

**Ellen
Fletcher
Middle
School**

**2020
2021**

655 Arastradero Road
Palo Alto, CA 94306

<https://fletcher.pausd.org/>

Main Office: (650) 856-9810

Attendance: (650) 354-1405

Fax: (650) 856-9878



HANDBOOK

Welcome!

Ellen Fletcher Middle School welcomes you to the 2020-2021 school year. This handbook serves to provide our families and students with important information about our school. Please review the contents with your student before school begins, then keep it accessible for future reference. If you have questions, please feel free to call the school office for clarification at (650) 856-9810.

The entire Ellen Fletcher community is looking forward to a great year of academic and personal growth, challenges, and accomplishments. We serve a diverse group of about 600 students in grades 6-8. Our support staff of over 75 teachers, paraprofessionals, custodians, food service workers and administrative staff all work with your students to achieve high academic and social standards and to develop personal and community responsibility. With active parent participation, we work to make each day positive experience for your middle school student at Ellen Fletcher.

Personal and academic growth as well as building skills in self advocacy during the middle school years prepare your student for high school and beyond. Our learning approach is to offer a balanced instructional program a team settle that emphasizes academic integrity while making an emotional connection with the students as they continue to supporting the whole child and invite you to join in this effort to ensure innovation, creative thinking, intellectual curiosity, academic excellence, thoughtful change, and good citizenship.

Mission Statement

Ellen Fletcher Middle School is an inclusive community of students, families, and educators engaged in achieving high academic and social standards with respect for diversity in a positive school climate. In order to achieve this mission, we:

- Have a rigorous content and performance standards that are clear and measureable
- Design, implement, and maintain a clear communication system
- Commit to, collaborate on, and follow through with actions supporting the Mission Statement
- Establish and implement clear social standards
- Foster a sense of personal responsibility in each community member
- Develop and implement proactive interventions informed by data and research
- Plan and apply coherent staff development that support our vision
- Solicit and respond to input from our diverse population
- Develop a sense of community through on-going meaningful activities

Planning for School Year 2020-2021

[PAUSD Return to Learn](#)

[COVID19 - Safety Protocols and Updates](#)

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Administrative Directory

MAIN OFFICE (650) 856-9810

Principal Melissa Howell
Assistant Principal Pieter Dolmans
School Principal's Secretary Suzanne Lowe
Data Secretary Joy Helsaple
Budget Secretary Beth Kahle

GUIDANCE OFFICE (650) 856-9810

Counselor (6th & 7th Grade) Michele Chin
Counselor (6th & 8th Grade) Jovi Johnston
Psychologist Todd Daly

ATTENDANCE / HEALTH OFFICE (650) 354-1454

Attendance/Health Secretary Elizabeth Steele
Health Technician Alexandra Beltran

SUPPORT STAFF

Student & Family Engagement Specialist Ana Perez-Hood
Teacher Librarian Kristen Lee
Assistant Librarian Kellye Pineda
Technology/Network Manager Rob Garzino
Custodian Supervisor De Dean

EMAIL

To email a staff member, use the first initial plus the last name followed by @pausd.org (Example: bsmith@pausd.org)

FAX

To fax a staff member, dial (650) 856-9878, and include contact name for routing.

Teaching Staff Directory

6 th Grade	7 th Grade	8 th Grade
Ingrid Diether <i>ELA/Social Studies</i> Keith Casey <i>Math/Science</i> Carol Inn..... <i>Math</i> Suganthi Subramanian... <i>ELA/Social St.</i> Annie Yount <i>Science/Flex</i> Shari McDaniel ... <i>ELA/Social Studies</i> Pauline Rodriguez <i>Science</i> Joanna Maher..... <i>ELA/Social Studies</i> BECKY REA <i>Math</i>	TEAM 7-4 Ivette Daugherty <i>English/EL Coord.</i> Paulette Sato..... <i>English</i> TRISTAN GINANNI <i>Social Studies</i> Richard Hung..... <i>Math/Tech TOSA</i> JIM COX <i>Science</i> TEAM 7-5 Noel Woodward <i>English</i> Nicole Bliss <i>Social Studies</i> Cherish Larsen <i>Math</i> Elisa Peters..... <i>Science</i>	TEAM 8-4 Ander Lucia..... <i>English</i> Ross Helsaple.. <i>Social Studies/FOS</i> Bryan Nabas <i>Math/Geometry</i> Tammy Parke <i>Science</i> TEAM 8-5 DEANNA JONES <i>English</i> Victoria Blockhus <i>Social Studies</i> Paul Jorgens..... <i>Math</i> Beth Carlson <i>Science</i>

Specialists	Electives	Physical Education
Michael Nevels <i>Ed Specialist (6th)</i> Deb Giden..... <i>Ed Specialist (6/7/8)</i> Jason Roberts..... <i>Ed Specialist (7th)</i> Adam Herald <i>Ed Specialist (8th)</i> Nandini Mohan* <i>Futures</i> Ivette Daugherty... <i>EL Coordinator/ALD</i>	Jennifer Ellington..... <i>Drama/Wheel/CW</i> Eileen Chang <i>IT/Wheel/Marine Bio</i> David Rosenblatt* <i>Computers/Wheel</i> Linda Papanicolaou <i>Art</i> Annie Yount <i>Broadcast</i> Travis Wood..... <i>ASB/Leadership/PE</i> WORLD LANGUAGE Margarita Mendez* <i>Spanish/AVID</i> Ligia Salcedo Guterrez..... <i>Spanish</i> Vyjayanthi Raman..... <i>French/Wheel</i> MUSIC Mark Dungan <i>Band/Wheel</i> Tiffany Ou* <i>Orchestra/Wheel</i> Jesse Denny <i>Choir/Wheel</i>	James Lubbe <i>6th</i> Travis Wood..... <i>7th</i> Aileen Delaney..... <i>7th</i> Cindi Ahern <i>8th</i> Dave Franceschi..... <i>8th</i>

* = Department Lead
BOLD = Instructional Lead



Academic Calendar

Palo Alto Unified School District's School Year is comprised of 180 school days from mid-August to the beginning of June. Please see the Ellen Fletcher Calendar for specific quarter beginning and end dates.

Academic Honesty

The [Board of Education \(BP 5131.9\)](#) believes that academic honesty and personal integrity are fundamental components of a student's education and character development.

The primary goals of any educational institution should be to enhance the learning environment and to promote the pursuit of intellectual excellence. The Palo Alto Board of Education believes that the public schools should reinforce the values of our democratic society, teach citizenship, and provide an environment conducive to ethical behavior. The Palo Alto Unified School district community believes that the school should maintain a climate in which honesty, courtesy, consideration, integrity and concern for others are highly valued.

Cheating is an obstacle to achieving these goals. Factors that contribute to cheating include pressure for grades, not enough time to finish all the required homework, student taking advantage of teachers who do not monitor their classes closely, and inefficient study skills. None of these reasons makes cheating acceptable. In any of its forms, for whatever reason, cheating denies the value of education. Our teaching staff strives to put the importance of learning above the importance of grades and to convince students that their best efforts are all that anyone should expect.

Definition

Cheating/Plagiarism is taking (or lending) at inappropriate times a person's work, information, ideas, research, or documentation, without properly identifying the originator. It includes using unauthorized materials when testing or other acts specified in advance by the teacher. Students need to cite outside sources appropriately. Students shall not copy and use as their own any information taken directly from outside resources (i.e. Internet, textbooks, magazines, newspapers, and/or other students, etc.)

The teacher's professional judgment will determine whether cheating has occurred. Students are reminded not to give the instructor cause to consider their actions a violation.

To avoid inadvertent dishonesty, the following list, which is not intended to be all-inclusive, delineates a variety of methods of cheating:

- Letting someone else see one's own or another's paper during an examination, test, or quiz.
- Looking at someone else's paper during an examination, test, or quiz.
- Using any kind of "cheat" notes.
- Talking with another student during an examination, test, or quiz.
- Copying work assigned to be done independently or allowing someone else to copy one's own or another's work, including computer generated information and programs.
- Forging a signature.
- Using a cell phone or electronic device to capture or share information.
- Copying or closely paraphrasing sentences, phrases, or passages from an un-cited source while writing a paper or doing research.
- Giving test information to other students in other periods of the same teacher/same course.
- Submitting individual projects not wholly one's own.
- Fabricating or altering laboratory data.

