



VICTOR VALLEY UNION HIGH SCHOOL DISTRICT
16350 MOJAVE DRIVE VICTORVILLE, CALIFORNIA 92395-3655 TELEPHONE (760) 955-3200

RON WILLIAMS, SUPERINTENDENT

STATEMENT ON NONDISCRIMINATION/HARASSMENT and SEXUAL HARASSMENT

STUDENTS' DISCRIMINATION

The Victor Valley Union High School District is committed to maintaining an educational environment, which prohibits discrimination against students in educational programs and activities based on certain actual or perceived characteristics of an individual, including Ed Code 220, which prohibits discrimination based on race, nationality, ethnicity, gender, gender identity, gender expression, sex, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes (Penal Code 422.55). Title VI prohibits discrimination based on race, color, or national origin; and Title IX prohibits discrimination based on sex.

The Superintendent or designee shall facilitate students' access to the educational program by communicating the District nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees, which includes providing training and information on the scope and use of the policy, complaint procedures, and other measures designed to increase the school community's understanding of the law related to discrimination.

The Governing Board ensures that District programs and activities are free from discrimination based on age or any of these characteristics based on Ed Code 260. The right of a transgender student to participate in sex-segregated educational programs and use of facilities consistent with his/her gender identity is specified in Ed Code 221.5.

The District provides a safe school environment that allows all students equal access and opportunities in academic and other educational support programs, services, and activities as well as related to school attendance within a District school.

The District prohibits, at any District school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; 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.

The District prohibits physical, verbal, nonverbal, or written conduct based on one of the categories listed above 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 adversely affects a student's educational opportunities.

The District prohibits any form of retaliation against any student who files a complaint or report, testifies, assists, or otherwise participates in the complaint process regarding an incident of discrimination, harassment, intimidation, or bullying in accordance with the District's policy and administrative regulations.

Policies related to discrimination must be consistent with the First Amendment right to free speech, and consistent with Ed Code 48950. Students engaging in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action.

VVUHSD Board Policy 5145.3, Adopted February 20, 2014

STUDENTS' SEXUAL HARASSMENT

The District is committed to maintaining a safe school environment that is free from harassment. The District prohibits sexual harassment, discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race, or ethnicity, religion, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics, of any student by another student, an employee or other person, at school or at a school-sponsored or school-related activity.

The District prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established with this policy. It is the position of this District that sexual harassment is unlawful and will not be tolerated.

Any student, who believes he/she has been subjected to harassment or who has witnessed harassment by an employee, agent, or student of the District, should promptly report the alleged incident to any school employee. This report should include the facts of the alleged incident and the name of the individual involved. The school employee receiving the report of the alleged incident shall report the incident to the school site administrator/principal, or if the administrator is the alleged harasser, to the Assistant Superintendent of Human Resources. The employee who has knowledge of a student allegation of harassment is required to report to his/her site administrator within 24 hours after being placed on notice of the occurrence.

Students in grades 4-12, disciplinary action may include suspension and/or expulsion from school for sexual harassment. The Assistant Superintendent of Human Resources or site administrator will recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery. Also, all parties will be informed that retaliation is illegal and that an allegation of retaliation following a report of harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. Both employers and harassing employees may be liable under Title IX for the sexual harassment of District students by District staff.

District policy informs all students and includes a notification procedure, which includes age-appropriate instruction on sexual harassment that is prompt, fair, and appropriate corrective action to end harassment and address its effect on the victim. Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact a school employee. A school employee to whom a complaint is made shall, within 24 hours of his/her getting the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment on any student shall report his/her observation to the principal or designee, whether or not the victim makes a complaint.

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint, and take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall advise the victim of any other remedies and file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where necessary.

The student may file a formal complaint with the Superintendent or designee in accordance with the District Uniform Complaint Procedures.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other necessary action. Records of all reported cases are maintained to enable the District to monitor, address, and prevent repetitive harassing behavior in its schools.

VVUHSD Board Policy 5145.7, Adopted February 20, 2014

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