

FAIRMEADOW ELEMENTARY SCHOOL

PARENT & STUDENT HANDBOOK

2020-2021



500 E. Meadow Drive
Palo Alto, CA 94306
Phone: 650.856.0845
Fax: 650.852.9436
www.fairmeadow.pausd.org



Fairmeadow Elementary School

PLANNING for SCHOOL YEAR 2020-2021

[PAUSD Return to Learn](#)
[COVID19 - Safety Protocols and Updates](#)

MISSION

Fairmeadow school will develop and support an educational environment that respects diversity and creativity, challenging all students to achieve their full potential.

MOTTO

Learning is a team sport!

SONG

(sung to the tune of the Notre Dame Fight Song)

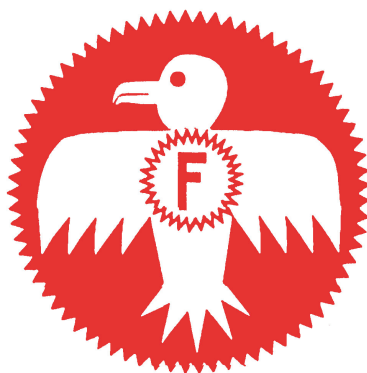
Cheer cheer for Fairmeadow School
Sing to her praises follow her rule
Firebirds we cheer on high
Shake down the thunder from the sky...boom!

Teachers and students, we are all grand
Making Fairmeadow best in the land
Teamwork team sports we have fun
Fairmeadow is number one
Fairmeadow!

(Repeat whole song one time)

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Fairmeadow Firebirds

Fairmeadow School Staff

FRONT OFFICE		
Iris Wong..... <i>Principal</i> Alicia Gonzales <i>Secretary</i> Mary Ann Kretschmar <i>Clerk</i> Joey Camposano <i>Afternoon Custodian</i> James Pascual..... <i>Night Custodian</i>		
CLASSROOM TEACHERS (Room #)		
KINDERGARTEN Clarisse Haxton(12) Sara McNinch (13) Kristi Van (14) FIRST GRADE Nancy Smith (1) Dawn Gray (6) Julie Ambo (29)	SECOND GRADE Heidi Vermaire (3) Karen Easton / Kelly Van Bruggen (4) Zoe Peters (5) Susan Giovannotto (9) THIRD GRADE Cheryl Tsuruda (7) Christina Bonzani (8) Susan Giovannotto (9)	FOURTH GRADE Christopher Easton (16) Trebor Winslow / Lindsay Vanderbeek (18) Alison Mui / Lindsay Vanderbeek (19) FIFTH GRADE Kachina Corti (20) Stephanie Choy (21) Nayely Cortes (22)
CLASSROOM AIDES	STUDENT ATTENDANTS	
Joecell Agamada Bilyana Boyadjieva Katy Buurma Joey Bowler Pamela Markevitch Bridget Rost Patty Sakuma Vivian Landa	Dyanna Banderas Sue Benjamin Melissa Estermera Frances Foster Yesenia Herrera Julie Kelly Christian Madrigal Mukul	Guadelupe Martinez Mana Nishi Taylor Rabago Lori Patton Ashwini Shanbhogue Erika Williams
SUPPORT STAFF		
Andrea Saxerud <i>School Psychologist</i> Jodi Snyder <i>Educational Specialist</i> Min Cheung..... <i>Educational Specialist</i> Chermaine Millares <i>Educational Specialist</i> Michelle Brown..... <i>Librarian/Media Teacher</i> Elisabeth Pounders <i>Physical Education Teacher</i> Laura Lorber <i>General Music Teacher</i> Tami Fletcher <i>Learning Center (Room 24) Aide</i> Heidi DeVeau <i>Reading Specialist /Intervention TOSA</i> Ann Quan..... <i>Reading Specialist/Intervention TOSA</i> Michael Ridgway <i>CASSY Counseling Therapist</i> Melissa Hinkle <i>English Language Specialist</i> Christina McIver <i>Speech & Language Pathologist</i> Karen Lenke / Chikako Hine <i>Spectra Art Teachers</i> Claudia Quiroga Cortes <i>Family Engagement Specialist</i> John Bullan <i>Technology Support</i> Jose Garcia <i>Food Service</i>		

To contact a staff person, please email the staff member.
 Go to <https://fairmeadow.pausd.org/connecting/staff-directory>

Calendars & Schedules

SCHOOL CALENDAR 2020-2021

Important Dates & School Holidays

For the most current information
please check the Fairmeadow website
<https://fairmeadow.pausd.org/>

School Year Begins	Monday, August 17
Back-To-School Night	Tuesday, August 20
Minimum Day (District-wide)	Friday, September 4
Labor Day (No School)	Monday, September 7
Veterans' Day (No School)	Wednesday, November 11
Thanksgiving Break	Monday-Friday, November 23-27
Minimum Day (District-wide)	Friday, December 18
Winter Break Begins	Monday, December 21
Student Holiday (PAUSD Staff Professional Development)	Wednesday, January 6
School Resumes	Thursday, January 7
Martin Luther King, Jr. Day (No School)	Monday, January 18
Presidents' Day (No School)	Monday, February 15
Local Holiday (No School)	Monday, March 15
Minimum Day (District-wide)	Friday, April 2
Spring Break Begins	Monday, April 5
School Resumes	Monday, April 12
Memorial Day (No School)	Monday, May 31
Last Day of School	Thursday, June 3

Minimum Days – 11:50 a.m. Early Dismissal (Distance Learning)

Each Wednesday	* Restructured
Last Day Before Labor Day	Friday, September 4
Last Day Before Winter Break	Friday, December 18
Last Day Before Spring Break	Friday, April 2
Last Day of School	Thursday, June 3

* 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.

