Please call our office for the nurse's contact information.

## MEDICINE TO BE ADMINISTERED AT SCHOOL

When school personnel are requested to keep and/or give medication to a student, the parent and physician are required to complete an authorization form available in the office. Medication can be given only if it is prescribed by the student's physician with the prescription presented on the container. The principal is responsible for reviewing the request to administer medication and determine if the school can honor the request. "Over-the-counter" products such as cough drops and sunscreen are considered medication.

## **RETURNING TO & LEAVING SCHOOL**

Upon leaving and returning to school for any reason and at a non-routine time, please check students out of school by coming to the office and signing them out. The office will notify the teacher that a student is leaving school.

## **NUT-FREE TABLES**

The elementary schools will have nut-free tables available, which are clearly marked. These tables are **OPTIONAL** for students with nut allergies. All students shall be reminded not to share food or accept food from other students, as students and staff may not be aware of ingredients in foods they bring to school. Additionally, to protect students with allergies and promote good hygiene, students should be encouraged to wash their hands before and after eating.

## **INAPPROPRIATE OBJECTS/PERSONAL ITEMS**

Objects that are not directly related to a classroom project or assignment and approved by a staff member are not permitted on campus. This may include but is not limited to: toys, balls smaller than a child's head, lighters, matches, sharp objects, laser pointers, noise makers, water balloons, squirt guns, paint balls, eggs, pocket knives, box cutters, pepper spray, poppers, firecrackers, spray cans of any type. The presence of inappropriate objects can create a disruption. If a student accidentally brings an inappropriate object to school in his/ her backpack, the child is expected to turn in it into his teacher or school office immediately. The school cannot assume responsibility for lost/stolen personal items.

While students have the right to bring **cell phones** on campus, (ED Code 48901.5) they must be turned off once a student is on campus or a staff member will take the phone to the office to have it picked up at the end of the day. Addison is committed to monitoring and protecting student exposure to unknown websites. Furthermore, if a child needs to contact his/ her parent for any reason, he/she is welcome to use the phone in the office.

## **DISASTER PLAN**

Each PAUSD school site has an emergency preparedness plan that is reviewed annually with staff. Assignment of roles and responsibilities and a plan of response are discussed and practiced. A storage locker of disaster supplies is located on our playground in a shed between rooms 15-16.

During or pursuant to an emergency or disaster, students will be closely supervised by staff and released only to adults listed on the emergency cards (generated through Infinite Campus in early September from emergency contacts). Parents must make sure that the contact information provided on Infinite Campus is accurate and inform the office if the information changes after Sept. 1.

## **TITLE ONE DESIGNATION/BREAKFAST**

During the 2015-16 school year, Addison School was designated a Title One School due to the fact that over 12% of our student population receive free and reduced lunch. Our designation entitled us to a Title One budget that pays for an Intervention Teacher and support materials for struggling students. Any student that is not meeting academic

benchmarks can receive additional support and services provided by the Intervention teacher regardless of whether that child is receiving free and reduced lunch.

Our Title One funds also allow us to provide breakfast for **all students**. Any Addison student is welcome to come to the Room 21 (free-standing portable on the field) Monday-Friday from 7:45-8:15 a.m. to enjoy a variety of food items including hard boiled eggs, cheese, cereal, milk, and other items.

## **STUDENT SUPERVISION**

Adult supervision of students on campus outside begins at 8:05 a.m., 10 minutes before the opening of school. Do not leave your child unsupervised on or adjacent to campus prior to 8:05 a.m. Parents who must leave for work at an early hour are encouraged to seek the help of other Addison parents who might be willing and able to care for a child until 8:05 a.m. and escort him/her to school at the appropriate time. Alternatively, parents can drop off their children at 7:45 a.m. and direct the child to Room 21 where breakfast is being served and supervision is provided.

Whether your child's dismissal time is 12 p.m., 2:20 p.m., or 2:45 p.m., parents must be prompt in picking up their children at the close of school or provide supervision if children stay on campus to play. Except for fee-based Palo Alto Community Child Care and clubs, we have no resources for adult supervision of students before 8:05 a.m. or after school. Furthermore, Kindergarten- 3<sup>rd</sup> grade parents are encouraged to use the **Kindergarten playground** (after dismissal) so that 4<sup>th</sup> and 5<sup>th</sup> grade instruction is not disrupted. If you need care for your child after school, please see the "Child Care" section in this handbook.

## **VISITORS**

Visitors to school need to sign in at the office and wear a visitor's nametag. Even parents volunteering in classrooms on a regular basis must sign in. It's our way of keeping track of who's on campus especially if there were an emergency. Staff members will approach parents without nametags to redirect them to the office in order to sign in.

Please be advised that vacationing or visiting students from other school districts may not attend our school.

## **ADDISON SCHOOL BEHAVIOR / DISCIPLINE POLICY**

Children are responsible for complying with behavioral expectations in the classroom, on the playground, at lunch, and on the bus. When a problem arises, the parents, teachers, student, and principal come together to address it and to help the student practice conflict resolution, responsibility and self-control.

We make every effort to solve these issues at the school level. However, if the problem is of a highly serious nature or constitutes a pattern of inappropriate behavior, school district involvement may be required.

While it is extremely rare, students are sometimes suspended or expelled from campus. The standard used is the California Education Code. The principal can provide more information identifying the grounds for these actions.

The Addison School discipline policy is based on the following Addison Core Values. We expect our students, staff, parents and community members:

- To display RESPECT by being courteous, sensitive and civil to other people, property and the environment.
- To display HONESTY by demonstrating a commitment to the truth in our principles, intentions and actions. Honesty builds and maintains trusting relationships. Honesty requires courage and integrity.
- To display RESPONSIBILITY by fulfilling obligations to ourselves, our family, our community and the environment. We will be held accountable for the choices we make and for the tasks we have accepted or have been assigned.
- To display KINDNESS by being gentle, compassionate, empathetic, friendly and caring toward ourselves and others.

The general Addison School Rules are:

- Be Safe
- Be Respectful
- Be Responsible

## **PLAYGROUND / CLASSROOM EXPECTATIONS**

In addition to our three basic rules of safety, responsibility, and respect, a few additional guidelines are necessary to ensure that students enjoy a safe, fun playground experience:

- Games that involve hitting, grabbing, tackling, pushing, shoving, tripping, biting, clawing, scratching, lifting another student, kicking or other dangerous physical activity are prohibited.
- Dodge ball-like games that involve “head-hunting” or throwing a ball to hurt another student are dangerous, thus prohibited. Any game that becomes too large or unsafe may be limited in size temporarily or permanently by the teacher on duty or by the principal.
- Students may only walk in the hallways and play structures to avoid collisions and the risk of falling from elevated surfaces. Students may only play in areas designated as play areas.
- All equipment such as playground balls, soccer goals, and any property must be treated respectfully. Any kicking games that involve balls must be played on the field. If a child brings a ball from home, it must be larger than a child’s head (i.e. no tennis balls) and shared with other students (no exclusions).
- Tag games must be played on the field. Students can only use two fingers to tag another student.

Yard duty supervision is performed by teachers during the 10 a.m. recess, and normally the principal and paid or volunteer campus supervisors at lunch recess. They are easily seen by their orange sashes.

Each teacher creates with students a classroom discipline plan, based in part on the three school BEHAVIORAL EXPECTATIONS. When problems arise in the classroom, teachers may seek resolution by the following:

- Speaking with the child individually
- Conferring with the parents
- Completing a “Take Notice” form – a written explanation of events/ concerns that requires a parent signature
- Conferring with the principal
- Referring the student to the principal for additional consequences/ SST meeting

Consequences from the teacher or principal may include structured recess time, restriction from school-related activities, and suspension from school for the remainder of the school day or for more than one day.

Extreme behaviors such as fighting, harassment, or abuse will require the immediate attention of the principal or designee and result in appropriate consequences for a student.



# GOING TO SCHOOL, GOING HOME

Addison is a neighborhood school and we encourage all of our families to walk, bike or scooter to school. We are proud of the fact that 70 percent of our families commute through a method other than a single family car. We want to keep those numbers strong.

Because we do encourage walking and biking as much as possible, the Addison community has developed a comprehensive Traffic Safety Plan. It is available through the Addison website. Please make sure you read and are familiar with the Traffic Safety Plan:

<https://addison.pausd.org/about/traffic-and-safety>

## ARRIVAL AT SCHOOL

While there is much more in the Addison Traffic Safety Plan, the section on safety procedures for driving back and forth to Addison is reprinted below for your convenience. If you do choose to drive, these are important areas where we need your help:

All parents know that the “morning rush” can be hectic. Still, safety for all should be the primary consideration. Leaving a few minutes earlier than usual can help avoid rushing.\* Due to construction, the entrance on Webster Street will be closed throughout the school year. Drop-off in a vehicle on Addison Avenue is discouraged due to a bike lane. NEVER leave your vehicle unattended on Addison Avenue adjacent to the school. Walking entrances include Addison Avenue, Middlefield Road, and Lincoln Avenue.

*\*(However, no students should be on campus before 8 a.m., except if coming for breakfast)*

*Please do your best to drive in a clockwise direction around the school – students will then be dropped off at a curb, avoiding illegal and dangerous mid-street jaywalking. Don’t drop students off in stopped traffic – find a curb. If you must park across a street, use the nearest corner crossing to cross it.*

## PARKING AT ADDISON

If you must park, limited space is available on Middlefield Road, Lincoln Avenue, and Webster Street. To avoid congestion, consider parking on a street adjacent to the school and walking a short distance. Some example areas are Addison (north side) and Fulton Avenues east of Middlefield Road, Byron Street south of Lincoln Avenue, Webster Street north of Addison Avenue, and Lincoln Avenue west of Webster Street. **Please note that cars should not park on Addison Avenue parallel to the school or tickets will be issued by the PAPD.** See <https://addison.pausd.org/about/traffic-and-safety> for a map of the Addison neighborhood.

Parking around Addison is short term due to the Residential Parking Permit Program enforced by the City of Palo Alto. If you plan to visit Addison for more than two hours, a permit is required and can be checked out in the front office.

## DROPPING-OFF & PICKING-UP

Because it was designed as a neighborhood school, Addison doesn’t have a good off-street zone for student drop-off and pick-up by automobile. Thus, the four city streets surrounding the school are the drop-off/pick-up “zones.” Each has its own features:

- **Addison Avenue:** *The side of the street fronting the school is a bike lane--waiting/parking there is prohibited. Cars should “pause and drop” and then ease into traffic, looking out for bicyclists. For an efficient drop-off, have students ready to get out when you stop, and exit from the right-hand doors only. Don’t get out of the car. Please do not park/drop-off/pick-up in the school bus red zone at the main entrance. The parking lot across the street from Addison School (on Addison Ave.) is strictly off limits for Addison parents. Cars parked there will be towed.*
- **Middlefield Road:** Please do not park in either the bus stop zone near Addison Avenue (which blocks the crossing guard’s vision and visibility), or in the mid-block Fire Lane entrance.
- **Lincoln Avenue:** Please do not park in the red-curb zones, or across the mid-block crosswalk at Byron.

## **CHILD CARE**

After school child care at Addison, Addison Kids Club (AKC) is handled by Palo Alto Community Child Care (PACCC). The PACCC program runs from the close of the kindergarten school day until 6 p.m. daily, serving children in grades K-5. The limited number of spaces are filled in the order applications are received. For fees and other information about PACCC’s program at Addison, please contact Shawn Hott, AKC’s School-Age Program Director, at (650) 323-4007.

# GENERAL SCHOOL INFORMATION

## TEACHER / CLASSROOM ASSIGNMENTS

When the Addison faculty and principal assign students to classes for the school year, they try to develop balanced classes that will contribute to a positive classroom environment. “Sending” and “receiving” teachers consider the benefits of possible assignments for each student, as well as contributions each student and various student groupings might bring to a given class. Changes to class placement are rarely made.