Since individual teachers hold different expectations with regard to homework (i.e. some teachers encourage students to work together while other teachers may expect an assignment to be completed independently at home), it is the responsibility of the individual teacher to clarify to the student their expectations regarding individual assignments.

Consequences for Academic Dishonesty are Determined on a Case-by-Case Basis and May Include, But Are Not Limited to the Following:

- Zero on the assignment or assessment. This may affect the overall grade for the class.
- May be required to redo assignment. Redo previously graded work while in the presence of teacher and be reassessed, if academic dishonesty has occurred on more than one occasion in same class

- Conference with parents and teacher, counselor, and/or administrator
- Referral to CASSY, counselor, psychologist, or other school support service personnel.
- Student may receive an intervention created by administrator/counselor based on the misconduct.
- All of the student's teachers may be notified.

1st Incident

- Student's grade may be effected for the assignment, test, or project.
- Teacher notifies student, parent, counselor, and grade-level administrator.
- Cheating incident is logged into *Infinite Campus* as first offense for cheating.
- Student may be referred to CASSY/grade level counselor.
- Student serves a minimum of a detention; additional consequences depending the gravity of the situation

Repeated Incidents

- Student's grade may be effected for the assignment, test, or project. This may affect the overall grade for the class.
- Teacher notifies student, parent, counselor, and grade-level administrator.
- Cheating incident is logged into *Infinite Campus* as an additional offense for cheating.
- A formal letter regarding cheating incident will be added to student's permanent school file.
- Student may be referred to CASSY/grade level counselor.
- Meeting is held with student, parent(s), teacher, counselor, and grade-level administrator or principal

Teacher Responsibilities

- Make your policy and personal philosophy known to all students. Be specific about your expectations for tests, papers, and homework.
- Be fair to all students: Prepare students for and give notice of tests; be available to students before work is due.
- Supervision needs to be constant during test periods; proctor your tests actively.
- Make out a referral to record event (includes date, names, nature of assignment, how cheating occurred and any hard evidence).
- Submit a copy of the assignment or assessment.

Student Responsibilities

- Manage time so you have adequate time to study for any tests or quizzes.
- Take responsibility to find out what material will be covered on the test or quiz.
- During the test: Make sure your paper cannot be seen by anyone else; keep your eyes on your own paper; do not talk. (Ask your teacher, not your neighbor, questions of clarification.)
- After the test or quiz, do not discuss questions with other students until ALL students have taken it.
- Do not copy other's homework; do not work with other students on assignments unless the teacher gives instruction do so or tells the entire class to work together.
- Do not copy form or paraphrase others without a citation.
- Do not bring a phone that can take photos to your exam.

In fairness to all, students are urged to make the teacher aware when cheating is taking place, including the kind of cheating and the methods used.

Administrator Responsibilities

- Record discipline in *Infinite Campus*
- Provide recourse in case of parent dispute.

Parent Responsibilities

- Reinforce the values you believe in. Make sure your child understands that your moral values apply everyday.
- Reduce the pressure of "success at any cost." Give your child support even when their best effort doesn't earn an A.
- Be aware of homework. Help your child protect study time. Provide a good study environment (desk, good light, quiet, etc.). Be sensitive to your child's study time frame.
- When the student says they need to study, they mean it. Students commonly cheat because "there wasn't enough time."

Co-curricular Activities

Palo Alto Unified School district's academic honesty policy is not limited to the classroom. Our students are expected to exhibit ethical behavior in all school-related events, including but not limited to, co-curricular and off-site activities. Failure to meet the expectations set forth in the academic honesty policy during extracurricular activities will result with the site administrator logging the action into the student's discipline file and may include suspension from school for up to five days.

Advisory

Advisory Purpose Statement

The Ellen Fletcher Middle School Advisory Period provides students with an opportunity to connect with each other and one of their teachers in a safe, nurturing, non-academic setting. Teachers create experiences for students to build empathy, learn social-emotional skills, relate to one another, build school spirit, and connect with peers and adults on campus.

Assemblies

Ellen Fletcher may ask teams, grades, or the whole school to get together for an assembly program. Students are expected to arrive promptly and sit with their class. Appropriate behavior is expected. Booing, yelling, inappropriate comments, constant talking and/or fooling around will not be tolerated. Out of respect, hats or hoods are not worn during assemblies.

Attendance Policy

The Palo Alto Unified School district recognizes that success in school is in part related to prompt and regular classroom attendance. Frequent absences or tardies, which result in a student missing all or parts of presentations, demonstrations, discussions, explanation, 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. ([BP/AR 5113](#) & [BP/AR 5113.1](#))

Attendance Expectations

Students that 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.

The following are the attendance expectations for all students:

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

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 the Attendance Office on the first day of absence (650-354-1405) or Ellen Fletcherattendance@pausd.org.**

If telephone contact is not made, the school requires the returning student bring a note signed by the parent/guardian. If the student is absent from class for any reason and has not cleared the absence with the Attendance Office, they will receive a phone call at home to alert the parent/guardian that they have been marked absent. The phone call is a reminder that the absence must be cleared. **Any absence not cleared by the guardian within 72 hours will be treated as a cut.**

Detailed attendance information including student attendance records by course, period and day are available for both students and parents to review through the Infinite Campus Parent/Student Portal. If a student has been marked absent by mistake, the student should have their teacher sign a roll sheet correction form (available in the office) or get a note from the teacher and bring it to the Attendance Office so their attendance record can be cleared.

Excused and Unexcused Absences

"Excused Absences" fall into one of two categories:

1. Health: Absences due to illness, medical appointments, or quarantine.
2. Warranted: These include, but are not limited to the following:
 - Court appearance
 - Bereavement
 - Funeral service for member of immediate family
 - Religious Purposes

"Unexcused Absences" include, but are not limited to:

- Truancy
- Missing the bus

- Shopping
- Babysitting
- Over-sleeping
- Car trouble/traffic problems
- Staying home to do homework
- Staying home due to being up late the previous night (even if related to school activities-dances, drama, sports, etc.)
- Family vacations

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 5 consecutive full days, a physician's note is required in order to excuse the absences. In cases where the student is absent over the equivalent of 10% of class time for any individual class in the semester (after state enrollment date) for health reasons, a physician's note is required in order to excuse the absences. Health related absences may not be excused without appropriate medical documentation provided by a physician or other licensed medical provider. Chronic absences shall be referred to the health office or district nurse.

Health Appointments

Parents should make every effort to schedule appointments outside of school hours. However, if not possible, parents 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, they should report to the Attendance Office prior to the first period class with a note from the parent/guardian to receive a permit to leave. If a student returns to school the same day, they are required to report to the Attendance Office before returning to class to provide verification of the health visit.

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 as per Education Code 48205. We want parents to understand that classroom instruction and the interactive dynamic of the classroom experience are irreplaceable. While unexcused, students may be given the opportunity to make up missed work. Teachers may assign such makeup work as necessary to ensure academic progress, not as a punitive measure. Families are required to contact teachers and make arrangements ahead of time. A student must complete a Prior Approved Absence form at least three days prior to start of the absence. These forms are available in the Attendance Office.

Early Dismissals

All PAUSD Middle Schools are "closed campus schools" and students may not leave the campus while school is in session. Students who leave campus without prior permission will receive a cut. If it is necessary to leave school early, the student must bring in a note from the parent/guardian on the morning of the day of the absence. Because of our concern for student safety, telephone requests for dismissal will not be honored. In addition, students may not be released to any individual(s) other than those on the student's emergency card unless written permission is given.

Truancy

Absences, which do not qualify as excused as defined in Education Code, shall be considered in this category. Education Code 48260 [subdivision(a)] 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

Tardies (Under 30 minutes)

Being punctual is an important personal habit to develop to promote school success. Students who are late for class miss valuable instruction and unnecessarily interrupt their classes. A student is considered "tardy" if not in the room or at the place designated by the teacher/school staff at the beginning of each period. Students arriving late to class shall be marked tardy unless they arrive with a written excuse from the Attendance Office, or school staff member. All teachers will share their expectations and consequences for tardy behaviors at the beginning of the year.