DAILY / WEEKLY SCHEDULE

(Pending Distance Learning or Hybrid Schedule)

KINDERGARTEN	
<p style="text-align: center;">AUGUST 17 – OCTOBER 9 Monday, Tuesday, Wednesday, Thursday, Friday 8:30 a.m. – Noon</p> <p style="text-align: center;">*BEGINNING MONDAY, OCTOBER 12, 2020 Starting on October 12, the kindergarten schedule will be identical to the primary schedule outlined below. Kindergarten students do not eat lunch at school from August 14 through October 9 – starting October 12, kindergartners eat lunch at school every day. <i>(Pending Distance Learning or Hybrid Schedule)</i></p>	
PRIMARY GRADES (K*-3)	INTERMEDIATE GRADES (4-5)
8:30 – 10:00 a.m. 10:00 – 10:20 a.m. <i>Recess</i> 10:20 – 11:50 a.m. 11:50 – 12:35 p.m. <i>Lunch</i> 12:40 – 2:40 p.m. 2:40 p.m. <i>Dismissal</i>	8:30 – 10:00 a.m. 10:00 – 10:20 a.m. <i>Recess</i> 10:20 – 12:05 p.m. 12:05 – 12:50 p.m. <i>Lunch</i> 12:50 – 3:00 p.m. 3:00 p.m. <i>Dismissal</i>
<p style="text-align: center;">NOTE: WEDNESDAY SCHEDULE (SPECIAL SCHEDULE DAY)</p>	
8:30 – 10:00 a.m. 10:00 – 10:20 a.m. <i>Recess</i> 10:20 – 11:50 a.m. 11:50 – 12:35 p.m. <i>Lunch</i> 12:35 – 1:40 p.m. 1:40 p.m. <i>Dismissal</i>	8:30 – 10:00 a.m. 10:00 – 10:20 a.m. <i>Recess</i> 10:20 – 12:05 p.m. 12:05 – 12:50 p.m. <i>Lunch</i> 12:50 – 1:40 p.m. 1:40 p.m. <i>Dismissal</i>

Getting Started

WHAT TO BRING THE FIRST DAY OF SCHOOL

Students should wear **clothes suitable** for classroom learning and playground fun. All children should bring a healthy **snack** and beverage for snack time. Grades 1-5, will also bring a packed lunch or arrange to buy hot lunch. In kindergarten, a **backpack** big enough to hold a lunch box, a large book, and a jacket is also helpful. Also, consider sending your child to school wearing sunscreen and a hat for sun protection during work and play outside.

A number of students at Fairmeadow experience severe allergic reaction from contact with nuts. For this reason, Fairmeadow and the PAUSD have a policy outlining the consumption of nuts or any nut product at school (included in PAUSD policy section). **There are clearly labeled 'Nut Free' and 'Peanut Free' tables throughout the campus that are to remain free of all nuts and nut products.** While students with nut allergies are not required to eat snack and lunch at these tables, all students are required to keep the 'Nut Free' and 'Peanut Free' tables clear of any and all nut products. For the health and safety of all children at school, please consider sending your child to school with alternatives to food containing nuts. Thank you for reinforcing these guidelines with your child.

No school supplies are needed the first day. Instead, the Fairmeadow PTA encourages parents to donate to the PTA Supply Fund and Direct Appeal. Your donation helps to purchase supplies and school equipment, as well as help to fund a wide variety of programs. This is one of many ways to support the Fairmeadow PTA. Donations are requested on the PTA's One Check Form (which is turned in at the beginning of the year) and can be made via credit card on the website at: <https://www.fairmeadow.paloaltopta.org/support-our-school-draft>.

All **registration forms** (both district-wide and for Fairmeadow), including Emergency Information, must be turned in before any child can come to school. Information needed by Palo Alto Unified School District is all managed through Infinite Campus. For questions about Infinite Campus and registration/emergency information, please contact infinitecampus@pausd.org or centralattendance@pausd.org, and/or visit the school district webpage at <https://www.pausd.org/school-life/educational-technology/ic>.

FAIRMEADOW PARENT TEACHER ASSOCIATION (PTA)

The Fairmeadow Parent Teacher Association is a group of Fairmeadow parents and teachers (including the principal) who work together to support and enrich the school life of the students. It functions as a liaison between the staff and the school community to assure open communication and understanding of the school program. It also provides a social setting to facilitate parental networking. You become a member of the PTA by paying PTA dues. Membership is open to any adult in the school community. Fees are \$15 per person and new members are always welcome. You can join at any time by clicking on the "PTA" tab at <https://www.fairmeadow.paloaltopta.org/>

The Fairmeadow PTA pays for and organizes many events and programs throughout the year for the benefit of all Fairmeadow families. It hosts a Welcome Back Coffee, a New Families Coffee, parent coffees throughout the year, Book Fairs, Walkathon Fundraiser, Just Sign-Up Parties, an International Evening Event, Staff Lunches, Staff Appreciation Week, Ice Skating Parties, a Family Math Night, a Spring Art Fair and a hobby Discovery Day. It also organizes the Walk and Roll to School Week, the Third Grade Bike Safety program, Noon Art activities, and Parent Education programs.

The PTA, in addition, works behind the scenes to help keep Fairmeadow running at its best. It produces the Fairmeadow Directory, the school eNews, and the school website.

Finally, the Fairmeadow PTA donates a significant amount of money to the school for the purchase of classroom supplies, technology, playground equipment, library books and other campus improvements.

The Fairmeadow PTA generates its funds through the payment of dues by parents, fundraising programs such as the annual Book Fair and Walkathon. It also receives donations from parents and the local community.

CALENDAR OF PTA-SPONSORED EVENTS & PROGRAMS

All dates are subject to change, additional events and programs may be added during the year. Please check the Fairmeadow PTA website <https://www.fairmeadow.paloaltopta.org/calendar/upcoming-events> for the most current information.