In late April/ early May, parents can pick up an optional Parent Input Form from the office if they choose to share information regarding their child’s most optimal learning environment. Please note that teacher requests are not accepted. If a parent is concerned about a teacher/classroom assignment when school resumes, parents are asked to follow the guidelines below:

- A. Meet with the classroom teacher to discuss the concerns regarding the child’s current classroom experience.
- B. Meet with the site administrator if the concerns still remain after meeting with the classroom teacher.
- C. If necessary, provide an opportunity for the school administrator to observe and address the concerns within the current classroom setting.

Given the fact that our student enrollment fluctuates during the first ten days of school, any requests initiated at the beginning of the school year will not be considered until after the first ten days of school. This time frame allows for the stabilization of school enrollment and provides an opportunity for a teacher to review the instructional program and expectations for the year with parents.

## HEALTHY FOODS AT SCHOOL: DIETARY GUIDELINES

Healthy, well-rested, well-fed and physically active students are better able to learn and succeed in school. At Palo Alto Unified, we want to make sure that nutrition at school supports healthy eating, student success and is backed by research.

Research shows that sugar is one of the major causes of today’s epidemic in childhood and adult Type 2 diabetes, cardiovascular disease, obesity and chronic diseases [1,2,3,4,5,6,7]. The presence of sugar and artificial additives may have a negative effect on physical and mental health. [8,9]

We in PAUSD are taking a leadership role by providing an environment at each of our campuses that supports healthy eating through education and serving healthy foods.

In accordance with this vision, we encourage classrooms, school-sponsored and PTA-sponsored activities to follow these guidelines:

### NO FOOD IN CLASSROOMS WITH THE FOLLOWING EXCEPTIONS:

- If snacks or foods are served during snack time or events, healthy foods are strongly encouraged such as natural real foods, unprocessed and without artificial food coloring, dyes, or flavors, like fruits and vegetables. We would like to strongly discourage foods with added sugar such as candy, cakes, cookies, soda and juice.

- Food is part of the curriculum.
- Celebrations will follow the celebration guidelines.
- Food as incentive is allowed if part of an IEP or 504 Plan or for approved medical reason(s). However, it is highly encouraged to consider options described in the alternatives to rewards guidelines section.

[1] Hedley A, Ogden C, Johnson C, Carroll M, Curtin L, Flegal K. "Overweight and Obesity among U.S. Children, Adolescents, and Adults, 1999-2002." *Journal of the American Medical Association* 2004, vol. 291, pp. 2847-2850.

[2] Whitaker R, Wright J, Pepe M, Seidel K, Dietz W. "Predicting Obesity in Young Adulthood from Childhood and Parental Obesity." *New England Journal of Medicine* 1997, vol. 337, pp. 869-873.

[3] U.S. Department of Health and Human Services (HHS). *The Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity*. Rockville, MD: HHS, 2001.

[4] Freedman D, Dietz W, Srinivasan S, Berenson G. "The Relations of Overweight to Cardiovascular Risk Factors among Children and Adolescents: the Bogalusa Heart Study." *Pediatrics* 1999, vol. 103, pp. 1175-1182.

[5] McGill H, McMahan C, Zieske A, Sloop G, Walcott J, Troxclair D, Malcolm G, Tracy R, Oalman M, Strong J. "Associations of Coronary Heart Disease Risk Factors with the Intermediate Lesion of Atherosclerosis in Youth: the Pathobiological Determinants of Atherosclerosis in Youth (PDAY) Research Group." *Arteriosclerosis, Thrombosis, and Vascular Biology* 2000, vol. 20, pp. 1998-2004.

[6] Pinhas-Hamiel O, Dolan L, Daniels S, Standiford D. "Increased Incidence of Non-insulin-dependent Diabetes Mellitus among Adolescents." *The Journal of Pediatrics* 1996, vol. 128, pp. 608-615.

[7] Muntner P, He J, Cutler J, Wildman R, Whelton P. "Trends in Blood Pressure among Children and Adolescents." *Journal of the American Medical Association* 2004, vol. 291, pp. 2107-2113.

[8] "Food Dyes: A Rainbow of Risks", Center for Science in the Public Interest, <https://cspinet.org/sites/default/files/attachment/food-dyes-rainbow-of-risks.pdf>.

[9] "Ingredients of Concern", Center for Science in the Public Interest, <https://cspinet.org/eating-healthy/ingredients-concern>.

## **ALTERNATIVES TO FOOD REWARDS**

Research clearly demonstrates that healthy kids learn better. To provide the best possible learning environment for children, schools must provide an environment that supports healthy behaviors. Students need to receive consistent, reliable health information and ample opportunity to use it. Finding alternatives to food rewards is an important part of providing a healthy school environment.

### **CONSEQUENCES OF USING FOOD REWARDS:**

1. **Compromises Classroom Learning:** Schools are designed to teach and model appropriate behaviors and skills to children. Nutrition principles taught in the classroom are meaningless if they are contradicted by rewarding children with candy and other sweets. It's like saying, "You need to eat healthy foods to feel and do your best, but when you behave or perform your best, you will be rewarded with unhealthy food." Classroom learning about nutrition remains strictly theoretical if schools regularly model unhealthy behaviors.
2. **Contributes to Poor Health:** Foods commonly used as rewards, like candy and cookies, can contribute to health problems for children, such as obesity, Type 2 diabetes, hypertension and cavities. Food rewards provide unneeded calories and displace healthier food choices.
3. **Encourages Overconsumption of Unhealthy Foods:** Foods used, as rewards are typically high in fat, added sugars and sodium with little nutritional value. Decreasing the availability of these foods is one strategy schools can use to address the current childhood obesity epidemic.
4. **Contributes to Poor Eating Habits:** Rewarding with food can interfere with children learning to eat in response to hunger and satiety cues. This teaches kids to eat when they are not hungry as a reward to themselves, and may contribute to the development of disordered eating.

5. **Increases Preference for Sweets:** Food preferences for both sweet and non-sweet foods increase significantly when foods are presented as rewards. This can teach children to prefer unhealthy foods.

If rewards are given in the classroom, schools shall encourage the use of non-food based rewards whenever possible.

#### **ALTERNATIVES TO FOOD-BASED REWARDS (Elementary School Students):**

1. Make deliveries to office
2. Teach class
3. Be a helper in another classroom
4. Read morning announcements
5. Sit with friends
6. Have lunch or breakfast in the classroom
7. Have a private lunch in the classroom with a friend
8. Play a favorite game or do puzzles
9. Extra recess time
10. Free time at the end of class
11. Dance to music in the classroom
12. Walk with the principal or teacher
13. Fun physical activity break
14. Trip to treasure box filled with non-food items, e.g., stickers, pencils, erasers, bookmarks, school supplies
15. Teacher or volunteer reads special book to class
16. Fun movie
17. Certificate, trophy, ribbon, plaque
18. Teacher performs special skill, e.g., singing, guitar playing, listen to music or a book on audiotape
19. Read outdoors or have class outdoors
20. Extra art, music or reading time
21. Access to items that can only be used on special occasions, e.g., special art supplies, toys gift certificate to school store (nonfood items)
22. Commendation certificate or letter sent home to parents
23. Resources
24. Show-and-tell
25. Earn points or play money for privileges or non-food items

Source: Alternatives to Food Rewards, Connecticut State Board of Education, [https://healthymeals.fns.usda.gov/hsmrs/Connecticut/Food\\_As\\_Reward.pdf](https://healthymeals.fns.usda.gov/hsmrs/Connecticut/Food_As_Reward.pdf).

Find more ideas and discussion in this document: Healthy Alternatives for School Celebrations, Rewards, Fundraisers and Snacks from Kansas City (<https://www.tpchd.org/files/library/3379ffef0bb808ad.pdf>).

## **BIRTHDAY & PARTY CELEBRATION GUIDELINES**

In an effort to be more thoughtful about our students' health, the PTA and our school teachers ask you to please consider alternatives to foods you bring to school for your children's birthdays and classroom holiday parties.

We have included some of the ideas from those school communities and those from our own parents and teachers, as well. Your child's teacher and your class Room Parent will communicate more on this subject, but here are some ideas:

- As a class, consider beginning a practice of having multiple birthday celebrations by month - all on one day.
- Consider alternatives to food. Try to not make food the focus - plan activities such as dancing, games, crafts, or singing.
- Talk to students about the reasons for healthy makeovers and involve them in the planning of the party.
- Bring age appropriate "food-less goodies," such as pencils, bookmarks, or stickers.
- Make a small gift to the classroom, such as art supplies, posters, or books. Be sure to check with the teacher for anything that might be especially needed.
- For Holiday Celebrations, make efforts to create games, activities and crafts rather than have the party centered around food and sweets.
- Bring a basket of gently used books and have each child in the class get to choose a book (birthday child chooses first)
- If food is involved in this celebration, we strongly encourage the following:
  - If you bring a birthday snack to share, be sure to alert the teacher and Room Parent ahead of time of your plans. And bring in a snack that has no added sugar (natural foods such as fresh fruit, bananas, berries, melons, and vegetables, popcorn, cheese, fresh squeezed juices). Please consider the possibility of food allergies in our children and remember to be gluten and nut free and consider foods without artificial additives and preservatives.
  - If you have time, make treats from scratch to eliminate artificial ingredients, like high fructose corn syrup, partially hydrogenated oils, artificial flavors and colors and preservatives. Again, please consider the possibility of food allergies in our children and remember to be gluten and nut free, and consider foods without artificial additives and preservatives.

Your child's teacher and class Room Parents will discuss in more detail their own classroom practice, but the PTA and the teachers thank you in advance for helping to create a healthier culture for our kids.

## **HEALTHY ALTERNATIVES TO FUNDRAISING**

Fundraising presents another opportunity to make your school environment healthier. Some options such as bake sales, as lucrative as they may be, are not in our children's best interests. There are, however, alternatives that allow for raising needed funds without compromising the health of children and their families.

1. Encourage the solicitation of non-food items in auctions. Collectibles and large ticket items are attractive and typically raise more money than food items;
2. Plan events and activities that promote fitness (a run/walk or dance marathon)
3. Offer an experience (musical concert);
4. Provide a product (book) or service (car wash, recycling, consulting session, fitness training, photography, company tour);
5. Replace traditional bake sales with "bakeless" bake sales. Instead of buying ingredients and baking an item, parents make a donation in an amount similar to what they would have spent or provide a gift card or gift certificate to a favorite vendor;

6. Ask fundraising companies to provide your schools with fundraising catalogs that feature only non-food or healthy food products;
7. Encourage school fundraisers at restaurants that do not serve fast food but instead have healthy options;
8. Enlist students in developing healthy, profitable fundraising ideas;
9. Enlist students in creating something to sell: art projects, building/making a simple item and customizing it;
10. Include a donation-only option;
11. Identify how much your school needs to raise for the year and suggest a donation amount to families. Know that some will give more and some will give less. Then you can do one or two smaller fundraisers to make up for any shortfall. If your school meets the requirements, donations could be tax deductible — be sure to let donors know of the benefits. Consult with site principal in advanced if considering this alternative.

*Source: Healthy Alternatives for School Celebrations, Rewards, Fundraisers and Snacks from Kansas City (<https://www.tpchd.org/files/library/3379ffef0bb808ad.pdf>).*

## **LOST & FOUND**

We encourage parents to label everything a child brings to school, as things do get lost. Most “found items” are kept in a small shed next to room 2 close to the entrance on Addison Avenue. Small or valuable “found items” are held in the office. Unclaimed clothing remaining in the Lost and Found for a long period of time will be donated.