Cuts (Tardies over 30 minutes)

Absences or leaving class or school without parent, guardian or school approval will be marked as "cuts". Students will be given one full day following an absence from school to clear any cuts. Cutting class periods is considered extremely

serious and detrimental to school success. Administrators and counselors will involve parents in resolving the cutting of class periods. Cutting of class periods may result in detention and/or loss of school privileges, with a possible referral to the School Attendance Review Board (SARB), if necessary.

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 student engaged in school. The following actions may be taken to address poor school attendance:

- Parent contact/meeting to discuss school attendance
- Development of attendance contracts
- Providing in-class consequences
- Assignment to Saturday School
- Denial of Work permits
- Referral to SARB

School Attendance Review Board (SARB): (ED Code, 48320)

SARB is a district-level committee, which diverts students with serious school attendance or behavior problems from the Juvenile Court System and provides a forum where the problems affecting school adjustment can be discussed and solutions reached. To prevent students from establishing a continuing pattern of poor attendance or behavior, SARB may make dispositions which range from returning a student to the school of attendance under strict contract to making an involuntary transfer to another district program or educational option. Whereas the primary purpose is diversion, SARB is also the primary vehicle for referring students to the Juvenile Justice System once it is clear that they can no longer profit from the resources the school district has to offer.



Backpacks

Expectation: There will be NO backpacks in the classroom, locker room, or assemblies. Please see "LOCKERS."

"Back to School Night"

"Back to School Night" will be held in August. This event for 2020-2021 will be a virtual event. During in-person instruction, it is at this time parents follow a special bell schedule to experience a typical day (with passing periods). At this time teachers will describe their program: what is taught, how homework is assigned, and how progress is reported. Time periods are limited and questions and answers should be reserved for a later date. Parents are urged to attend; however, this is not the time for individual conferencing with teachers.

Bell Schedule

Please see the PROPOSED Secondary Bell Schedule on the following page.

Before & After School Supervision

The District provides limited before and after school supervision of students. Unless accompanied by an adult, students may not be on campus until 15 minutes prior to the opening of school. Once school is dismissed, all students not accompanied by an adult are to leave campus for home and/or childcare no later than 15 minutes after dismissal.

Proposed Secondary Bell Schedule - Distance Only Model				
7 periods, all blocks. Students meet with teachers, virtually, three time per week.				
Monday	Tuesday	Wednesday	Thursday	Friday
Common Learning Day				
8:30-10 AM Collaboration/Prep	8:30 AM-8:55 AM Staff/Dept Meetings	8:30 AM- 9:35 AM Prep Time/Collaboration	8:30 AM-8:55 AM Staff/Dept Meetings	8:30 AM- 9:35 AM Prep Time/Collaboration
10:00-10:30 AM Period 1	9:00 AM-10:15 AM Period 1	9:40 AM -10:55 AM Period 5	9:00 AM-10:15 AM Period 1	9:40 AM -10:55 AM Period 5
10:40-11:10 AM Period 2	10:25 AM-11:40AM Period 2	11:05 AM-11:40 AM SELF/Advisory	10:25 AM-11:40AM Period 2	11:05 AM-11:40 AM SELF/Advisory
11:20-11:50 AM Period 3	11:40 AM-12:10 PM Lunch	11:40 AM-12:10 PM Lunch	11:40 AM-12:10 PM Lunch	11:40 AM-12:10 PM Lunch
12:00 PM-12:35 PM Period 4	12:20 PM-1:35 PM Period 3*	12:20 PM-1:35 PM Period 6*	12:20 PM-1:35 PM Period 3*	12:20 PM-1:35 PM Period 6*
Lunch- 12:35-1:05	1:45 PM-3:00 PM Period 4	1:45 PM-3:00 PM- Period 7	1:45 PM-3:00 PM Period 4	1:45 PM-3:00 PM- Period 7
1:15 PM-1:45 PM Period 5*	3:10 PM-3:40 PM Office Hours/Tutorial	3:10 PM- 3:40 PM Office Hours/Tutorial	3:10 PM-3:40 PM Office Hours/Tutorial	
1:55-2:25 PM Period 6	* Announcements during 3°	* Announcements during 6°	* Announcements during 3°	* Announcements during 6°
2:35- 3:05 PM Period 7				
Meetings / Training- 3:10 PM - 3:40 PM				
* Announcements during 5°				

Bikes, Scooters, Skateboards

If students ride their bikes, scooters, and skateboards to school, parents must assume the responsibility that they will travel safely to and from school. Riding a bicycle or scooter is a privilege that has responsibilities for the student's safety and the safety of others. Bikes must be locked in the bike cages with the rider's own lock to the bike racks, not to other bikes or on the cyclone fences. Bike cages are locked only during school hours. Do not leave your bike overnight or on the weekend. Skateboards, skates, and scooters must be locked in the skate shack (or another site to be determined). The school cannot assume responsibility for any bike while on school grounds. Bikes, scooters, skateboards, or skates must not be used on campus. This ordinance is posted on campus and is strictly enforced.

Bike cage expectations include walking bikes into and outside of the cage. Students are expected to walk their bikes on campus and get on/ride their bikes when off campus.

Bike Law

It is the law – you must wear a helmet. As of January, 2003, any person eighteen years of age or younger operating a bicycle (or skateboard, non-motorized skateboard, scooter, in-line skates, roller skates, etc.) or being carried as a passenger on a bicycle on a public way, bicycle path, or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the American National Standards Institute. Failure to comply with these rules could result in loss of privileges.

Bicyclists must ride in the bike lanes provided or ride near the right-hand curb or edge of the roadway. On one-way streets, bicyclists can ride on the left-hand side of the roadway.

Bicyclists MUST OBSERVE THE SAME RULES OF TRAFFIC AS MOTORISTS. THEY MUST OBEY STOP SIGNS, TRAFFIC LIGHTS, OTHER TRAFFIC LAWS AND SIGNS, AND CROSSING GUARDS. Bicyclists are required to signal all

turns, lane changes, or stops. They are to use the same hand and arm signals as motor vehicle drivers. An optional right turn signal that may be used by bicyclists is to hold the right hand and arm straight out until they start to turn right. (As with motorists, lane changing and turning should be signaled during the last 100 feet prior to the change.)

Bicyclists need to wear reflectors and use lights at night. They also need to do the following:

- Wear proper clothing and shoes
- Use eye, face protection
- Check and test bike equipment before riding
- Wear helmets that are properly and securely fastened. Bike crashes show that a loose-fitting helmet is like wearing none at all

Board Policies

Although several board policies are included in this handbook (Bullying, Conduct, Sexual Harassment, etc.), please visit the PAUSD website to view all policies: <https://www.pausd.org/policies#/browse>

Books

Library books and textbooks, including paperback books, are the property of the PAUSD. Students must return the same textbooks they were issued. Students are expected to maintain books in good condition. All books must be paid for if lost, damaged, or stolen. If a student has a book bill or fine, they will not get their yearbook or attend the end of year field trip. For eighth graders, the Promotion Party could also be in jeopardy.

Brunch

Brunch is a ten-minute recess in mid-morning (10:10-10:20 a.m.). During this time, students may use the restrooms and/or eat a snack that has been brought from home or purchased from the snack bar on campus. Food items are not sold after the 10:20 bell.