PALO ALTO PARTNERS IN EDUCATION (PIE)

Partners in Education or PiE is the name of the district-wide foundation organized to donate money to Palo Alto public schools. Because Palo Alto parents want more educational programs than what the federal, state and local taxes pay for, PiE works with parents, teachers and the community to raise funds to fill the financial gap. Last year PiE donated almost \$6 million to the school district, including \$218,000 to Fairmeadow Elementary. The donation amount per school is determined by its number of students.

PiE, like the Fairmeadow PTA, donates money to Fairmeadow Elementary. In order to create the most equality between the different schools, the school board decided that only PiE (and not individual school PTAs) can donate money to hire **staff members**. Before PiE, schools had greatly divergent numbers of aids and specialized support staff, since the PTAs have differing abilities to fundraise. Now, PiE funds PEOPLE and the PTA funds THINGS. At Fairmeadow, PiE pays for the Spectra Art instructor, the Science Lab instructor, technology and reading specialists, Living Classroom Science, our Clubhouse Counselor, and classroom aides in all classrooms.

SCHOOL SITE COUNCIL

The School Site Council (SSC) is an advisory and representative body of parents, faculty, and staff charged with (1) defining and developing a sense of purpose, direction, and community for the school; and (2) building a capacity for change through collaborative decision-making.

The primary purpose of the SSC is to develop, approve, monitor, and assess the Single Plan for Student Achievement (SPSA). The SSC develops this plan in collaboration with Site and District Administration, school advisory committees, and school staff. This process allows for those individuals who are closest to the students to be involved in making decisions affecting the instructional program and vision for ongoing improvement of the school. If you have an interest in joining the School Site Council, please contact principal Iris Wong (iwong@pausd.org).

AFTER-SCHOOL CARE OPTIONS

The following is a list of the After-School Care providers that offer pick up at Fairmeadow. The PTA and Fairmeadow School do not recommend or endorse any particular provider but include this list for the benefit of the new families to the school.

Besse Bolton Kid's Club (PACCC) onsite	(650) 856-0847
Oshman Family JCC	(650) 223-8625
Acme	(650) 387-0545
Boys and Girls Club Pulgas	(650) 330-1090
Champion Youth Enrichment	(650) 353-0882 or (650) 858-1880
Covenant	(650) 493-9505
Fairmeadow After School Home Care	(650) 796-1043
Mustard Seed Learning Center	(650) 494-7389
Twisters Gym	(650) 967-5581

Safety Policies & Procedures

TRANSPORTATION / SAFETY

Palo Alto parents are responsible for getting students to and from school. Fairmeadow students from East Palo Alto have the option to be transported by bus. Most Fairmeadow families **walk, bike, skate or scooter** to Fairmeadow. Walking, bicycling, skating and scootering offer the opportunity to practice safe street skills with your child. It is a healthy habit and children who walk or bike to school are better prepared to learn. Also, it is a fun way to connect with your child and his or her friends. Crossing guards will be on duty approximately 30 minutes before school and 30 minutes after school at the Middlefield and E. Meadow crossing and the Waverly and E. Meadow crossing.

The Getting to School section of the Fairmeadow School website is a great resource for educating and assisting parents with pedestrian and bike safety. Please visit <https://fairmeadow.pausd.org/school-life/getting-to-school> to get safety tips and see the school's new Walk and Roll map. Once you arrive at school, no bicycles, skates, skateboards, or scooters are to be used on school grounds between the hours of 8:00 a.m. and 3:30 p.m.

DRIVING AND PARKING

To ensure safety for our children, please park at designated parking areas along the front of the school on East Meadow Road or in the Mitchell Park parking area. You may also park your car in the neighborhood parking area and walk your child to school. You are not permitted to park your car in the staff parking zone (unless you are a staff member) during school hours.

There is also a drop-off zone in the front of the school next to the front office. If there are no cars ahead of you, please pull your car up to the very end of the driveway to the orange cone to let your passengers out. **Have students exit the vehicle from the right-hand doors next to the sidewalk.** Other cars will often pass the vehicles in the drop-off zone, so please **never allow passengers to exit on the left side.** The Getting to School section of the Fairmeadow School website includes more information on parking and dropping off safely.

SAFETY PROCEDURES DURING SCHOOL HOURS FOR VOLUNTEERS AND VISITORS

Between 8:30 a.m. – 2:40 p.m. (8:30 a.m. -1:40 p.m. on Wednesdays), all school volunteers and visitors sign in at the office when they arrive and wear a Fairmeadow nametag while on campus. When they leave, they return to the office to sign out. Parents and caregivers who are dropping off and picking up students do not need to follow this procedure during the 10 minutes before and after drop-off/pick-up.

GATES

Gates to our school playground will be locked at 8:45 a.m. each morning. They will be unlocked just prior to 2:30 p.m. on Monday, Tuesday, Thursday, Friday and at 1:30 p.m. on Wednesday. Please enter through the school office.

DISMISSAL PROCEDURES

1. Parents and caregivers are not to arrive more than 10 minutes prior to dismissal time.
2. **In accordance with PAUSD guidelines, "once school is dismissed, all students not accompanied by an adult are to leave campus for home and/or childcare."** *In other words, all students must proceed home or be picked up at dismissal time. Students who are not picked up must go to the office and parents will be contacted.*
3. According to PAUSD guidelines, parents with children waiting for the dismissal of students may be on campus if they:
 - Remain (with their children) on the blacktop or at the picnic tables until school is dismissed.
 - Supervise their children.
 - Do not disrupt teaching and learning programs.**NOTE: Students must not remain on campus unsupervised after school has been dismissed.**
4. **Prior to dismissal times:** While classes are still in session, please help us by:
 - Maintaining a subdued and quiet atmosphere near classrooms where instruction is still in progress. Children are not to play with balls or other equipment while waiting.
 - Enabling teachers to have full and unfettered access to the picnic tables, blacktop, field and playground structures.

- All children and adults are expected to “Walk their Wheels” to prevent accidents and injuries. More specifically, riding on bicycles, rollerblades, skateboards, scooters, etc. 30 minutes before school begins, during the school day is not allowed. Please walk your wheels up to 30 minutes after school ends to promote safety for everyone.