## **SOCIAL / EMOTIONAL PROGRAM**

Addison is a Project Cornerstone School. Project Cornerstone is a social-emotional program that is built upon the idea that the community as a whole works together to build developmental assets in our students. The 41 developmental assets have been adopted by PAUSD and the City of Palo Alto. We participate in the ABC (Assets Building Champions) Reading program where parent volunteers read and discuss common character education books. Parents are encouraged to get involved as a parent reader.

The staff also encourages the individual child to develop desirable qualities and characteristics through monthly “Life Skills”. The entire school is engaged in learning and practicing life skills as the platform for a positive school climate. Each month the school focuses on a particular skill - respect, generosity, responsibility, acceptance, courage, perseverance, honesty, cooperation, citizenship, etc. These monthly life skills will be highlighted on the back of the activities calendar sent home each month. Students are encouraged to develop and practice each life skill all year long.

# ADDISON SCHOOL SONG

## The Leaders of Tomorrow Addison School Theme Song

The ar - ches of Ad - di - son wel - come ev - ery one

Lead - ing us to learn - ing as we grow

Spe - cial tea - chers, spe - cial friends, here with us to - day

Help us be the Lead - ers of to - mor - row, we're

proud to be at Ad - di - son See how far we go

Here we are the Lead - ers of To - mor - row

Chords: E, A, E, A, E, E/D, A/C#, B, A, B7, A, B7, E, C#m, D, B7, A, G#m, F#m, B7, E, A, B7, E

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# MAINTAINING SAFE & WELCOMING SCHOOLS

*The following pages contain several important board policies.  
To view all policies, please visit: <https://www.pausd.org/policies#/browse>*

## CONDUCT

### **BOARD POLICY 5131**

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, while at school activities, or while using district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including but not limited to, physical violence, possession of a weapon, or terrorist threats.
2. Conduct that disrupts the orderly classroom or school environment  
*(cf. 5131.4 – Student Disturbances)*
3. Discrimination, harassment, and/or intimidation of students or staff, including bullying, sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption.  
*(cf. 5131.2 - Bullying)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*
4. Damage to or theft of property belonging to students, staff, or the district  
*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 5131.5 - Vandalism and Graffiti)*

The district shall not be responsible for students' personal belongings, which are brought on campus or to a school activity and are lost, stolen, or damaged.

5. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose  
*(Penal Code 417.27)*  
Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.
6. Obscene acts or use of profane, vulgar, or abusive language.  
*(cf. 5145.2 - Freedom of Speech/Expression)*
7. Plagiarism or dishonesty on schoolwork or tests  
*(cf. 5131.9 - Academic Honesty)*  
*(cf. 6162.54 - Test Integrity/Test Preparation)*  
*(cf. 6162.6 - Use of Copyrighted Materials)*

8. Inappropriate attire

*(cf. 5132 - Dress and Grooming)*

9. Tardiness or unexcused absence from school

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

10. Failure to remain on school premises in accordance with school rules

*(cf. 5112.5 - Open/Closed Campus)*

11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

12. Use of a cellular/digital telephone or other mobile communications devices during instructional time.

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee. Any device with camera, video, or voice recording function shall not be used in any way that infringes on the privacy rights of any other person.

If a disruption occurs or a student uses any mobile communications device for illegal or unethical activities such as cheating on assignments or tests, a school employee shall direct the student to turn off the device and/or shall confiscate it.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health.

*(Education Code 48901.5)*

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or an administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12-Search and Seizure.

*(cf. 5145.12-Search and Seizure)*

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or co-curricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours, which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school.

*Policy adopted: 01.12.10 and 06.03.14*

*PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California*

# **BULLYING PREVENTION**

## **BOARD POLICY 5131.2**

### **STUDENTS**

The Board of Education is committed to creating a safe learning and working environment for all students and employees. The Board of Education recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or groups of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

#### ***Bullying Definition***

Under California law, "Bullying" is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils that constitutes sex harassment, hate violence or creates an intimidating or hostile educational environment, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following as per 48900(r):

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device.

Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Penal Code 653.2 makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages). Penal Code 288.2 makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting).

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative

school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for alleged aggressors of bullying.

The district is committed to providing students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district is committed to providing school staff with related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

### ***Intervention***

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so.

When appropriate, the Superintendent or designee shall notify the parents/guardians of alleged targets and alleged aggressors. He/She also may involve school counselors, mental health counselors, and/or law enforcement.

### ***Complaints and Investigation***

All complaints alleging bullying based on a protected status such as the actual or perceived characteristics of race or ethnicity, color, nationality, national origin, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics shall utilize the Uniform Complaint Process AR-1312.3.

If such reports or complaints of bullying based on protected status are reported to the site level, they will be forwarded to the district within two days and investigated and resolved by the District Compliance Officer within 60 calendar days of the district's receipt of the complaint. The District Compliance Officer can provide information about filing complaints under the UCP and can be contacted as follows:

District Compliance Officer  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 833-4262  
complianceofficer@pausd.org

All complaints alleging bullying based on a non-protected status (i.e. weight), shall be investigated and resolved at the site-level. At each school location, the principal/designee is responsible for providing information about complaints alleging violations of this policy to the complainant.

All members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of bullying is expected and the site-level administrator shall take action reasonably calculated to stop the bullying, stop it from reoccurring, and provide interim interventions, as needed, to support the alleged target.

If the complaint is about the principal or a staff member's direct supervisor, then the Superintendent/Designee or appropriate administrator shall be asked to address the complaint. When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

### ***Discipline***

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

Retaliation against a student because the student has filed a complaint or assisted or participated in a bullying investigation is also prohibited. Students who knowingly file false complaints of bullying or give false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

Consequences and appropriate remedial actions for a student who commits an act of discrimination, intimidation, harassment, or bullying may range from behavioral intervention and education up to and including suspension or expulsion. This policy applies to all acts related to school activity or attendance occurring within a school under the jurisdiction of the superintendent of the school district.

*Policy adopted: 06.03.14*

*PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California*

## **BULLYING COMPLAINT PROCEDURES**

### ***ADMINISTRATIVE REGULATION 5131.2***

The district is committed to resolving issues of bullying as quickly as possible to minimize disruption to the educational process. Efforts to resolve bullying, other than discriminatory harassment based on protected status, shall be resolved at the school site using the bullying complaint procedures whenever possible. If concerns and/or complaints are not resolved at this level, the parent/guardian may forward their concerns to the district Student Services Coordinator.

School staff who witness acts of bullying as defined within District policy shall immediately intervene to stop the incident when it is safe to do so.

If the complaint alleges unlawful discrimination based on a protected status, the administrator shall utilize, and/or direct the individual to utilize, the uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

### ***Bullying Definitions***

Under California law, “Bullying” is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils that constitutes sex harassment, hate violence or creates an intimidating or hostile educational environment, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on her or her physical or mental health.
- (C) Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“Electronic act” means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including but not limited to, any of the following:

- (i) A message, text, sound, or image.
- (ii) A post on a social network internet website including, but not limited to:
  - a. Posting to or creating a burn page. “Burn page” means an Internet website created for the purpose of having one or more of the effects listed above
  - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

“Reasonable pupil” is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

*(Education Code 48900(r))*

The school district has jurisdiction to respond to bullying behavior that is related to school activity or school attendance and that occurs at any time, including, but not limited to, while on school grounds, at a school sponsored activity, while traveling to or from school, on a school bus, or during the lunch period whether on or off campus.

*(Education Code 48900(s))*

### **Indicators of Bullying Behavior**

Behaviors may include, but are not limited to, the following:

- *Verbal*: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.
- *Nonverbal*: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- *Physical*: Hitting, punching, pushing, shoving, poking, kicking, tripping, blocking egress, strangling, hair pulling, fighting, beating, pinching, slapping, "pantsing", biting, spitting, or destroying property.
- *Emotional (Psychological)*: Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- *Cyber-bullying*: Sending insulting or threatening messages by phone, e-mail, websites, or any other electronic or written communication. This policy pertains to cyberbullying that is related to school activity or attendance and is directed toward a pupil or school personnel.

### **Notifications**

Students, parents, employees, agents of the Board of Education, and the general public shall be informed annually, through student handbooks and/or other appropriate means, of district and school rules related to bullying, mechanisms available for reporting bullying incidents, and the consequences for alleged aggressors of bullying.

A copy of the district's bullying prevention policy and regulation shall:

- a. Appear in any school or district publication that sets forth the schools or district's comprehensive rules, regulations, procedures and standards of conduct.
- b. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
- c. Be posted in all schools and offices, including staff lounges and student government meeting rooms.
- d. Be provided to employees and employee organizations.

### **Procedures**

All complaints of bullying behaviors as defined within this policy shall be handled in accordance with the following procedures, and shall be investigated and resolved within fifteen (15) school days of the receipt of the complaint, regardless of whether the alleged bullying behavior occurred on or off campus.

The principal or designee shall maintain a log of complaints received and a summary of actions taken to resolve the complaint.

#### **A. Reporting a Complaint**

At each school, the principal or designee is responsible for receiving oral or written complaints alleging bullying that are not based on a protected status.

Any student (or parent/guardian on behalf of the student who is a minor) who believes he/she is a target of bullying, has witnessed an act of bullying, or has knowledge of any incidents of bullying is encouraged to report the incident(s) to a school official.

Any member of the school community who may have credible information about an act of bullying may report the incident either as a witness or a target.

A bullying incident report form may be filed anonymously from the district website. Formal disciplinary action shall not be based solely on an anonymous report.

A staff member who witnesses bullying behaviors or receives a complaint of bullying shall within one (1) school day report the complaint to the principal or designee. If a complainant is unable to report a complaint due to conditions such as a disability or illiteracy, a staff member may assist him/her in filing a complaint.

When the circumstances involve cyber-bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyber-bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

If the individual making the complaint does not want to be identified or does not give names of the alleged aggressors, the school may still respond depending upon the seriousness of the allegations and the risk of future harm to the student or others.

#### **B. Documenting a Complaint**

At each school, the principal or designee shall document all complaints of bullying, whether the original report is made verbally or in writing. Documentation of complaints and their resolution shall be maintained for two years. Copies of documentation shall be passed on to the Coordinator of Student Services to compile district data.

#### **C. Interim Measures**

After a report or complaint is made, the principal or designee shall determine whether interim measures are necessary to stop, prevent or address the bullying behaviors during the ensuing investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher. Interim measures will be implemented in a manner that minimizes the burden on the individual who was the alleged target.

Though an incident of alleged bullying as defined within this policy may occur off campus, if the effects of the off-campus incident result in bullying at school that is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the education program, the school must respond promptly and effectively to eliminate the bullying that occurs at school, prevent its recurrence, and address its effects. Such response may include discipline of the alleged aggressors.

#### **D. Investigating a Complaint**

The principal/designee shall document all complaints of bullying in writing and/or through the appropriate data system to ensure that problems are addressed in a timely fashion. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials should investigate all complaints and reports of harassment, whether or not the complaint is in writing.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.