Bullying & Teasing (Also see "HARASSMENT")

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

WEB SITES

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

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

- **Verbal:** Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.
- **Nonverbal:** Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- **Physical:** Hitting, punching, pushing, shoving, poking, kicking, tripping, blocking egress, strangling, hair pulling, fighting, beating, pinching, slapping, "pantsing", biting, spitting, or destroying property.
- **Emotional (Psychological):** Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- **Cyberbullying:** 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 cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

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 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

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 web site or any other location that is easily accessible to students.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6163.4 - Student Use of Technology)

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

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

FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

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

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

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

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

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

(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 web site and other prominent locations and provide easy access to them through district-supported social media, when available. (Education Code 234.1)
(cf. 1113 - District and School Web Sites)
2. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the alleged target of any such behavior. (Education Code 234.1)
3. Annually notify all students and parents/guardians of the district's nondiscrimination policy. The notice shall inform students and parents/guardians that consistent with federal and state law and education codes, students shall have the right to participate in gender-segregated school programs or activities and access gender segregated facilities based on their gender identity.
(cf. 5145.6 - Parental Notifications)
4. The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.
5. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.
(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
6. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying against a student is required to intervene if it is safe to do so, and shall, within one school day, report the conduct to the Principal/designee, whether or not the alleged target makes a report or files a complaint. (Education Code 234.1)
7. At the beginning of each school year, inform each Principal/designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and to ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti
(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 AND ACTIVITIES

Board Policy 0410

Philosophy, Goals, Objectives, and 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 web site 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 web sites, 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
 WEB SITES
 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>

Bus Policy & Late Bus

Students are expected to comply with school rules and regulations while waiting for, riding, and exiting the bus. The bus driver has the authority to judge conduct, to maintain discipline, and to report pupils to Ellen Fletcher's administration when necessary.

Inappropriate behavior reported to the school by the bus driver will result in notification of parents and temporary loss of bus privileges. The bus driver is authorized to return to school without discharging students at their usual destination if there is a problem on the bus.



Cafeteria / Snack Bar Procedures

Items are available from the Snack Bar at brunch and lunch only. Please see the website for a detailed list and pricing. Students may bring their own lunch. If a student has forgotten their lunch they may check in the Attendance Office on their way to lunch. We will not interrupt classes to bring lunch or money or to inform the student that it is in the office. If the parent thinks the student won't know the lunch has been delivered, a reminder will be sent to the student at the beginning of the period before lunch. Unclaimed items will be moved to the lost and found after three school days.

Calendar of School Events

Please view calendar information at the following links:

- <https://fletcher.pausd.org/school-life/calendar>
- [Fletcher Middle School Annual 'Working' Events Calendar](#)

Cell Phones (See Expectation #11 in "CONDUCT & DISCIPLINE")

Class Assignment Process

The class assignment process at Ellen Fletcher is built around collaborative teams of teachers and counselors who work together with the same group of students. Creating the classes of students involves balancing various factors including

achievement, gender, ethnicity, special needs, and the like. The process the staff uses for each student is intended to provide the most productive and meaningful learning experience possible for each student.

Requesting a change in a student's CORE academic schedule (English/Social Studies/Math/Science) will involve a team of teachers for a student, not just one teacher in isolation. Elective classes may be affected, as well. **No class change will be made during the first 2 weeks** of school unless school personnel initiate a change in order to balance a class or to address an incorrect elective placement. After the first month, the following guidelines need to be followed to request a change or to drop a class:

- A student/teacher conference and a parent or guardian/teacher communication to address any concern(s) must take place.
- The student/parent/teacher/counselor work at developing a resolution to an existing classroom situation. The teacher and/or counselor will consult with the Instructional Supervisor, as needed.
- The student, parent/guardian, teacher or counselor may make a referral to the Student Study Team.
- If the Student Study Team does not resolve the problem, a letter outlining the concern(s) from the parent/guardian or teacher must be forwarded to the principal, with copies to the Instructional Supervisor and counselor.
- The Principal makes the final decision regarding class placement.

Conduct & Discipline

The discipline policy of the Palo Alto Unified School District (PAUSD) complies with the California Education Code, Title V of the California Administrative Code, and the California Penal Code (Copies will be available upon request from the Associate Superintendent – Educational Services)

- Academic and disciplinary concerns should first be directed to your teacher. Teachers may be emailed or telephoned to make appointments. Please do not interrupt their teaching time or TEAM time.
- Grade level counselors are available to assist parents/guardians and students in all aspects of school life and should be contacted whenever there is a question regarding adjustment to school, student/teacher relationship, or peer interaction. They are also available to discuss course offerings and academic programs. They set up Student Study Teams and confer with other staff.
- Administrators are available to students and families for any questions. Administrators usually assign consequences for infractions of the school rules. Consequences which may be assigned for failing to meet school or district expectations include parent conferences, counseling, restriction of privileges, community/school service, detention, loss of next dance/party, suspension, Saturday School, referral to district committee, and/or referral to the police. Written documentation of disciplinary actions will be provided to parents/guardians. Students shall have the opportunity to respond to any accusations made about them. All information regarding counseling and discipline is kept strictly confidential.
- At the end of the school year, each grade level may take a recreational class trip that is intended to celebrate their year of work. Staff has established guidelines for student behavior that will determine eligibility for attending these trips. Beginning March 13, 2017, a student will not be able to attend a grade level end-of-the-year field trip if he/she:
 - Accumulates more than 30 unexcused tardies during the second semester.

OR

 - Is suspended from school on or after the end of the third quarter.

Expectations and Consequences

Our approach to student discipline is intended to maintain safety, promote common values, protect the learning environment, and encourage students to learn from their mistakes. While we have many school rules, they all support the shared values of SAFETY, RESPECT, and RESPONSIBILITY. If students act safely, respectfully, and responsibly, they will be following our expectations for behavior at school. With regard to disciplinary consequences, our primary goal is to maintain a safe environment and ensure that students learn from their mistakes. Consequences will depend upon the severity of the misbehavior, previous behavior and interventions, and the circumstances surrounding an incident. Generally, Ellen Fletcher staff apply the principle of progressive discipline in which disciplinary consequences escalate with repeated incidents. However, if the initial incident is dangerous or a serious breach of expectations, the initial consequence will be significant (i.e. suspension and/or expulsion).

- Students are informed of school discipline policies through classroom visits by counselors and/or administrators at the beginning of the school year. In addition, this information is contained in the Ellen Fletcher Handbook, Binder Reminder, and Teachers' Handbook. These visits and the written information constitute formal notice about the school expectations for behavior.

Student Behavior

EXPECTATIONS

1. It is expected that students will treat other people with respect, follow the directions of the adults in charge, and follow through with their responsibilities.

RULES

Students are not to disrupt school activities or otherwise defy the authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. This includes appropriate behavior at assemblies, performances, dances, school-sponsored activities. Refusal to take any test may merit suspension. Attempting to ignite or start a fire without authorization will merit suspension (for example, but not limited to using matches, magnifying glass, or any other item.)

1st Incident

- Parent notification by teacher, school counselor, or administrator.
- Referral to an administrator (consequence ranging from detention to suspension).
- Any student creating a disturbance during an emergency drill/alarm will be given Saturday School.

Repeated Incidents

- Parent meeting.
- Referral to an administrator (consequence ranging from detention to suspension).

EXPECTATIONS

2. It is expected that students will carry through with their responsibility to be prepared for class with appropriate materials and completed class work and homework.

RULES

It is expected that students will be prepared for class with necessary materials and homework and follow each teacher's individual classroom rules and procedures.

1st Incident

- Parents may be contacted by the teacher when students do not have materials or do not do work. Parents may also be contacted when students do not serve teacher detentions or follow teacher consequences.

Repeated Incidents

- The second time a student does not follow through with teacher detentions (which may be doubled) or other teacher consequences, the student will be referred to the grade level counselor or administrator.
- Referral to an administrator (consequence ranging from detention to parent meeting)
- Can be treated as defiance.

EXPECTATIONS

3. It is expected that students will not ride or use their "vehicles" (bikes, scooters, and skateboards) on campus. This expectation reflects larger issues of safety.

RULES

Bikes must be locked in the bike cages with the rider's own lock to the bike racks, not to other bikes or on the cyclone fences.

Students need to walk bikes into and outside of the bike cage. Students are expected to walk their bikes on campus (not on lawns) and get on/ride their bikes when off campus. Bike cages are locked only during school hours. Do not leave bikes in the cages overnight or on weekends. The school cannot assume responsibility for any "vehicle" while on school grounds.

1st Incident

- Student is warned and safety is discussed.

Repeated Incidents

- Parent notification by an administrator.
- Referral to an administrator (consequence ranging from detention to suspension).
- Can be considered defiance.
- Item can be taken away and given only to parents.

EXPECTATIONS

4. It is expected that the student's behavior will be acceptable at all times. It is expected that students will respect others (adults and students) in their behavior in the hallways and in the classrooms. There is to be no teasing, roughhousing, or bullying at any time. The campus needs to be a safe place for staff and students.