SUPERVISION DURING RECESS AND LUNCH RECESS

Teachers and school staff supervise recess each day. Noon Supervisors are assigned to all lunch areas for students K-5. Noon supervisors and recess supervisors wear bright orange vests so they can be easily identified by staff and students.

DOGS ON CAMPUS

PAUSD guidelines state that unless authorized by the principal, dogs may not be brought to school during the hours of 7:45 a.m. to 4:00 p.m. Thank you for ensuring our students safety by keeping dogs off of school campus during this window of time. In addition, we ask that no dogs be allowed on campus during evening or weekend events as well.

STAIR RULES FOR TWO-STORY BUILDING

Please use caution while walking up and down the stairs of the two-story building that houses 4th and 5th grade classrooms. Always walk in a forward direction, and keep to the right side of the stairway to allow people to pass safely. Fifth Grade students are allowed upstairs on the balcony, along with staff members. Throwing or dropping any items from the balcony to areas below is prohibited. **PLEASE NOTE: Students may only use the elevator with the assistance of a school staff member.**

Playground Behavior Expectations at Fairmeadow

1. Students Play Safely and are Kind to Others.

- Be kind, polite, and respectful to everyone at our school.
- Walk on the red top area at all times.
- Return to class quietly at the end of recess and lunch.
- Walk bikes, scooters, and skateboards at all times.
- Keep hands and feet to yourself.
- Use appropriate language at all times.
- Fighting, swearing and name-calling are not allowed and will result in consequences.

2. Students Play in Designated Areas.

- Play areas consist of the black-top, play structures, grass and natural play area behind the blue play structure.
- No playing allowed in the parking lot and in the areas behind the library and all classroom buildings.

3. Students Play Safely on Structures.

- One way only on the rings.
- Students may not play on the top of the monkey bars.
- No pulling or pushing anyone on the structure.
- Feet first down the slide.
- Slide down the slide only.
- No balls, ropes, and tag games allowed on the structure.

4. Students Use Equipment Responsibly.

- All equipment is checked out and returned from the Ball Room.
- Rubber balls may be bounced only against the ball wall on the playground.
- Football and soccer balls may be used on the grass only.
- No equipment may be brought from home.

5. Anyone is Welcome to Join a Game.

- There are no "locked" games. Once teams are even, newcomers should find a partner if they wish to join a team.
- Yard duty may ask students to start a second game if too many players are participating and the game becomes unsafe. Football and soccer games shall have no more than 12 students on each team.
- A student who disrupts a game by playing unfairly may be asked to leave the game by other participants.
- All games are played by the rules determined by Fairmeadow School.

6. Students Respect School Property.

- Put all items no longer needed in either the compost, recycling, or garbage bins.
- No climbing trees.
- No writing on school walls or poles.

Emergency/Disaster Procedures

In case of emergency, such as an earthquake, parents follow these procedures:

CHECK-OUT PROCEDURE

- a. Do not phone the school. Park away from school.
- b. Report to the Student Release Station by the front office and complete a Release Request slip for your student and for other children for whom you are responsible. Do not go to the classroom or to the classroom's evacuation location.
- c. Wait for the student(s) to be brought to the Student Release Station.
- d. Check out the student(s) with the personnel at the Student Release Station.
- e. Leave the campus with the student(s).
- f. Should children be moved to another site, information will be posted near the office.

RELEASE PRIORITY

School will retain children until the first to arrive of the following:

- g. Parent/Guardian
- h. Person designated on Emergency/Health Card and yellow Emergency ID tag.

NOTE: Make sure your child's Emergency/Health Card and yellow Emergency ID tag are kept up-to-date.

School Policies

VISITING SCHOOL

Fairmeadow strives to keep an open-door policy and encourages full and open communication between staff and parents. Parents are welcome on campus. Certain procedures will facilitate openness without intruding on normal classroom routines and without diminishing campus safety and campus security.

1. **All parents and visitors must check in at the office, sign-in, and wear a nametag while on campus. When leaving, parents and visitors must sign out at the office.**
2. If you wish to contact a teacher, the best way is via a note sent with your student or via email. Should you call the school or visit the office, please leave a few options for dates and times for a return phone call. The appropriate staff member will respond as soon as possible, usually after school.
3. If your child is absent (illness or trip) and you would like homework, books or assignments, teachers can provide these after school. We encourage you to obtain books and assignments only if it appears the absence will be for two or more days.

In short, parent-staff communication is vital and needs to occur in a way that ensures that teachers can continue regular routines of teaching, supervising (such as yard duty), and planning without interruption.

LOST & FOUND

The Lost & Found is located outside the school office. Many items are left unclaimed every year. Periodically, lost items will be turned over to the district PTA Wardrobe Center. Parents are asked to encourage students to check for missing clothing and other personal articles.

This school/District is not responsible for theft, damaged or vandalized personal property.

HOMEWORK & MAKEUP WORK

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 to inform instruction.

Effective homework practices do not place an undue burden on students. The Board recognizes the value of extracurricular activities, unstructured time and adequate sleep for a student's success in school.

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.

The Superintendent or designee shall ensure that each school site develops an effective homework plan in accordance with Board policy and administrative regulations.

This policy and its associated administrative regulation shall be included in all school handbooks and secondary school course catalogs, as well as distributed on district and school websites.

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

NOTE: 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.

MAKEUP WORK

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

STUDENT LUNCH PROGRAM

<https://www.pausd.org/school-life/food-services>

MEAL PICKUP

Starting August 17, 2020, parents can drive through to pick up meals. See detailed information on the following pages (in English, Spanish, and Mandarin).