## **Complaint Investigation Procedures**

1. The principal/designee shall investigate all allegations of bullying that are not based on a protected status.
2. The investigator may not be the alleged aggressor or the alleged target.
3. The principal/designee or appropriate administrator shall begin a thorough investigation with the alleged target and accused as soon as possible upon receiving a notification of complaint. The school administrators/designees will provide immediate notification to the parents/guardians of both the alleged target and the alleged aggressor.
4. During the investigation, the principal/designee or appropriate administrator may take any action necessary to protect the complainant, alleged target, other students or employees consistent with the requirements of applicable regulations and statutes.
  - a. Interviews of the alleged target, alleged aggressors, and all relevant witnesses are conducted privately, separately, and are confidential. Each individual (alleged target, alleged aggressor, and witnesses) will be interviewed separately and at no time will the alleged aggressor and alleged target to be interviewed together.
  - b. At no time during the investigation will the name of the complainant be revealed by the investigator.
  - c. In general, student complainants and/or alleged targets will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
  - d. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate administrator also may discuss the complaint with any school district employee, the parent of the alleged target, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.
  - e. During the investigation where an employee is the accused, the principal/designee or the appropriate administrator may recommend to the Associate Superintendent for Human Resources any action necessary to protect the complainant, the alleged target, or other students or employees, consistent with the requirements of applicable statutes, Board of Education Policies, and collective bargaining agreements.
5. Within fifteen (15) school days of receipt of the complaint, the Principal/Designee or appropriate administrator shall complete the investigation and provide the complainant and the alleged aggressor with notice of the decision. If either party disagrees with the administrator's decision, s/he may appeal the decision to the Student Services Coordinator within 15 calendar days of resolution of the initial complaint.
6. No retaliation of any kind is permitted in connection with an individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.
7. Record of all complaints, including documentation of witness interviews and complaint resolutions shall be maintained by the school site administrator.
8. A student who has been determined by school personnel to have been the alleged target of an act of bullying shall be given priority and/or additional consideration for an inter-district transfer if the parent/guardian of that student requests such a transfer.

## **E. Factors in Reaching a Resolution**

In reaching a decision about the complaint, the principal or designee may take into account:

- a. Statements made by the complainant, the individual accused, and other persons with knowledge relevant to the allegations of bullying.
- b. The details and consistency of each person's account.
- c. Evidence of how the alleged target reacted to the alleged bullying incident.
- d. Evidence of any past instances of bullying behaviors by the alleged aggressor and the type, frequency, and duration of these bullying behaviors.
- e. The relationship between the alleged aggressor and the alleged target.

#### **F. Resolution**

The administrator, along with the alleged target and the accused/student, may agree to informally resolve the complaint. Each party's agreement to Informal Resolution must be in writing.

Within fifteen (15) school days of receipt of the complaint, the principal or designee shall complete the investigation and provide the complainant and the alleged aggressor with notice of the resolution. If either party disagrees with the administrator's decision, he/she may appeal the decision to the Student Services Coordinator within 15 calendar days of receiving the resolution for the initial complaint.

#### **G. Remedial Action**

Remedial action will be designed to end the bullying behaviors, to prevent their recurrence, and to address any effects on the target.

Examples of appropriate action include:

1. Interventions for the individual who engaged in the bullying behaviors, such as parent or supervisor notification, discipline, counseling, or training.
2. Interventions for the target of the bullying behaviors, such as counseling, academic support, and information on how to report further incidents of bullying.
3. Separating the alleged aggressor and the target, provided the separation does not penalize the target.
4. Follow-up inquiries with the target and witnesses to ensure that the bullying behaviors have stopped and they have not experienced any retaliation.
5. Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute bullying, that the District does not tolerate it, and how to report it.

#### **H. Disciplinary Action**

Students who are found to have engaged in bullying behaviors may be subject to discipline up to and including expulsion. Disciplinary action may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, or expulsion for students. Such disciplinary action shall be in accordance with Board Policy and state law. Suspension and recommendations for expulsion must follow applicable law.

In identifying appropriate disciplinary action, repeated incidents and/or multiple alleged targets may result in more severe penalties.

Individuals who knowingly file false complaints of bullying shall be subject to discipline by measures up to and including suspension, expulsion, and/or dismissal, as shall any individual who is found to have retaliated against another in violation of this policy.

#### **Enforcement**

The Superintendent or designee shall take appropriate actions to reinforce the district's bullying prevention policy.

*Regulation approved: 06.03.14*

*PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, CA*

# NON-DISCRIMINATION / HARASSMENT

## BOARD POLICY 5145.3

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and/or bullying of any student, based on actual or perceived characteristics of race or ethnicity, color, nationality, national origin, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on 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 includes discriminatory harassment, intimidation, or bullying, consisting of physical, verbal, nonverbal, or written conduct, based on one of the categories listed above, 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. Prohibited discrimination also includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

Discriminatory harassment under Board Policy 5145.3 includes harassment on the basis of gender, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

While sexual harassment and sexual violence are forms of discrimination and discriminatory harassment on the basis of sex, this policy shall **not** be used to address sexual harassment or sexual violence complaints. All sexual harassment and sexual violence reports or complaints involving students shall be addressed through BP 5145.7 and BP/AR 1312.3.

Though an incident of alleged harassment, intimidation, and/or bullying as defined within this policy may occur off campus, if the effects of the off-campus incident result in harassment, intimidation, or bullying at school or a school activity that is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the education program, the school shall respond promptly and effectively to investigate the complaint, determine what happened, eliminate any harassment that occurs at school or a school activity, prevent its recurrence, and address its effects. Such response may include discipline of the alleged harasser in accordance with applicable law and as provided in Board Policy (BP) and Administrative Regulation (AR) 5144. Other possible responses include, but are not limited to, those listed in AR 1312.3.

The Board also prohibits retaliatory behavior or action against any person who reports, testifies about, files a complaint, or otherwise participates in a District complaint, investigation or grievance process relating to an incident of discrimination, including discriminatory harassment, intimidation, or bullying.

The Board is committed to providing age-appropriate training and information to students, parents/guardians, and employees regarding unlawful discrimination, including discriminatory harassment, intimidation, and bullying, including, but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents and to whom such reports should be made. Staff and administrators will also receive training on their responsibilities for responding to reports or complaints of discrimination under the District's Uniform Complaint Procedure.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6164.2 - Guidance/Counseling Services)*

The Principal/designee shall develop a plan to provide students with appropriate interim remedies when necessary for their protection from actual or threatened discriminatory harassment or other discriminatory behavior.

Students who engage in discrimination, including discriminatory harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

Any school district employee who observes an incident of discrimination, including discriminatory harassment, intimidation, or bullying shall immediately intervene when safe to do so and report the conduct to the Principal/designee or District Compliance Officer within one school day.

*(Education Code 234.1)*

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5131 - Conduct) (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)*

### **Grievance Procedures**

All reports or complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and/or bullying involving a student complainant or a student respondent shall be addressed in accordance with the District's Uniform Complaint Procedures in BP/AR 1312.3.

*(cf. 1312.3 - Uniform Complaint Procedures)*

The following individual is designated to handle complaints under the Uniform Complaint Procedures regarding unlawful discrimination, including discriminatory harassment, intimidation, or bullying, based on the protected categories identified above, and to answer inquiries regarding the district's nondiscrimination policies:

District Compliance Officer  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 833-4262  
complianceofficer@pausd.org

Upon receiving a complaint of discrimination, including discriminatory harassment, intimidation, or bullying, the District Compliance Officer shall immediately address and investigate the complaint in accordance with the Uniform Complaint Procedures in BP/AR 1312.3.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedures for filing a complaint regarding discrimination, including discriminatory harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district website or any other location that is easily accessible to students.

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6163.4 - Student Use of Technology)*

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language. Additionally, when otherwise necessary to provide access to information for limited English proficient students and parents/guardians, as required by federal law, the complaint forms shall be translated into the student's or parent/guardian's primary language.

A student may also file a discrimination complaint with the Office for Civil Rights (OCR) of the United States Department of Education. Instructions for filing a complaint can be found at <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

*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**

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

**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

**CODE OF FEDERAL REGULATIONS, TITLE 34**

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**

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

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

*California Student Safety and Violence Prevention - Laws and Regulations, April 2004*

**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: 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.firstamendment.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>

Adopted: Tuesday, February 11, 2014; Tuesday, September 12, 2017

# **NON-DISCRIMINATION / HARASSMENT**

## **ADMINISTRATIVE REGULATION 5145.3**

The district designates the individual identified below as the employee responsible for coordinating the district's efforts to comply with state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual shall also serve as the compliance officer specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints regarding unlawful discrimination, including discriminatory harassment, intimidation, or bullying, based on actual 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, gender expression, or any other legally protected status; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Sexual harassment includes sexual violence, pursuant to Title IX of the Education Amendments of 1972, 38 U.S.C. §1681. (*Education Code 234.1; 5 CCR 4621*)

The District Compliance Officer(s) may be contacted at:

District Compliance Officer  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 833-4262  
complianceofficer@pausd.org

(*cf. 1312.3 - Uniform Complaint Procedures*)

### **Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, intimidation, retaliation, and bullying of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the District Compliance Officer's contact information, to students, parents/guardians, employees, volunteers, and the general public and post them on the district's website and other prominent locations and provide easy access to them through district-supported social media, when available.  
(*Education Code 234.1 (cf. 1113 - District and School Web Sites)*)
2. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the alleged target of any such behavior.  
(*Education Code 234.1*)
3. Annually notify all students and parents/guardians of the district's nondiscrimination policy. The notice shall inform students and parents/guardians that consistent with federal and state law and education codes, students shall have the right to participate in gender-segregated school programs or activities and access gender segregated facilities based on their gender identity.  
(*cf. 5145.6 - Parental Notifications*)
4. The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in

accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

5. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

6. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying against a student is required to intervene if it is safe to do so, and shall, within one school day, report the conduct to the Principal/designee, whether or not the alleged target makes a report or files a complaint.

*(Education Code 234.1)*

7. At the beginning of each school year, inform each Principal/designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and to ensure their safety from threatened or potentially discriminatory behavior.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community
5. Taking appropriate disciplinary action against perpetrators and anyone determined to have engaged in wrongdoing, including any student who is found to have made a complaint of discrimination that the student knew was not true

*(cf. 4118 - Suspension/Disciplinary Action)*

*(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. 6159.4 - Behavioral Interventions for Special Education Students)*

### **Process for Initiating and Responding to Complaints**

Any student who feels or has been subjected to unlawful discrimination, including discriminatory harassment, intimidation, retaliation or bullying is encouraged to immediately contact the Principal/designee or any other staff member. In addition, any student who observes any such incident should report the incident to the Principal/designee or any other staff member whether or not the alleged target makes a report or files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation or bullying or to whom such an incident is reported shall immediately report the incident within one school day to the Principal/designee, whether or not the alleged target files a complaint.

The Principal/designee shall notify the District Compliance Officer of the report or complaint within one school day.

Any report of unlawful discrimination involving the Principal/designee, the District Compliance Officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the Superintendent or designee.

A “report” or “complaint” is defined as any oral or written communication to a school district employee or administrator which alleges behavior or misconduct that may constitute unlawful discrimination. A report or complaint may include an oral report, an email, a text message or other message conveyed to a school district employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

When any report or complaint of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the Principal/designee or the District Compliance Officer, one or both of those administrators shall inform the student complainant and/or parent/guardian of the right to file a written complaint under the District’s Uniform Complaint Procedures in AR 1312.3 as well as the other information, options and documentation set forth in AR 1312.3 subsection A.ii.

Upon receiving a written complaint under the Uniform Complaint Procedures, the District Compliance Officer or designee shall immediately investigate the complaint in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures. Even if the student chooses not to file a written complaint under the Uniform Complaint Procedures, the Principal/designee or District Compliance Officer shall address the report of discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, as explained in AR 1312.3 subsection E. The parties that would have been the complainant and respondent shall receive a written notice of outcome within the timelines described in AR 1312.3.

The District shall take any needed interim measures, promptly investigate, determine what occurred, end any discrimination, prevent its recurrence and address its effects in order to ensure all students have access to the educational program and a safe school environment.

***Transgender and Gender-Nonconforming Students***

Additional guidance regarding Gender Identity and Access can be found at Board Policy/Administrative Regulation 5157.

*Adopted: Tuesday, June 3, 2014; Tuesday, January 26, 2016; Tuesday, September 12, 2017*

## **NON-DISCRIMINATION IN DISTRICT PROGRAMS & ACTIVITIES**

### ***BOARD POLICY 0410***

#### ***PHILOSOPHY, GOALS, OBJECTIVES, & COMPREHENSIVE PLANS***

The Board of Education is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, age, marital or parental status, physical or mental disability, sexual orientation, gender identity or expression, or



genetic information, the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including the use of facilities. S/he shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

### **Notification**

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, note takers, written materials, taped text, and Braille or large print materials.