RULES

Students need to be aware of their behavior in the hallways, keeping voices down and making sure there is adequate room for others to pass by. There is to be no teasing, bullying, or intimidation, or harassment of any kind.

There is to be no running on campus, except in the field areas on the east side of the campus or during PE. (This relates to safety).

Swearing, obscene/inappropriate language, spitting, littering, rudeness, or a lack of respect for people or property are not acceptable

1st Incident

- Student is warned.
- FYI referral or action, depending on the gravity (consequence will be given if behavior warrants such).

Repeated Incidents

- Parent notification by an administrator.
- Can be considered defiance.
- Referral to an administrator (consequence ranging from detention to suspension).

EXPECTATIONS

5. Students may not sell items on campus and/or at school sponsored events for personal gain. Gambling is illegal.

RULES

Students are ONLY allowed to sell items for school teams, clubs and activities with an administrator's approval.

1st Incident

- Student is warned.
- Parent notification by an administrator.
- 1st Offense for gambling is suspension.

Repeated Incidents

Referral to an administrator (consequence ranging from detention to suspension).

– Some behaviors may merit immediate consequences –

EXPECTATIONS

6. It is expected that students will act with honesty and integrity.

RULES

Students are expected to follow the Academic Honesty Policy outlined in the Handbook and the Binder Reminder.

All Incidents

- See Honesty Policy for specific consequences.

EXPECTATIONS

7. Ellen Fletcher does not allow the following: intimidation, bullying, or verbal (e.g. racial, gender-based, sexual, and/or ethnic slurs), physical (e.g. grabbing, and pantsing), sexual (e.g. touching and fondling), or "cyber" harassment.

RULES

Harassment is defined as any unwanted behavior from one individual or group toward another individual or group.

1st Incident

- Referral to a counselor or administrator (consequences ranging from detention to suspension).
- Parent contact.

Repeated Incidents

- Referral to a counselor or administrator (consequences ranging from detention to suspension).
- Parent contact.
- May involve law enforcement.

EXPECTATIONS

8. Ellen Fletcher is a “hands off” school. Hitting, poking, shoving, punching, fighting, wrestling roughhousing, or writing on others is inappropriate, even among friends. Students may have consequences for participating in the above or for encouraging other to do these things.

RULES

Unnecessary aggressive physical contact (roughhousing) will not be tolerated. Fighting or inciting or encouraging a fight will not be tolerated.

1st Incident

- Referral to an administrator; parent contact.
- Student serves a minimum of a detention; additional consequences depending on the gravity of the situation.
- Suspension, if said behavior is a fight, assault, and/or battery.

Repeated Incidents

- Referral to an administrator; parents contacted.
- Consequences increased.
- Suspension and Site Disciplinary Hearing if the behavior is an assault and/or battery

Dress Code

EXPECTATIONS

9. It is expected that students dress in a style that is conducive to learning.

RULES

Ellen Fletcher's Dress Code encourages students to keep their focus on learning and maintaining age-appropriate expectations and to provide environments that allow students to feel comfortable and express their individuality appropriately. The Ellen Fletcher Community appreciates parent, guardian, and student cooperation in efforts to make the Dress Code norms and their enforcement fair, balanced, and gender-neutral.

The Dress Code includes, but is not limited to, school activities, dances, field trips, and school-sponsored activities:

- All students must be covered with clothing that fits appropriately. (no spaghetti straps or strapless, no bare midriff, pants worn at waist, shorts/skirts reach below the length of fingertips-arms extended at sides)
- Clothing must be free of obscene or inappropriate words and / or logos.
- Jewelry and accessories must be safe and appropriate for school.
- Shoes must be worn at all times. (closed toe and heel recommended. No high heels or platform shoes)

When a student's outfit does not meet Dress Code norms, the student will be asked politely to address the issue. Staff will address non-compliance with the Dress for Success norms in a professional and respectful manner; the intent is not to shame individual students for their wardrobe choices.

Unnecessary or Inappropriate Items

EXPECTATIONS

10. It is expected that students will bring only appropriate items to school.

RULES

Examples of inappropriate items include, but are not limited to, laser pointers (see Suspension Code), matches, lighters, pocket knives, box cutters, pepper spray, poppers, firecrackers, spray cans of any type, water balloons, squirt guns, weapons of any kind. The school cannot assume responsibility for lost/stolen personal items. Possession and/or use of a laser pointer will result in a suspension. This is considered a safety/health hazard.

If a teacher requests a CD, DVD, Kindle, notebook, cell phone or computer player for a specific lesson, then students may bring such for only the specific class. Students must use the item in the class and then LEAVE THE ITEMS IN THE CLASSROOM, with the approval of the classroom teacher.

Bikes, skateboards, and scooters, can be used as transportation to and from school. They need to **be locked up during the day in the appropriate shed or rack—not classroom. They CANNOT be used or carried on campus.** The school cannot assume responsibility for lost/stolen personal items.

1st Incident

- Item will be confiscated.
- Detention.
- Parent notified by school personnel.
- Item returned at the end of the next school day/some items may be returned to parents only.

Repeated Incidents

- Item will be confiscated. Item will be returned to parents only.
- Parent notified by school personnel.
- Administrative consequences ranging from detention to suspension.

Electronic Signaling Devices

EXPECTATIONS

- 11. Use of electronic signaling devices shall not interfere with teaching and learning. These items MUST be turned off during the school day.**

RULES

An electronic signaling device is one that operates through the transmission or receipt of radio waves, including but not limited to, cellular or digital telephones, smart watches, pagers, hand-held radios, and calculator games. This definition of electronic signaling device also includes any new technology developed for similar purposes.

While communication devices may be very helpful to the student and/or the family, they can cause considerable disruption to the learning environment. Many cell phones now have music, game, internet, camera, video, calculator, note-taking, and text messaging capabilities. These features have the potential to create problems with peers, provide a temptation for theft, distract students from learning, or provide a means for academic dishonesty.

Students may possess cell phones while on campus, however they must ensure that the devices are turned off and out of sight during school hours. Leaving the phone on vibrate or in silent mode does not comply with this expectation. Cell phones cannot be used for any reason during school hours. This includes sending and/or receiving text messages. Cell phones are **not** allowed at school dances. **Students may not take pictures from a camera or cell phone camera without permission from an administrator.**

1st Incident

- If item is in sight, goes off, or is used during class or the hallway it will be confiscated, turned into the school office, and returned to the student at dismissal on the school day.

2nd Incident

- If a student is found using (i.e. talking, texting, taking photos) any of the above electronic devices during school hours (8:05 a.m. through dismissal), the item will be taken away and a parent/guardian will be contacted.

Repeated Incidents

- Item will be confiscated and turned into the school office.
- Parent notified by school personnel; some items may be returned to parents only. Phones/iWatches are not to return for campus for one week. May require parent pick up.
- Could be treated as defiance.
- If continued, item(s) could be banned for the remainder of the semester/school year.

Tardies & Absences

EXPECTATIONS

12. It is expected that students be on time every day to every period. Students who are late miss valuable teaching time. The first bell rings at 8:05 a.m. every day. The late bell is at 8:10 a.m. when class begins.

RULES

A student is considered "tardy" if the student is not in the room or at the place designated by the teacher at the beginning of the period (e.g. at their desk). Students shall be marked tardy unless they arrive with written permission from the Attendance Office. If a student is absenting for half of the day or more, the student will NOT attend a sport practice, drama practice, sport or drama evening event, dance, or any other school activity on that day or evening.

Parents will be updated in writing when their students are accumulating tardies. To encourage prompt attendance, the following consequences will be provided for students who are tardy. Tardy counts will be reset to zero at the semester.

- 3-5 tardies = 1 lunch detention (25 minutes of supervised quiet time in a classroom/office during the lunch break)
- 6-10 tardies = 2 lunch detentions and school privileges may be revoked
- 11-15 tardies = Saturday School (4 hours) and school privileges revoked
- 16+ tardies = 2 Saturday School, additional school privileges revoked, SST, potential SARB hearing or Assistant District Attorney (see below)

EXPECTATIONS

13. It is expected that students will attend school every day.

RULES

Students are allowed to be absent for the following only:

1. Illness (temperature, diarrhea, or vomiting)
2. Doctor or Dental appointment (verified)
3. Court mandated appearance (verified)
4. Bereavement (verified)
5. Religious Purposes

In all cases, parents need to call the Attendance Office to report the absence. Students need to bring a note and go to the Attendance Office upon their return.