LUNCH OPTIONS AND PRE-ORDERING

Parents have the option to provide a homemade lunch or to purchase a hot lunch for their student. Fairmeadow encourages the making of “trash free” lunches that contain re-usable containers for food and drink. Please see information about the school’s Nut Policy in the “What to Bring the First Day of School” section (page 4) and the policy outlined below. Hot lunches must be pre-ordered and pre-paid. The cost of lunch is \$4.75. Your child will need to sign up in his or her classroom in the morning and then go to the lunch line to pick up the hot lunch.

To pay for student lunches, parents can write a check for any amount to “PAUSD” (writing the student’s name on the check) and turn it in to the office. Parents can also go to www.sendmoneytoschool.com and use a credit card to deposit money into your child’s account. There is a \$3.00 transaction fee for using the online service. Lunches can also be purchased with cash. For families in need, lunches are offered for free or at a reduced price of \$0.40. For more information regarding applying for a free or reduced price lunch, please visit: <https://www.pausd.org/school-life/food-services/free-reduced>

PALO ALTO UNIFIED SCHOOL DISTRICT

School Meal Pickup

Parents can drive thru to pick up meals starting August 17, 2020 at:

JLS, Gunn and Greene

Monday 10:45 am - 1:00 pm

Tuesday - Friday 10:30 am - 12:10 pm

- Students do not need to be present.
- Please have student ID number(s) ready. Email tpoon@pausd.org for student ID numbers.
- Breakfast and lunch will be picked up at the same time.
- Students will be charged according to their eligibility status:

Free students - \$0.00 for breakfast and lunch

Reduced price students - \$.30 for breakfast and \$.40 for lunch

Paid students - \$3.00 for breakfast and \$5.00 for lunch

- We will accept cash. Exact cash will be most helpful.
- If you are interested in having meals delivered to your home, please email Miguel Fittoria at mifittoria@pausd.org
- Please email tpoon@pausd.org for more information.

You may view our menus at:

<https://www.pausd.org/school-life/food-services/menu>

PALO ALTO UNIFIED SCHOOL DISTRICT

Recogida de Comida Escolar

Los padres pueden recoger comida para estudiantes a partir del 17 de Agosto de 2020 en:

JLS, Gunn and Greene

Lunes 10:45 am - 1:00 pm

Martes - Viernes 10:30 am - 12:10 pm

- Los estudiantes no necesitan estar presentes.
- Tenga a mano los números de identificación del estudiante. Envíe un correo electrónico a tpoon@pausd.org para obtener los números de identificación de los estudiantes.
- El desayuno y el almuerzo se recogerán a la misma hora.
- A los estudiantes se les cobrará según su estado de elegibilidad:

Estudiantes de almuerzo gratis - \$0.00 para desayuno y almuerzo

Estudiantes de precio reducido - \$.30 para desayuno y \$.40 para almuerzo

Estudiantes pagando - \$3.00 para desayuno y \$5.00 para almuerzo

- Aceptaremos efectivo. El efectivo exacto será de gran ayuda.
- Si está interesado en recibir comidas en su hogar, envíe un correo electrónico a Miguel Fittoria a mifittoria@pausd.org.
- Envíe un correo electrónico a tpoon@pausd.org para obtener más información.

Puede ver nuestros menús en:

<https://www.pausd.org/school-life/food-services/menu>

帕洛阿尔托联合学区

領取校餐

从 2020 年 8 月 17 日起, 家长可以去以下 3 所学校用直通车服务领取餐点:

JLS, Greene 及 Gunn

周一, 上午 10:45 - 下午 1:00

周二 - 周五, 上午 10:30 - 下午 12:10

- ☐ 学生不需要在场。
- ☐ 请准备好学生证号码。发电邮至 tpoon@pausd.org 获取学生证号码。
- ☐ 会在同一时间领取早餐和午餐。
- ☐ 每餐收费如下:
 - 有资格获免费膳食的学生 - 早餐 \$0.00, 午餐 \$0.00
 - 有资格获低价膳食的学生 - 早餐 \$0.30, 午餐 \$0.40
 - 不符合免费或低价膳食条件的学生 - 早餐 \$3.00, 午餐 \$5.00
- ☐ 我们接收现金。还希望您能预备确切金额。
- ☐ 如您有兴趣要餐点送到府上, 请发电邮至 mifittoria@pausd.org 与 Miguel Fittoria 先生联系。
- ☐ 如果您需要更多信息, 请发电邮至 tpoon@pausd.org 查询。

您可以在此网站上查看我们的菜单

<https://www.pausd.org/school-life/food-services/menu>

FIELD TRIPS

Most field trips at Fairmeadow will include a requested donation, parent drivers and a completed field trip form. To be a parent driver, you must complete a district form, provided in the Fairmeadow office, which requires driver license and insurance information. There is a minimum amount of insurance coverage required for all drivers. **The field trip form must be completed before any parent is allowed to drive.** The teachers, in addition, will send home a field trip form to be completed and returned before a child is allowed to go on a field trip.

PAUSD REQUIREMENTS FOR DRIVERS

Insurance – The following figures represent MINIMUM COVERAGE you must have: bodily injury – \$300,000 and property damage – \$100,000.

Number of passengers in your vehicle may not exceed the number specified for your vehicle by the California State Motor Vehicle Code.

You are also required to provide seat belts for all passengers.

No student should ride in front seat where a car has an airbag.

California State Law mandates that a child safety seat must be used by every child who is under age six and weighing less than 60 lbs.

By State Law:

- **You must have a current driver license.**
- You must have the current registration and a certificate of insurance in the car.
- **You must have a seat belt for each passenger.**

MEDICATION AT SCHOOL

Students needing to take **ANY MEDICATION** (including prescription and non-prescription) during school hours must have the parent bring the medication, in the original container, to the School Office. It will be kept in a locked cupboard and dispensed as ordered. The parent or guardian must provide the Physician/Parent Authorization to Dispense Medication form available in the School Office. **A NEW FORM NEEDS TO BE FILLED OUT EVERY YEAR.** No medications, including aspirin, or antibiotic cream or spray are provided by the school. No medications of any kind, including inhalers, may be kept in the classroom, backpack, lunchbox, etc., by a student. Medications must be kept in the school office.