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

*Policy adopted: 01.12.10, 10.09.12, & 05.06.14  
Palo Alto Unified School District, Palo Alto, California*

### **Title IX Compliance**

Title IX of the Civil Rights Act provides that "no person...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance."

*[20 U.S.C. §1681(a)]*

The Title IX/Civil Rights Coordinator provides information about nondiscrimination policy and complaint procedures; ensures that appropriate training is provided on a frequent and regular basis; and monitors District actions in response to allegations of sexual harassment.

For Title IX information, a copy of the Procedures for Complaints and Resolutions, or assistance in filing a complaint, please contact:

District Compliance Officer  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 833-4262  
complianceofficer@pausd.org

# SEXUAL HARASSMENT

## BOARD POLICY 5145.7

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment against students in the educational setting by an employee, student or third party. Under federal and state law, the term sexual harassment includes sexual violence. The Board also prohibits retaliatory behavior or action against any person who reports, testifies about, files a complaint, or otherwise participates in a District complaint, investigation or grievance process.

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5157 - Gender Identity and Access)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

### **Scope and Definitions Related to Sexual Harassment Complaints**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions:

*(Education Code 212.5; 5 CCR 4916)*

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment; or under Title IX a hostile environment has been created if the unwelcome conduct of a sexual nature is sufficiently serious that it denies or limits the student's ability to participate in or benefit from the educational program.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

The district will review and address any report or complaint of sexual harassment involving a student, employee or third party against another student, employee or third party. Specifically:

- a. Any sexual harassment or sexual violence report or complaint involving a student complainant or a student respondent shall be addressed under BP 5145.7 and the Uniform Complaint Procedures, and it will **not** be addressed under BP/AR 1312.1, 4119.11/4219.11/4319.11, or AR 4031. Any other report or complaint of unlawful discrimination involving a student complainant or a student respondent shall be addressed through BP/AR 5145.3 and the Uniform Complaint Procedures.
- b. Any sexual harassment or sexual violence report or complaint, between employees or between employees and third parties, but **not** involving student complainants or student respondents, shall be addressed through BP/AR 4119.11/4219.11/4319.11 and AR 4031.

- c. Any sexual harassment or sexual violence report or complaint between third parties which took place in the educational setting shall be referred to the District Compliance Officer to determine how to appropriately address the complaint.
- d. Though an incident of sexual harassment may occur off campus or unrelated to school activity, if the effects of the incident may result in harassment, intimidation, or bullying at school or at a school activity, which is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the education program, the District Compliance Officer or Principal/designee shall, under these Uniform Complaint Procedures, promptly investigate, determine what occurred, eliminate any harassment, intimidation, or bullying that occurs at school or at a school activity, prevent its recurrence, and address its effects.

A "report" or "complaint" is defined as any oral or written communication to a school district employee or administrator which alleges behavior or misconduct that may constitute sexual harassment or sexual violence. A report or complaint may include an oral report, an email, a text message or other message conveyed to a school district employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

An "educational setting" includes participation in educational programs and activities of the school or district, including all the academic, educational, extracurricular, athletic, and other programs and activities of the school, whether those programs or activities take place in a school's facilities, on a school bus, or at a class or training program sponsored by the school at another location.

A "third party" includes someone who is connected to the school or the district for educational, business or extra-curricular purposes. For example, a third party may include a vendor, volunteer, coach, or other person who is on school or district grounds during the hours of operation or who is present in the educational setting.

### **Examples**

Examples of types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Unwelcome or demeaning conduct or comments of a sexual nature directed at or about an individual related to actual or perceived gender, gender identity and gender expression, sex, sexual behavior, sexual orientation, or other related personal characteristics
4. Graphic verbal comments about an individual's body or overly personal conversation
5. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
6. Spreading sexual rumors
7. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
8. Massaging, grabbing, fondling, stroking, or brushing the body
9. Touching an individual's body or clothes in a sexual way
10. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
11. Displaying sexually suggestive objects
12. Sexual violence, including, but not limited to, sexual assault or sexual battery as defined in Education Code 48900(n), or sexual coercion
13. Dating violence, stalking, and relationship abuse

14. An employee engaging in, soliciting, or encouraging a sexual relationship or sexual activity with a student(s) based on written, verbal, and/or physical contact or fraternization with a student(s). In some circumstances, an employee's physical contact with a student may also take on sexual connotations and rise to the level of sexual harassment. For example, an employee's behavior, such as repeatedly hugging and putting their arms around a student under inappropriate circumstances, could rise to the level of unwelcome touching of a sexual nature.  
(cf. 4119.21/4219.11/4319.21-Professional Standards)
15. Sexual relationships between employees and students.  
(cf. 4119/21/4219.11/4319.21- Professional Standards)
16. Sexual relationships between employees and former students if the employee pursued an intimate or sexual relationship with the former student while the student was enrolled in the District and while the employee was employed with the District.  
(cf. 4119.21/4219.21/4319.21 – Professional Standards)
17. Sexual relationships between employees and students or former students may also violate Title IX.  
(cf. OCR 2001 Guidance on Sexual Harassment)

### **Instruction/Information**

The Superintendent or designee shall ensure that all District students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment and sexual violence, including the fact that sexual harassment and sexual violence could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment or sexual violence
3. Encouragement for a student to immediately contact a teacher, the Principal/designee or any other available employee if the student has been subjected to sexual harassment by a student, employee, or a third party in the educational setting
4. Explanation that, when a report of sexual harassment is made to a Principal/designee, that administrator shall inform the student and/or parent/guardian of the right to file a written complaint through the District's Uniform Complaint Procedures, BP/AR 1312.3, and also explain how to access those procedures
5. Encouragement for student bystanders to report observed instances of sexual harassment, even where the target of the harassment has not complained
6. Information about the District's procedure for investigating sexual harassment complaints under BP 5145.7 and the Uniform Complaint Procedures 1312.3 and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a criminal complaint or an OCR complaint, as applicable

### **Complaint Process/Grievance Procedure**

**Uniform Complaint Procedures.** All reports and complaints alleging sexual harassment or sexual violence shall be addressed immediately in accordance with this policy and the Uniform Complaint Procedures - BP/AR 1312.3.

**District Compliance Officer.** The following individual is designated to handle complaints under the Uniform Complaint Procedures regarding sexual harassment prohibited by BP 5145.7 and to answer inquiries regarding the District's sexual harassment policies. This individual is also the District's Title IX Coordinator:

District Compliance Officer  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 833-4262  
complianceofficer@pausd.org

**Student Reports.** Any student who believes they have been subjected to sexual harassment or who has witnessed sexual harassment may report the conduct to any school employee.

**School Employee Observation and Reports.** Within one school day of receiving a sexual harassment report or complaint from a student, parent/guardian or other person, the school employee shall report it to the site Principal/designee.

Any school employee who observes an incident of sexual harassment involving a student shall immediately intervene when safe to do so and shall, within one school day, report the conduct to the Principal/designee, whether or not the target of the harassment makes a report or files a complaint.

*(Education Code 234.1)*

**Reports about Principal/designee.** Where a sexual harassment report or complaint involves the Principal/designee to whom the report would ordinarily be communicated, the employee who receives the report or who observes the incident shall instead report to the District Compliance Officer within one school day.

**Principal Actions after Receiving a Report.** The Principal/designee shall, within one school day of receiving the report from a student, an employee or a third party, forward the complaint itself or a transcription of the oral report to the District Compliance Officer.

The Principal/designee shall also inform the student and/or student's parent/guardian of the right to file a written complaint through the Uniform Complaint Procedures, BP/AR 1312.3. The Principal/designee shall provide a free copy or a link to the Uniform Complaint Procedures. The Principal/designee shall document when and how they informed the student and/or the parent/guardian.

**Reports about Adult Sexual Relationships with Students.** In all allegations of an employee or third party adult engaging in a sexual relationship with a student or a former student, the District Compliance Officer shall assess whether a referral is necessary to either law enforcement or other appropriate agency.

**Notification of Factual Findings from other Entities.** If the District is on notice of a factual finding that a District employee engaged in behavior with a student, (including a student from a different school or district), which may constitute sexual harassment or sexual violence as defined in this policy, the District Compliance Officer shall investigate the circumstances surrounding the factual finding.

If the District is on notice of a factual finding that a student engaged in behavior with another student, (including a student from a different school or district), which may constitute sexual harassment or sexual violence as defined in this policy, the District Compliance Officer shall investigate the circumstances surrounding the factual finding.

If the District Compliance Officer is able to determine that the factual finding rises to the level of harassment in violation of this policy, the District shall promptly eliminate the harassment in the educational setting, prevent its recurrence in the educational setting, and address its effects in the educational setting.

For the purposes of this section, a "factual finding" includes a finding of fact made by another public or private school, a law enforcement agency, a child protection agency, a court, the Commission on Teaching Credentials or any other finding of fact provided to the District which indicates that an employee or student engaged in behavior which may constitute a violation of this policy and poses a risk to the safety of the District's students.

**Other Complaint Options.** A student may also file a sex discrimination complaint with the Office for Civil Rights (OCR) of the United States Department of Education. Instructions for

filing a complaint can be found at:

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce the District's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti  
*(cf. 5131.5 - Vandalism and Graffiti)*
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond  
*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*
3. Disseminating and/or summarizing the District's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community  
*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5125 - Student Records)*
5. Taking appropriate disciplinary action as set forth below or in Section I of AR 1312.3
6. Taking appropriate remedial actions including, but not limited to, those listed in Section H of AR 1312

### **Disciplinary Action**

If it is determined that an employee has violated this policy by engaging in sexual harassment, sexual violence, a sexual relationship with a student, or retaliation, the District shall take action to address the violation and any substantiated risk, including appropriate disciplinary action. Disciplinary action may include action to dismiss the employee, in accordance with law, board policy, and applicable collective bargaining agreements.

*(cf. AR 4218 –Dismissal/Suspension/Disciplinary Action; Education Code sections 44932 et seq.)*

Any student who engages in sexual harassment or sexual violence in the educational setting, in violation of this policy, shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account. Suspensions and recommendations for expulsion shall follow applicable law.

*(Education Code sections 48900 et seq.)*

Students who knowingly file false complaints of sexual harassment or sexual violence or give knowingly false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another student in violation of this policy.

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

When disciplinary action is recommended after the uniform complaint process is complete, the District Compliance Officer shall promptly determine the appropriate sanction and forward the matter to the Principal/designee and/or appropriate District administrator who will promptly implement any disciplinary process.

### **Confidentiality**

All complaints and allegations of sexual harassment or sexual violence shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)15]*

*(cf. 5125 - Student Records) [16]*

However, when a complainant notifies the District of the harassment but requests confidentiality, the Principal/designee or the District Compliance Officer shall inform the complainant that the request may limit the District's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the District will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant notifies the District of the harassment but requests that the District not pursue an investigation, the District will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

### **Record-Keeping**

The District Compliance Officer, in consultation with the Superintendent or designee, shall maintain a record of all reported cases of sexual harassment and sexual violence to enable the District to monitor, address, and prevent repetitive harassing behavior in the educational setting.