- If a student is absent for a half of a day or more, they will NOT attend any other school activity on that day or evening.
- Absences are noted in the student's record.
- Excessive Tardies
 - Students and families will be invited to attend a District Attorney's Meeting.
 - Students and parents need to know that if students have excessive tardies or absences, they will be brought up before the site attendance board or the district SARB committee. (SARB = Student Attendance and Review Board)

CONDUCT

Board Policy 5131

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

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

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including but not limited to, physical violence, possession of a weapon, or terrorist threats.
2. Conduct that disrupts the orderly classroom or school environment
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.
4. Damage to or theft of property belonging to students, staff, or the district
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
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.
7. Plagiarism or dishonesty on schoolwork or tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. Failure to remain on school premises in accordance with school rules
11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs
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.

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.

Policy adopted: 01.12.10 and 06.03.14

PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California

Counseling (See “GUIDANCE”)

Cyberbullying (Also see “HARRASSMENT”)

Cyberbullying is bullying and includes all forms of harassment in cyberspace.

Cyberbullying is being intentionally cruel to others by sending or posting harmful material or engaging in other forms of cruelty using the Internet or other digital technologies. It includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful messages, text messages, digital pictures or images, or website postings (on social networking sites including blogs.)

Like bullying, cyberbullying is unacceptable. Students who feel that they have been the victims of such misuse of technology, should not erase the offending material from the system. Instead, they should print a copy of the material and immediately report the incident to a teacher, counselor, or administrator. All reports of harassment in cyberspace will be investigated fully. Consequences may include, but are not limited to, the loss of computer privileges, detention, suspension, and expulsion from school, or possible involvement of police.

School rules and regulations may be applied to incidents occurring off campus if a student's misconduct in the community disrupts the school learning environment or activities.



Dances

Tickets

- Dances are for current Ellen Fletcher students ONLY.
- TICKETS WILL NOT BE SOLD at the door or after school on the day of the dance.
- Students must have their ticket at the door for admittance. If they have lost their ticket, we will check the ticket sales and the ticket number will be by the student's name if they bought one.
- Students may not use another person's ticket. We do check names at the door and if a student is found with another student's ticket, parents will be called to pick the student up and they will be barred from the next dance.
- If a student has received an action referral during the week prior to the dance, more than 6-10 tardies/absences, outstanding fines, or failing grades, the student will not be able to attend the dance. If they bought a ticket that week prior to getting a referral, they may turn it in for a refund.

Arrival and Departure

- Students will be told regarding the dance hours and no one will be admitted after the specified time unless accompanied to the door by their parent.
- It is strongly recommended that parents pick students up after the dance within a specified time frame (noted permission slip).
- Students may have their cell phones, but the cell phone needs to be turned off, just like the regular school day of during the dance; otherwise it will be taken for the duration of the dance.
- No one may leave the dance before it is over unless they are picked up at the door by a parent. Arrangements to leave early must be made in writing by the parent with the school prior to the dance. If students need to leave the dance for any other reason, a chaperone will call home for permission and instructions from the parents.
- If students are absent from school on the day of a dance, they will not be able to attend the dance.

Reasons Why Students May Need to be Picked Up Early

- Appropriate dress for dances is regular school attire. If a student's clothing is disruptive or offensive, or if it does not meet the regular school day dress code, the administrator in charge will ask the student to change into appropriate clothes or contact the parents to take their child home. This means: no sagging, no spaghetti straps, no bare midriff showing, no short skirts or shorts, etc. Students must follow the same dress code as for school hours.
- Good conduct is expected from our students at all times. Rudeness or offensive behavior towards other students, staff, or parent chaperones is not acceptable. Parents will be contacted to take their child home if their child's behavior is found to be unacceptable. Please note that this includes offensive or unsafe dancing.

Detention

Students may be assigned detention before school, during lunch, or after school for violation of school rules. For information regarding Saturday School, look under “S.”

Discipline

The Board of Education desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Discipline shall be used in a manner that corrects student behavior and produces a safe environment without intentionally creating an adverse effect on student learning or health.

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. Board policies and administrative regulations shall cultivate positive student conduct and provide a clear basis for sound disciplinary practices. Each school shall develop and communicate disciplinary rules to meet the school’s particular needs.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student’s behavior and implement appropriate discipline. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

Staff shall enforce disciplinary rules fairly, consistently, in accordance with Board policy and in accordance with the district’s nondiscrimination policies.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing consistent classroom management skills, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

Discrimination

UNLAWFUL DISCRIMINATION NOTICE

The district will not tolerate discrimination, including discriminatory harassment, intimidation, bullying or any other behavior that infringes on the safety or well-being of students, staff, or any other persons within the district’s programs and activities whether directed at an individual or group. This includes but is not limited to discriminatory harassment, intimidation, and/or bullying based on actual or perceived characteristics of race or ethnicity, color, nationality, national origin, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

(Education Code 234.1)

Reporting and Intervention

Any student who believes he or she has been subjected to unlawful discrimination, including discriminatory harassment, intimidation or bullying or any other individual who believes that a student has suffered unlawful discrimination is encouraged to notify school staff immediately. In addition, an anonymous reporting link is on the district website as a means of affording individuals a way to report any incidents of bullying confidentially:

<https://www.pausd.org/about-us/policies-procedures/formal-complaint-procedures>

School staff who witness unlawful discrimination are required to immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1) Staff is also required to report the incident to the Principal or designee.

The Principal or designee must notify the parents/guardians of the individuals involved in the incident. He/she also may involve school counselors, mental health counselors, and/or law enforcement where appropriate.

Complaints and Investigation

The district is committed to conducting a prompt investigation of all complaints of unlawful discrimination. Any student, parent/guardian, third party or other individual or organization who believes that he/she or another student or group has been subjected to unlawful discrimination, or who has witnessed such conduct, may report the conduct orally to any school employee or administrator, and/or file a formal written complaint with District Compliance Officer pursuant to [AR 1312.3](#) - Uniform Complaint Procedure (“UCP”).

Complaints under the UCP will be resolved within 60 days of receipt of the complaint.

The following position is the designated Compliance Officer to handle UCP complaints regarding unlawful discrimination and to answer inquiries regarding the district's nondiscrimination policies:

Title IX/Civil Rights Coordinator
25 Churchill Avenue, Palo Alto, CA 94306
complianceofficer@pausd.org

Discipline

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 in accordance with applicable law and as provided in Board Policy (BP) and Administrative Regulation (AR), 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.

Other possible responses include, but are not limited to, those listed in [AR 1312.3](#) Section F– Remedial Action, such as counseling and academic support for the subject of the complaint, separating the subject of the complaint and the individual who engaged in the discrimination, and follow-up inquiries to ensure that the discriminatory conduct has stopped. Steps may also include training or other interventions for the larger school community.

Though an incident of alleged discriminatory harassment, intimidation, and/or bullying may occur outside a district program or activity, if the effects of the incident result in discriminatory harassment, intimidation, or bullying in a district program or activity that is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the program or activity, the school must respond promptly and effectively to eliminate the harassment that is occurring in the district program or activity, prevent its recurrence, and address its effects. Such response may include discipline of the alleged harasser and interventions for the targeted student, as described above.

Prohibition Against Retaliation

Retaliation against a student, parent/guardian or other individual because he or she has filed a complaint or assisted or participated in an unlawful discrimination proceeding, or who has otherwise acted to assert the rights of students to be free from unlawful discrimination is also prohibited. Any student or employee found to have retaliated against another in violation of this policy will be subject to discipline as described above.

Students who knowingly file false discrimination complaints or give false statements in an investigation will be subject to consequences including discipline measures up to and including suspension and expulsion.