STUDENT ILLNESS

Please **do not** send your child to school if he/she is displaying any of the following symptoms:

- a. Common Cold: Keep child home during period of productive cough, and yellow or green nasal discharge, especially during the first three days of his/her cold. Rest and care during the early stages often prevent complications.
- b. Nasal drainage that appears thick (pus-like).
- c. Cough.
- d. Fever (over 100 degrees orally, 101 degrees rectally, or 99 degrees axillary, under the arm). In some children, lower temperatures represent a fever. (Child must be “fever-free” without medication for 24 hours before returning to school.)
- e. Eyes that are red, swollen, crusting or draining.
- f. Draining ears and earache.
- g. Diarrhea—loose watery bowel movement.
- h. Severe headache or pain.
- i. Skin rash, unless diagnosed by doctor as non-infectious (obtain note from doctor).
- j. Childhood communicable disease—call district nurse.
- k. Nausea or vomiting.
- l. Head lice (please inspect hair carefully).
- m. Sore throat.

NUT-FREE TABLES

Elementary schools in PAUSD all 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.

HEAD LICE

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 & Wellness Program (<https://www.pausd.org/school-life/health-wellness/health-services/lice-control>). In addition, the brochure, *A Parent's Guide to Head Lice*, is available in the school office, as well as online (in [English](#) and [Spanish](#)).

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.

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, Oalmann 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.

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>).

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>).

School & District Policies / Practices

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

ATTENDANCE PROCEDURES

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

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

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 (650) 865-0845) before 8:30 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
- Providing in-class consequences
- Attendance at a District Attorney Mediation
- Referral to SARB

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.

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

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.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

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

SCHOOL DISCIPLINE

1. The Fairmeadow School Discipline Plan is consistent with Palo Alto School District policy in that its goals are: "to maintain order and decorum, educate our youth to observe accepted rules of conduct and to develop self-discipline while simultaneously protecting the rights of others."
2. Behavior management strategies are designed to maintain or promote appropriate behavior. At Fairmeadow this philosophy prevails both in concept and in practice. The school focuses on positive reinforcement and, when necessary, clear and consistent consequences that focus on students' learning to take responsibility for behaving appropriately.
3. As much as possible we use a problem-solving process to settle disputes (Conflict Resolution). Each person involved in an incident has the right to speak without interruption. When all have spoken, there is time to reach a consensus on what has happened. We agree on measures each individual will commit to in order that there be no recurrences of the same kind. Consequences such as benching, time-out, school community service, meeting with the principal and/or writing letters of apology may be imposed according to needs of a particular circumstance. See below for Fairmeadow playground rules and consequences on the playground.

4. Within classrooms, rules reflect the need to have children learn without disruption and to promote mutual support. Such rules vary from class to class, but usually involve speaking when recognized, listening carefully, using room and materials appropriately, and being responsive to suggestions from the teacher. The rules and consequences are posted in each room. They are consistent with district policy.
5. There are a few situations in which the usual regimen is inappropriate. When this occurs, the principal, teacher and parent work together to provide support for a child in order to ensure behavior appropriate for learning.

Depending on the seriousness of the infraction, a child may be suspended (in or out of school) from Fairmeadow School. A suspension is defined as the removal of a student from ongoing instruction for disciplinary purposes. The principal will confer with parents or guardians concerning a student suspension. Expulsion, if indicated, is determined exclusively by the Palo Alto Unified School District and not by the Fairmeadow Principal.

GROUND'S FOR SUSPENSION

California Education Code Section 48900

- Caused, attempted to cause, or threatened to cause physical injury to another person.
- Possessed, sold or furnished firearm, knife, explosive or other dangerous object.
- Possessed, used, sold, furnished or been under the influence of drugs, alcohol, a controlled substance or intoxicant.
- Offered, arranged, or negotiated to sell look-alike controlled substances, alcohol or intoxicants.
- Committed or attempted to commit robbery or extortion.
- Caused or attempted to cause damage to school or private property, including electronic files and databases.
- Stole or attempted to steal school or private property.
- Possessed or used tobacco or product containing tobacco or nicotine.
- Committed obscene act or engaged in habitual profanity or vulgarity.
- Possessed, offered, arranged or negotiated to sell any drug paraphernalia.
- Disrupted school activities, willfully defied valid authority of school personnel in the performance of their duties.
- Knowingly received stolen school property or private property.
- Committed sexual harassment (Ed. Code Section 48900.2).
- Participated in an act of hate violence (Ed. Code Section 48900.3).
- Harassed, threatened or intimidated a student who is a complaining witness or witness in a school discipline matter.
- Possessed an imitation firearm.
- Committed or attempted to commit a sexual assault or battery.
- Offered, arranged or negotiated to sell, or sold the prescription drug SOMA.
- Aided or abetted the infliction or attempted infliction of injury to another person.
- Engaged in harassment, threats or intimidation against school personnel or pupils (Ed. Code Section 48900.4).
- Threatened school officials and/or school property (Ed. Code Section 48900.7).

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.

(cf. 5131 – Conduct)

(cf. 5136 – Gangs)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

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):

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. 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).

(cf. 5145.2 - Freedom of Speech/Expression)

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.

(cf. 0420 – School Plans/Site Councils)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 1220 – Citizen Advisory Committees)

(cf. 6020 – Parent Involvement)

BULLYING PREVENTION

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.

(cf. 5137 – Positive School Climate)

(cf. 6164.2 – Guidance/Counseling Services)

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.

(cf. 6142.8 – Comprehensive Health Education)

(cf. 6142.94 – Alternative Programs/Curriculum)

(cf. 6163.4 – Student Use of Technology)

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, and any other individual bias or prejudice.

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.