### **Notifications**

A copy of the District's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year  
*(Education Code 48980; 5 CCR 4917)*  
*(cf. 5145.6 - Parental Notifications)*
2. Be displayed on the District website, in a prominent location in the main administrative building and in other areas where notices of District rules, regulations, procedures, and standards of conduct are posted *(Education Code 231.5)*
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session *(Education Code 231.5)*
4. Appear in any school or District publication that sets forth the school's or District's comprehensive rules, regulations, procedures, and standards of conduct *(Education Code 231.5)*
5. Be included in the student handbook
6. Be provided to employees and employee organizations

#### *Legal Reference:*

#### **EDUCATION CODE**

*200-262.4 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion 48900.2 Additional grounds for suspension or expulsion; sexual harassment 48904 Liability of parent/guardian for willful student misconduct 48980 Notice at beginning of term*

#### **CIVIL CODE**

*51.9 Liability for sexual harassment; business, service and professional relationships 1714.1 Liability of parents/guardians for willful misconduct of minor*

#### **GOVERNMENT CODE**

*12950.1 Sexual harassment training*

#### **CODE OF REGULATIONS, TITLE 5**

*4600-4687 Uniform complaint procedures*

*4900-4965 Nondiscrimination in elementary and secondary education programs*

#### **UNITED STATES CODE, TITLE 20**

*1221 Application of laws*

*1232g Family Educational Rights and Privacy Act*

*1681-1688 Title IX, discrimination*

#### **UNITED STATES CODE, TITLE 42**

*1983 Civil action for deprivation of rights*

*2000d-2000d-7 Title VI, Civil Rights Act of 1964*

*2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended*

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

*99.1-99.67 Family Educational Rights and Privacy*

*106.1-106.71 Nondiscrimination on the basis of sex in education programs*

#### **COURT DECISIONS**

*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*

*Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130*

*Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736*

*Davis v. Monroe County Board of Education, (1999) 526 U.S. 629*

*Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274*

*Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473*

*Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447*

Management Resources:

CSBA PUBLICATIONS

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

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

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Dear Colleague Letter Title IX Coordinators, April 2015*

*Questions and Answers on Title IX and Sexual Violence, April 2014*

*Dear Colleague Letter Sexual Violence, April 4, 2011 Sexual Harassment: It's Not Academic, September 2008 Revised Sexual Harassment Guidance, January 2001*

WEB SITES

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

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

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

Adopted: Tuesday, February 11, 2014; Tuesday, December 8, 2015; Tuesday, September 12, 2017

## **TOBACCO-FREE SCHOOLS**

In order to support and reinforce the District's educational efforts to prevent student tobacco use through adult modeling, the Board of Education established on July 1, 1992 a Board Policy and Administrative Regulation (BP/AR 5131.62) declaring Palo Alto Unified School District tobacco-free. It is the responsibility of all staff and community members to implement this policy in school buildings and school-owned vehicles, on school grounds, and at school-sponsored events off campus. A student may be suspended or recommended for expulsion from the school in which the student is enrolled if the student has violated California Education Code, Section 48900, as follows: Possessed or used tobacco or products containing tobacco or nicotine. Consequences may range from a warning to suspension or expulsion.

## **UNIFORM COMPLAINT PROCEDURES**

### **BOARD POLICY 1312.3**

The Board of Education recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.

The district's Uniform Complaint Procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 3555 - Nutrition Program Compliance)*  
*(cf. 5141.4 - Child Abuse Prevention and Reporting)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 6174 - Education for English Language Learners)*  
*(cf. 6175 - Migrant Education Program)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6178.1 - Work-Based Learning)*  
*(cf. 6178.2 - Regional Occupational Center/Program)*  
*(cf. 6200 - Adult Education)*
2. Any complaint alleging the occurrence of unlawful discrimination, including discriminatory harassment, (such as sexual harassment, sexual violence or harassment based on a protected characteristic), intimidation, or bullying against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on



the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 [12] or 220 [13], Government Code 11135 [14], or Penal Code 422.55 [15], or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610).

### **Scope and Definitions Related to Unlawful Discrimination Complaints**

The district will review and address any report or complaint of unlawful discrimination involving a student, employee or third party against another student, employee or third party. Specifically:

- a. Any sexual harassment or sexual violence report or complaint involving a student complainant or a student respondent shall be addressed through BP 5145.7 and the Uniform Complaint Procedures. Any other report or complaint of unlawful discrimination involving a student complainant or a student respondent shall be addressed through BP/AR 5145.3 and the Uniform Complaint Procedures.
- b. Any unlawful discrimination report or complaint, including sexual harassment or sexual violence complaints, between employees or between employees and third parties, but **not** involving student complainants or student respondents, shall be addressed through BP/AR 4119.11/4219.11/4319.11 and AR 4031.
- c. Any unlawful discrimination report or complaint, including sexual harassment or sexual violence complaints, between third parties which took place in the educational setting shall be referred to the District Compliance Officer to determine how to appropriately address the complaint.

A "report" or "complaint" is defined as any oral or written communication to a school district employee or administrator which alleges behavior or misconduct that may constitute unlawful discrimination. A report or complaint may include an oral report, an email, a text message or other message conveyed to a school district employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

A "third party" is defined as someone who is connected to the school or the district for educational, business or extra-curricular purposes. For example, a third party may include a vendor; volunteer; coach; or other person who is on school or district grounds during the hours of operation or who is present in the educational setting.

"Educational setting" includes all educational programs and activities of the school or district, including all the academic, educational, extracurricular, athletic, and other programs and activities of the school, whether those programs or activities take place in a school's facilities, on a school bus, or at a class or training program sponsored by the school at another location.

*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 4030 - Nondiscrimination in Employment)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student

*(Education Code 222)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

*(cf. 3260 - Fees and Charges)*  
*(cf. 3320 - Claims and Actions Against the District)*

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan  
(*Education Code 52075*)  
(*cf. 0460 - Local Control and Accountability Plan*)
6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements  
(*Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2*)  
(*cf. 6173.1 - Education for Foster Youth*)
7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements  
(*Education Code 51225.1, 51225.2*)  
(*cf. 6173 - Education for Homeless Children*)
8. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions  
(*Education Code 51228.3*)  
(*cf. 6152 - Class Assignment*)
9. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school  
(*Education Code 51210, 51223*)  
(*cf. 6142.7 - Physical Education and Activity*)
10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
11. Any other complaint as specified in a district policy

### ***Retaliation and Confidentiality***

The Board prohibits any retaliatory behavior or action against any person who reports, testifies about, files a complaint or otherwise participates in a District complaint, investigation or grievance process under the Uniform Complaint Procedures. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant. An individual who believes he or she has been subjected to retaliation defined herein may also file a complaint under the Uniform Complaint Procedures.

In investigating complaints, the confidentiality of the parties involved shall be protected, as required by law. As appropriate for any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the District shall keep confidential the identity of all parties except when the Principal/designee or the District Compliance Officer has a duty to share the parties' identifying information as necessary to gather a response to the complaint, in order to take subsequent corrective action if misconduct is found to have occurred, and/or to conduct ongoing monitoring. When a complainant requests confidentiality, the Principal/designee or the District Compliance Officer shall notify the complainant that the request may limit the District's ability to investigate the harassment or take other necessary action. An intentional breach of the complainant's confidentiality by a student or employee may be considered a violation of this policy or a retaliatory act.

(*cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information*)

(*cf. 5125 - Student Records*)

(*cf. 9011 - Disclosure of Confidential/Privileged Information*)

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified

in this policy and the accompanying administrative regulation.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee shall maintain records of all UCP complaints, the investigations of those complaints, and the resolution of the complaints in confidential complaint files for a minimum of two years. All such records shall be maintained and/or destroyed in accordance with applicable state law and district policy.

*(cf. 5125 - Student Records)*

*(cf. 3580 - District Records)*

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency. However, the District may still be obligated to address and investigate any complaint alleging child abuse or neglect of a student by an employee or third party which took place in the educational setting.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing. The District Compliance Officer or Human Resources manager shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments.

*(Education Code 35186)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments
4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

#### *Legal Reference:*

#### **EDUCATION CODE**

*200-262.4 Prohibition of discrimination 8200-8498 Child care and development programs 8500-8538 Adult basic education 18100-18203 School libraries 32289 School safety plan, uniform complaint procedure 35186 Williams uniform complaint procedure 37254 Intensive instruction and services for students who have not passed exit exam 41500-41513 Categorical education block grants*

*48985 Notices in language other than English*

*49010-49013 Student fees*

*49060-49079 Student records*

*49490-49590 Child nutrition programs*

*52160-52178 Bilingual education programs*

*52300-52490 Career-technical education*

52500-52616.24 *Adult schools*  
 52800-52870 *School-based coordinated programs*  
 54000-54028 *Economic impact aid programs*  
 54100-54145 *Miller-Unruh Basic Reading Act*  
 54400-54425 *Compensatory education programs*  
 54440-54445 *Migrant education*  
 54460-54529 *Compensatory education programs*  
 56000-56867 *Special education programs*  
 59000-59300 *Special schools and centers*  
 64000-64001 *Consolidated application process*  
 GOVERNMENT CODE  
 11135 *Nondiscrimination in programs or activities funded by state*  
 12900-12996 *Fair Employment and Housing Act*  
 CODE OF REGULATIONS, TITLE 5  
 3080 *Application of section*  
 4600-4687 *Uniform complaint procedures*  
 4900-4965 *Nondiscrimination in elementary and secondary education programs*  
 PENAL CODE  
 422.6 *Interference with constitutional right or privilege*  
 UNITED STATES CODE, TITLE 20  
 1681-1688 *Title IX of the Education Amendments of 1972*  
 6301-6577 *Title I basic programs*  
 6601-6777 *Title II preparing and recruiting high quality teachers and principals*  
 6801-6871 *Title III language instruction for limited English proficient and immigrant students*  
 7101-7184 *Safe and Drug-Free Schools and Communities Act*  
 7201-7283g *Title V promoting informed parental choice and innovative programs*  
 7301-7372 *Title V rural and low-income school programs*  
 Management Resources:  
 WEB SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>  
 Adopted: Tuesday, September 27, 2011; Tuesday, October 9, 2012; Tuesday, June 21, 2016; Tuesday, September 12, 2017

## **UNIFORM COMPLAINT PROCEDURES**

### **ADMINISTRATIVE REGULATION 1312.3**

Except as the Board of Education may otherwise specifically provide in other Board policies, these Uniform Complaint Procedures shall be used to investigate and resolve complaints alleging (1) unlawful discrimination, including discriminatory harassment, (such as sexual harassment, sexual violence or harassment based on a protected characteristic), intimidation, bullying, and retaliation, and (2) violations of other state and federal laws and regulations. The steps for each type of complaint are explained below.

#### ***District Compliance Officer***

The following individual shall be responsible for receiving and coordinating the District's response to complaints, investigating or delegating the investigation of complaints, and ensuring district compliance with the law:

District Compliance Officer  
 25 Churchill Avenue, Palo Alto, CA 94306  
 (650) 833-4262  
[complianceofficer@pausd.org](mailto:complianceofficer@pausd.org)

The Superintendent or designee shall ensure that the District Compliance Officer and those designated to investigate or otherwise resolve complaints have received training and are knowledgeable about the laws and programs for which they are responsible, . This should include knowledge and training about the applicable laws governing the program, including federal and state anti-discrimination laws, the district's grievance procedures, the appropriate steps for investigating and documenting investigations, the applicable legal standards for reaching decisions on such complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.  
*(cf. 9124 - Attorney)*

### **Avoiding Conflict**

The District Compliance Officer, a designee, or an outside consultant shall not be designated to investigate a uniform complaint if that person (1) is named as being involved with the underlying facts of the complaint or (2) has a conflict of interest that would prohibit that person from fairly and impartially investigating the complaint.

For the purposes of an investigation under the Uniform Complaint Procedures, a conflict of interest includes a personal, professional, or financial interest that has the potential to compromise or bias the professional judgment or objectivity of the holder of the interest. The investigator assigned to investigate shall disclose to the Superintendent or designee any potential conflicts of interest, including a relationship or familiarity with the complainant, respondent, and/or individuals who are likely to be witnesses, as well as any interest the investigator might have in the outcome of the matter. Because the Board of Education is obligated to provide and/or hire an investigator for uniform complaints, the act of paying the investigator's salary or fee is not considered to be an impermissible financial conflict of interest.