Emergency Procedures = Earthquake, Fire, Lockdown

All school staff and students participate in regularly scheduled (and unscheduled) fire and earthquake drills. In the event of a real emergency, the following steps will be followed:

District policy states that a reasonable effort be made to enforce sign-out procedures. Students will be released only to a parent or authorized adults listed on the student's emergency card. Students will not be released to siblings who are minors. Parents are asked to fill out the proper names on the Emergency Card of people who are willing, and able, to pick up the student if one parent cannot. Divorced/separated parents must list the non-custodial parent if s/he has permission to pick up the student. Parents should develop an emergency plan with their student(s) and other authorized adults in the event of parent unavailability during a crisis. In the case of a severe disaster, the school will keep students until they are released to parent/guardian or assumed by another authority.

In the event of an emergency, students assemble on the playing field, where they meet their 3rd period (6th Grade) and 2nd period (7th and 8th Grade) teacher. **IT IS IMPORTANT THAT PARENTS KNOW THE STUDENT'S TEACHER'S NAME.** If an adult comes to campus to sign out a student, s/he should report to the Student Release Station to sign out a student.

NO STUDENT WILL BE RELEASED WITHOUT BEING SIGNED-OUT, AND NOT BEFORE SCHOOLWIDE ATTENDANCE HAS BEEN COMPLETED.

At the Site Manager's (Principal or their designed representative) discretion, students and staff will either return to the class or remain on the field. **Students will not be sent home early!**

In an earthquake, students duck, cover and hold until it is safe to evacuate the building. Students receive instructions to proceed to the field and report to their 3rd period (6th Grade) and 2nd period (7th and 8th Grade) teacher. Students are not allowed to leave campus until the above sign-out procedures have been completed.

If a crisis has passed and if the emergency team deems it is safe, students and staff may return to the classrooms and resume studies.

Ellen Fletcher staff and students also participate in CODE RED DRILLS. Code Red refers to a situation in which there is an emergency on or near the campus (e.g. mountain lion, intruder). The teachers and students remain in a classroom during the entire drill and take directives from the police department who determine when the campus is safe to resume normal activity.

Electronic Signaling Devices (See Expectations #10 and #11 in "CONDUCT & DISCIPLINE")

Email

To contact a staff member via email, the address is usually formatted without spaces, using the first initial and last name as firstinitiallastname@pausd.org. Parents can also check the online calendar eNews that the PTA provides which includes weekly event updates. Check the student's grades on Infinite Campus. Student assignments can also be found for many of the teachers on [Schoology](#).

Emergency Forms

At the beginning of each school year parents/guardians will fill out an emergency form with important information such as address, telephone number, name and telephone of family physician, telephone number of parent's place of employment and the names and telephone numbers of three other people we can contact in case of emergency, if parents are unavailable. It is essential that the emergency cards be complete, up to date. Please let us know immediately if any of this information changes (especially phone numbers) during the school year. It is both frustrating and **unsafe** to find a partially completed form, or to call an out-of-date phone number.

Extra Academic Support

Extra help is available for students. Students may speak with their teachers or guidance counselor about academic or other concerns. See the After School sections for more information.



Field Trips

Different field trips may be planned during the school year. Permission forms, information, and attendance criteria will be distributed for each ahead of time. Parent drivers for field trips must file an insurance form with the front office. Fingerprints required for all parents volunteering on overnight fieldtrips.

Fire Drills

For students and staff safety, fire drills will be conducted, and they are to be taken seriously. A fire route is posted in each room. When the fire drill sounds, follow the teacher's instructions and leave the building as quickly as possible. Walk in a quiet and orderly manner to the field and stand in a line opposite your teacher. There must not be any running, talking, or pushing. (Please see additional information under "EARTHQUAKE AND EMERGENCY PROCEDURES" section.)

"Fooling Around"

Ellen Fletcher is a hands-off school. Hitting, poking, shoving (rough-housing), punching, wrestling, etc., with others is inappropriate. Even though a student is "just fooling around," this behavior is disruptive, and at times can result in someone getting injured or losing one's temper. This behavior will not be accepted and consequences will be given.

Forget Something?

Forgotten items can include, but are not limited to, lunches, PE clothes, homework and musical instruments. Forgotten items will NOT be delivered to classrooms. Parents are welcome to drop these items off in the "Forgotten Items" container in the Attendance Office. Students may stop by the Attendance Office during brunch, lunch, or between classes to see if a forgotten item is in the "Forgotten Items" bin. No reminders will be sent to the student. It is the student's responsibility to check for these items. Reminders to classrooms will not be sent to avoid any interruptions to the learning environment. Please deliver the lunch by 11:15 to accommodate this notice.

Fundraising

All fundraisers must be approved in advance by the administration and by student council.



Grades

Grades are mailed within 10 business days after each quarter/semester. For quarter and semester dates please consult the Ellen Fletcher calendar.

Getting To & From School

The PTA, the Palo Alto Police Department, and the Ellen Fletcher Administration have teamed up to provide the following safety tips for bicyclists and pedestrians. Although there are many ways to get to and from Ellen Fletcher (car, bike, walk, bus, etc.), the use of non-traffic causing means of transportation is highly encouraged. Please observe the following rules and precautions for the safety of all students.

Automobile/Parking Lot

If you drive or carpool your student to school, please use extra caution on all routes leading into and out of school. Congestion on Arastradero Road is compounded by school traffic to Gunn and Juana Briones. Student may not disembark from a car on Arastradero Road. There are special "drop-off zones" designated in front of school Parking Lot. Please pull all the way forward in order to accommodate as many cars as possible. These drop-off zones are *NOT* for parking. Please note handicapped and "red zones." Police will issue tickets for parking in these zones. Please pull all the way into a stall for parking. *DO NOT DOUBLE PARK.*

Safety Principles

The City-School Traffic Safety Committee has recommended for pedestrians, bikers, scooters, and skateboarders, four safety principles:

- BE PREPARED: Plan the route and ensure that bikes, skates, etc. are in good working condition. If a bike or skates used, wear a helmet – it's the law for bikers!
- BE VISIBLE: Walk, ride, or skate where drivers expect to see a pedestrian or rider. Use lights and reflective clothing at night.
- BE PREDICTABLE: Obey the "Rules of the Road." Bike, ride with traffic and behave like a motorist.
- BE ALERT: Make eye contact with drivers and use clear signals intentions clear before moving. Look for hazards in the road and listen and look for traffic coming up behind.

Guidance

Fletcher is fortunate to have Guidance Counselors who serve as support for students, staff and parents/guardians. Counselors or CASSY personnel provide short- term individual and small group counseling for students experiencing difficulties with school adjustment, academic success and other social/emotional concerns. The Counselors serve as a resource to Fletcher teachers and parents and make referrals to the school psychologist and the Counseling And Support Services for Youth (CASSY) interns, when appropriate. They provide articulation links between elementary and middle school teachers along with school staff. They orient new students and their families and facilitate Student Study Team meetings. Additionally, they oversee class placements and handle schedule change requests.



Hall Passes

Students must have a hall pass to be out of class (to go to restroom, office, library, etc.). Students may obtain the pass from their classroom teacher.

Harassment (District) Policy (Also see “CYBERBULLYING” under Section “C”)

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 web site and may be provided through district-supported social media, if available. (cf. 1113 - District and School Web Sites) (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](https://www2.ed.gov/about/offices/list/ocr/docs/howto.html) 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

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 1312.3](#)

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

Health

If a student is feeling ill, the teacher will give the student a pass to go directly to the Health Office. The student is not allowed to call a parent/guardian to get permission to go home sick without seeing the health technician first.

Health & Safety

A number of staff members have had formal first aid training and are available to assist when needed. The Health Services Specialist/School Nurse is available for health referrals and counseling, and also coordinates the vision, hearing, and scoliosis screening programs at Ellen Fletcher. Contact the Health Services Office at (650) 856-9810. Ellen Fletcher has a health technician on campus each day. The Health Office phone number is (650) 856-9810.

Help With Homework

Ellen Fletcher offers an after-school Homework Habitat / Math Advantage on Mondays, Tuesdays, and Thursdays in the Library from 3-4:30 p.m. Tutors are available to assist students with their work. Once signed in, students must remain into 4:30, unless the student is picked up and signed out by a parent/guardian at Homework Habitat/Math Advantage.

Homework

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

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

Homework should be designed to:

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

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

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

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

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

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

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

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

Makeup Work

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205.