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

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.
(Education Code 234.1)

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, immigration status, 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:

Associate Superintendent – Educational Services
25 Churchill Avenue, Palo Alto, CA 94306
(650) 329-3709

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 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.

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.

(cf. 5138 – Conflict Resolution/Peer Mediation)

(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)

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.

(cf. 5144 - Discipline)

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

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

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.

(cf. 5145.3- Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5411. –Discipline)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEBSITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

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

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

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

- o Behaviors may include, but are not limited to, the following:
- o Verbal: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.
- o 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.
- o Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, blocking egress, strangling, hair pulling, fighting, beating, pinching, slapping, "pantsing," biting, spitting, or destroying property.
- o Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- o Cyber-bullying: Sending insulting or threatening messages by phone, email, 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

UNIFORM COMPLAINT PROCEDURES (UCP)

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, immigration status, 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:

WEBSITES

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>

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

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.

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5,

51225.1, 51225.2, 52075; 5 CCR 4622).
 (cf. 0460 - School Plans/Site Councils)
 (cf. 0460 - Local Control and Accountability Plan)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 3260 - Fees and Charges)
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
 (cf. 5145.6 - Parental Notifications)
 (cf. 6173 - Education of Homeless Children)
 (cf. 6173.1 - Education for Foster Youth)
 (cf. 6173.3 - Education for Juvenile Court School Students)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district website and may be provided through district-supported social media, if available. (cf. 1113 - District and School Websites) (cf. 1114 - District-Sponsored Social Media)

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 retaliation or 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, for good cause upon written request by the complainant setting forth the reasons for the extension. (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)
 - h. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
 - i. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
 - j. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.
 - k. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to: (1)

Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

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:

The District Compliance Officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. The standard is met if the allegation is more likely or not to have occurred.

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 complainant, 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.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

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 district violation or noncompliance with federal or state laws or regulations governing specific educational programs, such as 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 may be filed by any individual, public agency, or organization. (5 CCR 4630)

Any complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may also be filed under this procedure or may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

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, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075.)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. Education Code 49013 and 5 CCR 4600.

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

Any complainant who is dissatisfied with the district's decision under this procedure, may file an appeal in writing with the CDE within 15 days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.2, 51228.3, 52075; 5 CCR 4600)

The complainant 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

NONDISCRIMINATION / 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, immigration status, 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 Websites)

(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

WEBSITES

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>

NONDISCRIMINATION / 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, immigration status, 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 bpausd.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 Websites)
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
(cf. 5131.5 - Vandalism and 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
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

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.

NONDISCRIMINATION 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 race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one

or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

(cf. 3540 - Transportation)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

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.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 – Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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 the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 4031 – Complaints Concerning Discrimination in Employment)

(cf. 4112.9/4212.9/4312.9 – Employee Notifications)

(cf. 5145.6 – Parental Notifications)

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.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are

needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - *Animals at School*)

(cf. 7110 - *Facilities Master Plan*)

(cf. 7111 - *Evaluating Existing Buildings*)

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

(cf. 6020 - *Parent Involvement*)

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.

(cf. 9320 - *Meetings and Notices*)

(cf. 9322 - *Agenda/Meeting Materials*)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Deputy Superintendent
25 Churchill Ave., Palo Alto, CA 94306
(650) 329-3958
khendricks@pausd.org

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

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

Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

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

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

WEBSITES

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

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

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

Pacific ADA Center: <http://www.adapacific.org>

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

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)]

Title IX 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
(65) 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

WEBSITES

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

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

TOBACCO, ALCOHOL & OTHER DRUGS, & SCHOOL SAFETY

Recognizing that education plays a central role in establishing patterns of behavior related to health and safety, the Palo Alto Unified School District Board of Education acknowledges its responsibility to provide a healthy, safe, and comfortable work environment for district students, staff, and community members.

TOBACCO-FREE DISTRICT

In order to support and reinforce the district's educational efforts to prevent student tobacco use through adult modeling, the Board of Education has established a policy that declares Palo Alto Unified School District tobacco-free. It is the responsibility of all staff and community members to implement this policy in school buildings, school-owned vehicles, on school grounds, and at school-sponsored events off campus.

SAFETY & NON-VIOLENCE

To support non-violence on campuses, PAUSD School Board policy and the Code of Education restrict students from bringing weapons, real or facsimile, to school. This includes pocket knives and play guns as well as any items which may cause harm to others. In addition, students are expected to follow school rules. Students who cause severe disruptions, harm to others, or destruction of school property may be suspended.

Appropriate action will be taken at the school site level to eliminate possession, use, provision or sale of illegal substances and related paraphernalia and weapons in any situation in which the school is responsible for the well-being of all students. Students involved in the possession of weapons and/or use of chemical substances, including tobacco, shall be subject to immediate disciplinary procedures which may result in suspension or expulsion.

Fairmeadow Glossary

BACK-TO-SCHOOL PACKETS – A package of important school documents, letters and informational flyers sent home in early August to prepare for the start of school.

BACK-TO-SCHOOL NIGHT– An adults-only evening at Fairmeadow held during the first few weeks of school when teachers give presentations on their classrooms, and parents have an opportunity to sign up to volunteer in the classroom.

BIKE RODEO – In October, the 3rd Grade Bike Rodeo consists of obstacles on the playground that simulate traffic conditions. The person in charge of this event coordinates volunteers and supervises the event.

BOOK FAIR – Parent volunteers set up and coordinate a weeklong book sale held in the multipurpose room.

BUDDY ASSEMBLIES – Performances presented by Buddy Classes in the MP Room.

BUDDY CLASSES – A primary class partnered with an intermediate class to create cross school relationships and supports for students.

CHESS AND CHECKERS TOURNAMENTS – Chess and checkers tournaments coordinated school-wide as a classroom and lunchtime activity.

CHILDREN'S THEATRE PRODUCTION – A performance held every other year at Fairmeadow as part of an outreach program led by the Children's Theater.