If the Superintendent or designee determines that an assigned investigator has a conflict of interest, the complaint and investigation shall be delegated to an impartial, trained, and available administrator or outside investigator.

Any complaint filed against or implicating the District Compliance Officer or other assigned investigator may instead be filed with the Superintendent or designee.

### **Notifications**

The Superintendent or designee shall annually provide written/online notification of the district's Uniform Complaint Procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The district's Uniform Complaint Procedures under Board Policy and Administrative Regulation 1312.3 shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (*Education Code 234.1, 48985*) Additionally, when otherwise necessary to provide access to information for limited English proficient students and parents/guardians, as required by federal law, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into the student's or parent/guardian's primary language.

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 3260 - Fees and Charges)*

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

*(cf. 5145.6 - Parental Notifications)*

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Explain any civil law remedies that may be available to a victim of discrimination under state or federal discrimination laws, if applicable
3. Describe the appeal process, including, if applicable, a complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies. A respondent to an unlawful discrimination complaint may also file an appeal with the CDE in the same manner as the complainant.
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state

- and federal laws and regulations governing educational programs.
- b. The complaint review shall be completed within 60 calendar days of the district's receipt of the complaint. This time period may be extended by written agreement of the complainant and respondent.
  - c. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying should be filed not later than six months from the date it occurred or six months from the date the complainant first obtained knowledge of the facts unless the time for filing is extended in writing by the Superintendent or designee for up to 90 calendar days following the expiration of the six month time period. (e.g., 5 CCR §4630.)
  - d. A complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision. A respondent to an unlawful discrimination complaint also shall have the right to file an appeal with the CDE in the same manner as the complainant.
  - e. The appeal to the CDE shall include a copy of the complaint filed with the district and a copy of the district's decision.
  - f. Copies of the district's Uniform Complaint Procedures are available free of charge.
  - g. While it is the District's intent to notify a parent/guardian about a Title IX report involving their student, the District must consider any student request not to notify a parent/guardian based on the law.  
(cf. 5145.6 - Parental Notifications)

### **Complaint Procedures/Grievance Procedures**

#### **I. Complaints Alleging Unlawful Discrimination, Including Discriminatory Harassment, Intimidation and/or Bullying**

All complaints alleging unlawful discrimination, including conduct prohibited by the District's Nondiscrimination/Harassment Policy – BP 5145.3, and Sexual Harassment Policy– BP 5145.7, as well as other discriminatory intimidation, harassment, or bullying shall be addressed in accordance with the following procedure and shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631) Such complaints shall be investigated using this procedure regardless of whether the alleged harassment occurred on or off campus.

*Recordkeeping:* The District Compliance Officer shall maintain a log of complaints received, providing each with a code number and a date stamp. The District Compliance Officer shall also maintain a record of actions taken by the District in response to each complaint. The record shall include documentation of the steps taken during an investigation, including interview summaries and all information required for compliance with 5 CCR 4631 and 4633.

#### **A. Reports and Complaints:**

A "report" or "complaint" is defined as any oral or written communication to a school district employee or administrator which alleges behavior or misconduct that may constitute unlawful discrimination. A report or complaint may include an oral report, an email, a text message or other message conveyed to a school district employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

Any student, parent/guardian, third party, or other individual or organization who believes that an individual or group has been subjected to unlawful discrimination, including discriminatory harassment, intimidation and/or bullying, or who has witnessed such conduct, whether the conduct initially occurred on or off campus, is encouraged to report the conduct to any school district employee or administrator, and/or file a written uniform complaint under these procedures.

The following requirements apply to school district employees or administrators:

***i. Reporting Up***

- a. A school district employee who receives a report or complaint of discrimination, including discriminatory harassment, intimidation and/or bullying, shall, within one school day of receiving the report, notify the Principal/designee. In addition, any school district employee who observes any incident of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying involving a student shall, within one school day, report this observation to the Principal/designee, whether or not the victim makes a report.
- b. The Principal/designee shall, within one school day of receiving a report or complaint of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying, notify the District Compliance Officer of the report or complaint.
- c. When a report or complaint of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying is made against the Principal/designee to whom the report would ordinarily be communicated, the school district employee who receives the report or who observes the incident shall instead report to the District Compliance Officer within one school day.

***ii. Information, Options and Documentation Provided to Reporting Individuals and Complainants***

- a. Either the Principal/designee or the District Compliance Officer shall, within one school day of receiving a report or complaint, inform the reporting individual or complainant of the resolution options under these procedures and the differences between these options (such as appeal rights and different types of written outcome.) The options include (1) the right to proceed under the Uniform Complaint Procedures; (2) the option to pursue resolution through an informal resolution process as described below in subsection D; or (3) the right to request that the District not take steps to investigate or pursue the complaint, with the understanding that the District may still have a duty to address the matter after a District-initiated investigation described in subsection E, below, depending on the seriousness of the allegations and the risk of future harm to students or others. If a District-initiated investigation proceeds, the Principal/designee or the District Compliance Officer shall inform the reporting individual or complainant in writing of the District's decision to proceed. After the District has investigated the matter and determined the outcome, the Principal/designee or the District Compliance Officer shall provide a written notice of outcome to the parties who would have been the complainant and respondent. The notice of outcome shall state that the party who would have been the complainant may pursue a Uniform Complaint at a later date, but the District reserves the right to enforce the six to nine month time line constraints for filing a Uniform Complaint as set forth in 5 CCR §4630(b). If a District-initiated investigation does not proceed, the reporting individual or complainant shall be informed of the right to proceed under the Uniform Complaint Procedures at a later time by making a request in writing to the District Compliance Officer.
- b. If an individual who wants to proceed and submit the allegations in writing, but is unable to do so due to conditions such as a disability or illiteracy, district staff shall assist the individual in the writing the information related to the allegations. (See, e.g., 5 CCR 4600) The district may offer a Uniform Complaint Form for the complainant to place the uniform complaint in writing.
- c. The Principal/designee or District Compliance Officer shall also inform the reporting individual or complainant that the identity of all parties of a complaint shall be kept confidential except when the District has a duty to share the parties' identifying information as necessary to gather a response to the complaint, in

order to take subsequent corrective action if misconduct is found to have occurred, and/or to conduct ongoing monitoring.

- d. If the reporting individual or complainant insists on not being identified or does not give names of the alleged perpetrators, the individual shall be informed by the Principal/designee or the District Compliance Officer that the request may limit the District's ability to investigate or take other necessary action.
- e. This discussion and any decisions based on the discussion shall be reduced to writing and submitted to the reporting individual or complainant. The Principal/designee shall forward a copy of the document to the District Compliance Officer. A copy of the document shall be maintained in a confidential complaint file with the Principal/designee and with the District Compliance Officer.

**B. Interim Measures:**

After a report or complaint is received, the responsible administrator (Principal/designee and/or the District Compliance Officer) shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the responsible administrator shall implement measures to stop, prevent or address the effects of the alleged discrimination, including discriminatory intimidation or retaliation, harassment, or bullying during and pending any informal resolution and/or investigation. The interim measures may include actions such as no-contact directives, increased supervision, placing students in separate classes, or transferring a student to a class taught by a different teacher. To the extent possible, interim measures will be implemented in a manner that minimizes the burden on the individual who was the target of the alleged discrimination.

**C. Off-Campus Incidents or Incidents Unrelated to School Activity:**

Though an incident of unlawful discrimination, including discriminatory harassment, intimidation, or bullying may occur off campus or unrelated to school activity, if the effects of the incident result or may result in harassment, intimidation, or bullying at school or at a school activity, which is sufficiently serious to interfere with or limit student(s)' ability to participate in or benefit from the education program, the District Compliance Officer or Principal/designee shall, under these Uniform Complaint Procedures, promptly investigate, determine what occurred, eliminate any harassment, intimidation, or bullying that occurs at school or at a school activity, prevent its recurrence, and address its effects.

**D. Optional Informal Resolution Process at the Site Level:**

Except in complaints alleging sexual violence, when a complaint alleging unlawful discrimination, including discriminatory harassment, intimidation and/or bullying against an individual is submitted under these procedures, the site Principal/designee may, after gathering evidence related to the complaint, engage in informal efforts to resolve the complaint after obtaining the signed, written consent of the complainant, the complainant's parent/guardian, the respondent, and the respondent's parent/guardian. The Principal/designee shall notify the District Compliance Officer that the complainant and respondent have consented to an informal resolution process and submit a copy of the signed consent documents to the District Compliance Officer. The District Compliance Officer shall develop a template for the Principal/designee to use to facilitate written consent by the parties.

Before the parties consent to engage in an informal resolution process, the Principal/designee shall inform the complainant, the respondent and their respective parents/guardians of the following: (1) The complainant or the complainant's parent/guardian will not be asked or required to meet directly with the respondent as part of the informal resolution process; (2) The informal resolution process shall be completed within 10 calendar days of the district's receipt of the complaint; (3) The



differences between the informal resolution process and the process set forth under subsections D-H below shall be explained; (4) The right of either party to terminate an informal resolution process at any time and request that the District Compliance Officer proceed with the investigation of the uniform complaint under subsections F-H within the timelines set forth in this AR 1312.3; and (5) the informal resolution process, if successful, will result in a signed, written agreement between the parties which includes a waiver of any appeal rights set forth in AR 1312.3 and acknowledgement that the complainant cannot pursue another Uniform Complaint regarding the same allegations discussed and resolved between the parties.

At the conclusion of 10 calendar days, the informal resolution process shall cease, and the Principal/designee shall create a written report to memorialize the information gathered during the informal process, the procedures used during the informal process, whether an agreement was reached by the parties, and the terms of any agreement. A copy of this report shall be sent to the District Compliance Officer.

If an agreement is reached between the parties, the parties, with the assistance of the Principal, shall reduce the agreement to writing, and the parties shall sign the document only if they agree with the terms of the agreement. The District Compliance Officer shall create an agreement template which the parties shall use to memorialize their agreement. The agreement shall include, among other things, a waiver of appeal rights set forth in AR 1312.3 and a statement that the complainant is precluded from filing another complaint regarding the same allegation(s). The complainant, respondent, their respective parents/guardians and the District Compliance Officer shall receive a copy of the signed agreement. The Principal's written report and the signed agreement shall be maintained in a confidential complaint file with the Principal/designee and with the District Compliance Officer.

If the informal resolution process did not result in an agreement within the 10 calendar days or if the informal process is stopped by either party, the District Compliance Officer shall immediately proceed with the investigation under subsections F-H below. The investigation process shall be concluded within 60 calendar days of the district's receipt of the complaint.

#### ***E. District-Initiated Procedures to Address a Report***

If the Principal/designee and/or the District Compliance Officer has determined to pursue a District-Initiated investigation, the investigation will follow procedures in subsection F, below, except the investigation does not need to be initiated within 10 calendar days of receipt of the report, refusal of the complainant to participate does not dismiss the report or complaint, and the District does not need to re-describe the UCP to the reporting individual or complainant. In any matter involving discrimination, including discriminatory harassment, intimidation and/or bullying, the expectation is to complete the process within 60 calendar days of the date the district received the initial report. The individuals who would have been the complainant and respondent shall receive a written notice of outcome within the 60 calendar days, unless there is good cause to extend the time, which will be explained to the parties in writing.

#### ***F. Investigation***

##### ***i. Initiation of Investigation***

The District Compliance Officer shall initiate an impartial investigation of an allegation of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying, within five school days of receiving a complaint under this procedure. The time may be extended if informal resolution is undertaken pursuant to subsection D, above. However, in all cases the investigation shall begin within 10 calendar days of the district's receipt of the initial complaint unless the District Compliance Officer has confirmed that the complaint has been resolved

informally to the satisfaction of complainant, respondent and their respective parents/guardians, under subsection D, above.