DIRECT ASK – One of the primary fundraisers of the Fairmeadow PTA which pays for the per student cost of essential school materials. The Direct Ask request is made in the Back-to-School Packet, and collected early in the school year.

ENEWS– Weekly communication from the school via email to update families about upcoming events and timely topics at school. Be sure to indicate that you want to receive information from the PTA when completing your annual data update in Infinite Campus.

FAMILY MATH NIGHT– Bring the whole family for a hands-on, self-paced exploration into the fun of mathematics, with games, puzzles, and activities for all ages, abilities and interests.

FIELD DAY– Before the last day of school, parents and teachers host a variety of field games for all K-5 students to enjoy.

FIFTH GRADE PROMOTION– Families of graduating 5th graders are invited to a promotion ceremony and reception on the morning of the last day of school. Fourth-grade families volunteer to organize the reception and provide refreshments.

ICE SKATING PARTY– Family social for all Fairmeadow students at the Winter Lodge.

INCLUSIVE SCHOOLS WEEK– A week dedicated to highlighting inclusive school practices and celebrating the diversity of learners that make up our school.

INTERNATIONAL NIGHT– A family social event held in the spring where the Fairmeadow community celebrates our diverse cultural heritage by bringing a traditional dish to share.

KINDER PLAYDATES– Parent volunteers arrange gatherings during the summer for incoming kinder families to get acquainted.

LOST & FOUND – Our collection of lost or abandoned items. Please check the Lost and Found often!

NOON SPORTS – Our fall, winter, and spring league of organized sports for 3rd, 4th, and 5th grade students to play. Run by responsible 5th grade captains, Noon Sports offer students the chance to learn valuable sportsmanship skills while exercising, having fun with new friends, and learning new sports.

NOON TABLE GAMES– Organized by parent volunteers during lunchtime, games, Legos, art, and knitting are made available on a regular basis as an alternative to schoolyard play.

PIE (Partners in Education) REPRESENTATIVES– Volunteers who inform and educate the Fairmeadow community about PIE and coordinate campaign activities at Fairmeadow to raise funds for PIE.

PRINCIPAL'S COFFEE – Presentations throughout the year by the principal to update our parent community about timely topics and areas of focus at our school.

PRINCIPAL'S LETTER – A letter sent every other week from the principal updating parents about instructional practice at the school, community events, and timely topics at Fairmeadow.

ROOM PARENT– Support each classroom teacher with a variety of events throughout the year including parties and communication.

SAFETY PATROL– Fifth grade student leaders responsible for monitoring student safety on and around campus.

SCIENCE FAIR– Run by our Science Lab teacher each spring, the Science Fair provides all students with the opportunity to explore a topic or question of inquiry through research or experimentation.

SCIENCE LAB – Our Science Lab classroom is run by our Science Lab teacher, offering all students K-5 with an environment for hands-on experimentation and learning.

SITE COUNCIL – A group of parents and teachers in charge of our Single Plan for Student Achievement (SPSA) and who work together to lead Fairmeadow toward continual improvement.

STAFF APPRECIATION WEEK – A week of activities for parents and students to show teachers and staff their appreciation.

STEPS TO RESPECT / SECOND STEP– The Fairmeadow Social and Emotional Learning Curriculum implemented K-5 to support students in peer problem solving, managing emotions, processing through conflict, communication, and responding to bullying behavior.

STUDENT COUNCIL– A group of student leaders representing classrooms in 2nd through 5th grades, led by the 5th grade Presidential Cabinet and Student Council advisors. Student Council plans school spirit days and school-wide service projects.

STUDENT DIRECTORY–The student directory is prepared in the fall by a parent volunteer and office staff. The directory is distributed to all families and is available online.

TECHNOLOGY INTEGRATION PLAN– Fairmeadow's Scope and Sequence of Technology Instruction which outlines technology specific vocabulary, programs, and skills emphasized and practiced at each grade level.

UNITY DAY– A celebration in October acknowledging our inclusive school community and the ways we support all members of our school community.

WALKATHON– A fun fall fundraiser sponsored by our PTA where students walk laps at Fairmeadow and participate in a variety of games, fun, and food for the whole family!

WALKING CLUB– A teacher sponsored club of students who walk laps at Fairmeadow every Wednesday during lunch.

WHOLE SCHOOL ASSEMBLIES– Whole school gatherings on the blacktop every other week in the fall and the spring. Our Whole School Assemblies foster school spirit, increase communication among community members, and build school community.

WHOLE SCHOOL LEARNING CELEBRATION– A community gathering at the end of the school year to celebrate the growth and progress that all students achieved during the school year.

Useful Phone Numbers & Websites

Fairmeadow School	856-0845
Besse Bolton Kids Club (BBKC)	856-0847
Crisis and Parental Stress Contact (<i>available 24 hours, seven days a week</i>)	408-279-8228
Kara (<i>grief support for children and adults</i>)	321-5272
Teen Hotline (<i>specialists available 24 hours, seven days a week</i>)	1-888-247-7717
Palo Alto Family Resources	329-2221
	www.cityofpaloalto.org/familyresources
AYSO (Soccer)	www.ayso26.org
Palo Alto Girls Softball	www.paloaltogirlssoftball.org
Palo Alto Little League	www.pabaseball.org
Palo Alto Fields Hotline (<i>to check for field closures</i>)	329-2697
Cub Scouts and Boy Scouts	327-5900
Girl Scouts Information	968-8396
Children's Library	329-2436
Children's Theatre Information	463-4930
Children's Theater Box Office (<i>1:30-6:00 p.m.</i>)	463-4970
PAUSD Information Office	329-3700
Palo Alto Community Child Care	493-2361
Palo Alto Recreational Department (<i>Lucie Stern Community Center</i>)	
Program Information	463-4900

SITE MAP

FAIRMEADOW ELEMENTARY SCHOOL

500 EAST MEADOW DRIVE
PALO ALTO, CA 94306