When a student is reported to be engaging in unlawful discrimination, including discriminatory harassment, intimidation, and/or bullying, against an individual off campus, the District Compliance Officer shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the complainant's educational performance.

If the District Compliance Officer receives an anonymous complaint or media report about alleged unlawful discrimination including discriminatory harassment, intimidation and/or bullying, the District Compliance Officer shall determine whether it is appropriate to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and/or other information related to the allegations in the complaint. (5 CCR 4631)

The District Compliance Officer shall keep the complaint and allegation(s) confidential, except as necessary to carry out the investigation or take other necessary action. (5 CCR 4964)

**ii. Initial Interview with the Subject of the Complaint:**

At the beginning of an investigation, the District Compliance Officer shall describe the uniform complaint procedures to the complainant and the complainant's parent or guardian, and discuss what actions and remedies are being sought in response to the complaint. The complainant shall have an opportunity to describe the incident, identify witnesses who may have relevant information and provide other evidence or information leading to evidence of the alleged conduct.

**iii. Additional Interviews and Gathering of Evidence:**

The District Compliance Officer shall interview individuals who have information relevant to the investigation, including, but not limited to, the complainant and, where appropriate, the complainant's parents/guardians, the respondent, anyone who witnessed the reported conduct, and anyone mentioned as having relevant information.

When interviewing the respondent, the District Compliance Officer shall describe the Uniform Complaint Procedures to the respondent and the respondent's parent/guardian, if applicable. The respondent shall have the opportunity to respond to the allegations, identify witnesses who may have relevant information, and provide other evidence or information leading to evidence related to the allegations.

The District Compliance Officer will also locate and review any available records, notes, documents, electronic information or statements related to the complaint and may take other steps such as visiting the location where the conduct is alleged to have taken place.

Information about a complainant's past or current sexual relationship with individuals other than respondent shall be excluded from the investigation process.

When necessary to carry out his/her investigation or to protect student safety, and consistent with federal and state privacy laws, the District Compliance Officer also may discuss the complaint with the Superintendent or designee, the parent/guardian of the respondent if the respondent is a student, a teacher or staff member whose knowledge of the students involved may help in determining the facts, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

Interviews of the complainant, the respondent, and all relevant witnesses are conducted privately, separately, and are confidential. At no time will the complainant and respondent be interviewed together.

Interviews, evidence and other information gathered will be documented and maintained in confidential complaint files. Confidential complaint files shall be maintained for a minimum of two years or as otherwise required by district policy and shall be destroyed in accordance with state law and district policy.

*(cf. 5125 – Student Records)*

*(cf. 3580 – District Records)*

**iv. Factors in Reaching a Determination:**

In reaching a decision about the complaint, the District Compliance Officer may take into account:

- a. Statements made by the complainant, the respondent, and other persons with knowledge relevant to the allegations
- b. The details, consistency and/or corroboration of each person's account
- c. Evidence of how the complainant and respondent reacted to and felt about the incident, if it was found to have occurred
- d. Evidence of any past instances of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying or other misconduct by the respondent
- e. Evidence that the complainant or respondent filed a complaint or cross-complaint alleging unlawful discrimination, including discriminatory harassment, intimidation and/or bullying which was found to be a knowingly false complaint or cross-complaint or to have included knowingly false statements made by the complainant or respondent.

To judge the severity of the unlawful discrimination, including discriminatory harassment, intimidation and/or bullying, the District Compliance Officer may take into consideration:

- a. How the misconduct affected the complainant and/or the complainant's access to education and education programs and activities
- b. The type, frequency, and duration of the misconduct
- c. The age of the complainant and respondent and the nature of the relationship between them
- d. The number of persons engaged in the alleged conduct
- e. The size of the school, location of the incidents, and context in which they occurred
- f. Other incidents of discrimination, harassment, intimidation or bullying at the school

**G. Written Report of Findings and Decision:**

Within 60 calendar days of the district's receipt of the complaint, the District Compliance Officer shall conclude the investigation and prepare a written report of findings and decision, as described below. This timeline may be extended by written agreement of the complainant and the respondent.

The district's decision shall be in writing and sent to the complainant and respondent. (5 CCR 4631) The decision shall maintain any applicable confidentiality rights of the parties and be issued in consideration of any legal limitations based on such confidentiality.

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language. Additionally, when otherwise necessary to provide access to information for limited English proficient students and parents/guardians, as required by federal law, the decision shall be translated into the student's or parent/guardian's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

- a. The findings of fact based on the evidence gathered
- b. As to each allegation, the District's conclusion(s) of law
- c. Rationale for such conclusion(s)
- d. Corrective actions, if warranted, which may include consequences imposed on the individual found to have engaged in the discriminatory conduct that relate directly to the subject of the complaint, as required by law, such as requiring that the individual found to have engaged in the discrimination stay away from the complainant, prohibiting the individual from attending school for a period of time, or transferring the individual to other classes or another school.

Individual remedies, if warranted, which were offered or provided to the complainant, such as counseling, academic remedies, or other measures taken to eliminate any hostile environment, prevent retaliation and prevent the discrimination from recurring. The remedies offered and provided to the complainant shall not be revealed to the respondent unless required by law or district policy.

Systemic measures the school has taken or will take to eliminate a hostile environment and prevent recurrence, including counseling and academic support services for other affected students, training for faculty and staff, revisions to the school's policies, and campus climate surveys.

- e. Notice that the complainant and/or the complainant's parent/guardian should immediately report any reoccurrence of the conduct or retaliation to the District Compliance Officer or Principal/designee. Notice that the respondent and/or the respondent's parent/guardian should also immediately report any retaliation to the District Compliance Officer or Principal/designee.
- f. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal.

Any decision concerning a complaint of discrimination, including discriminatory harassment, intimidation, and/or bullying shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing state law civil law remedies.

*(Education Code 262.3)*

#### **H. Remedial Action**

Remedial action will be designed to end the discriminatory conduct, to prevent its recurrence, and to address its effects on the complainant. Examples of remedial actions, as appropriate, include, but are not limited to, the following:

1. Interventions for the respondent who engaged in the discrimination, such as parent or supervisor notification, discipline (discussed below), counseling, or training.
2. Interventions for the subject of the complaint such as counseling, academic support,

and information on how to report further incidents of discrimination.

3. Separating the subject of the complaint and the respondent who engaged in the discrimination, provided the separation does not penalize the subject of the complaint.
4. Follow-up inquiries with the subject of the complaint and witnesses to ensure that the discriminatory conduct has stopped and that they have not experienced any retaliation. Follow-up inquiries with the respondent who engaged in the discrimination to ensure that the respondent understands what behavior is expected and/or appropriate after the investigation.
5. Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute discrimination, that the District does not tolerate it, and how to report it.

In addition, the District Compliance Officer shall ensure that the individual who was the target of discrimination and/or the individual's parent/guardian are informed of the procedures for reporting any subsequent problems. The District Compliance Officer shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

#### ***I. Disciplinary Action***

Students who are found to have engaged in discriminatory conduct may be subject to discipline up to and including expulsion. Disciplinary action may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, or expulsion for students. Such disciplinary action shall be in accordance with Board Policy, Administrative Regulation and state law. Suspension and recommendations for expulsion shall follow applicable law.

Staff members who are found to have engaged in discriminatory conduct toward students shall be subject to discipline up to and including dismissal. Disciplinary action may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination of employees. Such disciplinary action shall be determined by site and District Administration in accordance with applicable policies, laws, and/or collective bargaining agreements.

*(cf. AR 4218 – Dismissal/Suspension/Disciplinary Action; Education Code 44932 et seq.)*

In identifying appropriate disciplinary action, repeated incidents and/or multiple victims will result in more severe penalties.

Individuals who knowingly file false complaints of discrimination, including discriminatory harassment, intimidation, and/or bullying or give false statements in an investigation shall be subject to discipline up to and including suspension, expulsion, and or dismissal, as shall any individual who is found to have retaliated against another in violation of this policy.

#### ***II. Complaints Alleging Noncompliance with Other Federal or State Laws***

A complaint alleging noncompliance with federal or state laws or regulations governing specific educational programs or the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may also be filed under this procedure.

Such complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

If a complaint alleging noncompliance with federal or state laws or regulations governing specific educational programs or the laws regarding student fees, deposits, and other charges, is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them.

*(Education Code 49013)*

### **Appeals to the California Department of Education**

If dissatisfied with the district's decision under this procedure, the complainant may appeal in writing to the CDE.

*(Education Code 49013; 5 CCR 4632)*

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

In any complaint alleging unlawful discrimination including discriminatory harassment, (such as sexual harassment, sexual violence or harassment based on a protected characteristic), intimidation or bullying, the respondent also shall have the right to file an appeal with the CDE in the same matter as the complainant if the respondent is dissatisfied with the district's decision.

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 calendar days of the date the complaint was filed with the district.

### **Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, including discriminatory harassment, intimidation, bullying, or sexual harassment based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of the right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law.

Complaints alleging discrimination based on race, color, national origin, sex/gender, disability or age may also be filed with the U.S. Department of Education, Office for Civil Rights. Instructions for filing a complaint can be found at:

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

Such complaints must generally be filed within 180 calendar days of the alleged discrimination.

*Adopted: Monday, October 10, 2011; Wednesday, August 29, 2012; Tuesday, February 11, 2014; Tuesday, September 12, 2017*

# WILLIAMS UNIFORM COMPLAINT

## ADMINISTRATIVE REGULATION 1312.4

The district shall use the following procedures described in this administrative regulation only to investigate and resolve complaints when the complainant alleges that any of the following has occurred:

(Education Code [2]35186; [2] 5 CCR 4680-1, 4682, 4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, having missing pages, or are unreadable due to damage.  
(cf. 6161.1-Selection and Evaluation of Instructional Materials)[3]
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.  
(cf. 4112.22 - Staff Teaching Pupils of Limited English Proficiency) [4]
3. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester.

(Education Code 35186 [2]; 5 CCR 4600)

*Beginning of the year or semester* means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; [2] 5 CCR 4600)

(cf. 4112.2 - Certification) [5]

(cf. 4113 - Assignment) [6]

3. Complaints regarding the condition of school facilities, including any complaint alleging that:
  - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to or staff; structural damage creating a hazardous or uninhabitable condition, or any other condition deemed appropriate.

(Education Code [7]17592.72) [7]

2. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

(Education Code 35292.5) [8]

*Open restroom means* the school has kept all restrooms open during school hours when students are not in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs.

(Education Code [8]35292.5) [8]

(cf. 3514- Environmental Safety) [9]

(cf. 3517- Facilities Inspection) [10]

### **Filing of Complaint**

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days.

(Education Code 35186 [2]; 5 CCR 4680)

### **Investigation and Response**

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

(Education Code 35186 [2]; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee.

(Education Code 35186 [2]; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

(Education Code 35186) [2]

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Board of Education at a regularly scheduled meeting.

(Education Code 35186 [2]; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in the section "Types of Complaints" item #3a above, a complainant who is not satisfied with the resolution proffered by the principal



or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632.

*(Education Code 35186 [2]; 5 CCR 4687)*

All complaints and written responses shall be public records.

*(Education Code 35186 [2]; 5 CCR 4686)*

*(cf. 1340 - Access to District Records) [11]*

### **Reports**

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meetings and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

*(Education Code [2]35186 [2]; 5 CCR 4686)*

### **Forms and Notices**

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint.

*(Education Code 35186; [2]5CCR 4680)*

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes.

*(Education Code 35186) [2]*

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186.

*(Education [2] [2]Code [2] 35186) [2]*

*Adopted: Tuesday, August 31, 2010; Tuesday, August 25, 2015*

*PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California*