If a student is absent for 3 or more school days due to illness, and feels well enough to do school work, please contact the Attendance Secretary at 494-8120 and they will send out the initial request for homework. The secretary will notify the student's teachers of the absence and ask that they contact the parent either by phone or email within 24 hours of the initial request. If the parent does not hear from the teacher after the initial request, check Infinite campus and Schoology as well. If the parent still doesn't have the information please contact the teacher directly by email or voice mail. Please keep in mind homework requests are initiated Monday-Thursday. Notification on Fridays does not allow enough time for a teacher to accommodate a request. Homework requested on a Friday morning would not be available until after 3:00 p.m. on a Monday. If a parent calls on Friday, they will be asked to call or email the teacher directly.

Planned Partial-Day Absences

Students excused for part of a day for school-related activities (field trips, athletics, etc.), medical/dental appointments, or court appearances, must submit homework for classes to be missed before the absence or it may not be accepted. It is the student's responsibility to make arrangements in advance with the teachers to make up a test- ideally before leaving school on the day of the partial absence or upon return to class.

Excused Health Absences

Students with excused health absences are allowed to make up any assignments, quizzes, or tests missed during the absence. For short absences, students are encouraged to contact another student in the same class, refer to their assignment sheets, Infinite Campus, Schoology, their Binder reminder, or email the teacher. (Teachers distribute their preferred protocol at the opening of school and at Back to School Night.) Students have a one-day extension for every day missed. Students cannot be expected to do homework when they are ill; however, it is in their best interest to make up the work as quickly as possible when they return so they do not fall further behind.

Homework for Middle School Grades

1. At the middle school grades, homework should primarily consist of reading, practice and application of key skills and concepts, application of writing skills, preparation for future classes and beginning research. At this level, homework should continue to build independent study habits.
2. Long-term assignments at the middle grades should be limited in number and duration. These assignments should include clear checkpoints to monitor progress towards completion.
3. With support of administration and staff, teachers should make efforts to coordinate with one another to establish deadlines, due dates for projects/assignments, and tests in an effort to minimize student over-extension.
4. 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 test review:
6 = 60 minutes average M-F
7-8 = 70-80 minutes average M-F

Students who elect to study music, can expect to be assigned practice time that is in addition to the above loads.

Homework Guidelines for Teachers

In assigning homework, teachers should:

1. Clearly explain objectives, timelines, suggested amount of time for completing the homework, and required materials associated with the assignment.
2. Post assignments in a manner that is clear, consistent and easily observed by the student both in and outside of the classroom. The use of online communication tools is strongly encouraged at the secondary level.
3. Encourage students to monitor their own assignments.
4. Monitor homework time requirements and feasibility of assignments using student assignments, student feedback, and parent feedback.

5. Differentiate assignments when it is determined that, despite appropriate effort and learning habits, a student is spending more than the expected time on homework.
6. Clearly communicate to parents and students the expectations regarding the amount and quality of homework required by the student and the level of parental involvement to complete assignments.
7. Inform parents and students of opportunities for student assistance.
8. Suggest and practice techniques to help increase efficiency, such as how to allocate time wisely, meet deadlines, and develop good study habits for each subject area. Examples of this may include the use of a binder reminder or computer based tools as communication avenues between home and school.
9. Provide a process for student or parent feedback if there is a concern.
10. Work with grade and department level colleagues to promote consistent homework practices and reasonable total time requirements for each evening.

Homework Guidelines for Site Administration

Site administrators shall:

1. Provide professional development on homework, including overview of the policy, effective strategies and practices, and time for collaboration with grade level teams or departments to plan, as needed.
2. Be responsible for ensuring compliance with the homework policy, including the use of feedback processes to support its implementation.
3. Have on-going discussions with staff regarding effective homework strategies and practices.
4. Coordinate schoolwide resources and practices that support homework completion, e.g. use of planners, library facilities and academic support programs.
5. Ensure this policy is easily accessed (and translated as needed) on the school's website or upon request.
6. Provide information to parents on the purpose of effective homework and sharing practices that will help families support their children (for example: newsletters, open houses, and websites).

Site Expectations

Student Responsibilities – Students shall:

- Keep careful track of homework assignments by recording them in their binder reminder, use if appropriate by checking Schoology and teacher websites, by viewing Infinite Campus, and/or by asking clarifying questions.
- Give maximum effort in completing and turning in assignments on time.
- Meet with teachers immediately after a planned or unplanned absence to arrange to make up all work that was missed by an agreed upon date.
- Meet/communicate with teachers prior to a planned absence to determine expectations and arrange for makeup of missed assignments.
- Communicate with their teachers and parents if homework appears to be excessive or too difficult, if directions/expectations are unclear, or if challenges arise.
- Make use of all school resources when support is needed by going to Homework Center, seeing teachers, by arrangement, before/after school or during lunch, going to tutoring (see Norma Hymes), and meeting with the school counselor.

Parent Responsibilities

Parents will:

- Provide a quiet study area, appropriate materials, supplies, and sufficient time to enable students to complete homework.
- Facilitate and support the homework activity without solving problems or completing content for students.
- Support homework completion. This can include helping students clarify instructions, by acquiring resources, helping with time management/organization, discussing purpose, discussing effective learning habits, and/or reinforcing understanding of the task by checking Schoology and teacher websites, viewing Infinite Campus, or reviewing student binder reminders use if appropriate.
- Encourage students to self-advocate and to communicate directly with teachers if the student is struggling with homework expectations.
- Monitor time spent on homework and communicate with the teacher if the student is consistently spending more than the time expected to complete homework.

Homework Requests

Students are asked to check *Infinite Campus/Schoology* to check for assignments or select classmates from each class and exchange phone numbers. When a student is absent, it is their responsibility to contact either *Infinite Campus/Schoology* or their teacher or classmates to get the homework for the day. Parent request may be made **only after three (3) consecutive school days of absence and should be addressed to the Attendance Office before 8:30 a.m.** Homework may be picked up after 3:15 p.m. or on the following day. Please call ahead to be sure work has been left for your student.



InfiniteCampus

Infinite Campus is Ellen Fletcher Middle School's student data system. Students and parents/guardians can access student schedules, grades, attendance, and other information. Parents/Guardians, be sure to set up a parent account to access information for your students. **Please check the Ellen Fletcher website for more information regarding *Infinite Campus*.**

Internet/Electronic Mail

Students may not use the Internet or electronic mail to harass or threaten fellow students or staff. The Palo Alto Police and/or local Internet carrier may be contacted to conduct investigations. Administrative action will follow.

Internet Information

PAUSD believes in the educational value of the Internet and recognizes its potential in supporting and enriching student learning and enhancing curriculum. PAUSD's goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. PAUSD will make every effort to protect its students from any misuses or abuses as a result of their experiences with the Internet. However, PAUSD does not control information found on the Internet and cannot guarantee that students will not access inappropriate material. Ultimately, parent(s) and/or guardian(s) of minors are responsible for setting and conveying the standards that their children should follow.

PAUSD has formulated a guideline and contract, *A Guide to the Internet and District Information Systems for Grade 6-12*. This contract will be made available to all students. Any student wishing to use the Internet must read and discuss the guidelines with his/her parents. When signed, the contract becomes a legally binding document. Without the appropriate signatures of the student and parent/guardian, the school cannot provide access to the Internet. Please note the following specifics from the guidelines:

Internet Conduct Codes and Safety Rules

- Private or personal information (about oneself or others) must never be given out on the Internet.
- Appropriate language must be used when sending messages on the Internet. Slang, vulgarity, and innuendo are examples of inappropriate language.
- Information retrieved from the Internet must be properly cited, giving credit to the author.
- Copyrighted information may not be used or sold unless the right to do so has been purchased from the owner of the data. All contact must immediately be stopped if a user on the network asks that a person no longer send them mail or in any other way contact them. Ignoring the request may be considered "harassment" and could become a legal issue.
- Playing games is not allowed on the network computers.
- Students are not to use the computers for threats, intimidation, or to spread slander/gossip. Consequences will be given accordingly.
- Permission from the teacher or adult in charge is needed before downloading large files. Print or copy to disk the necessary information and log off.
- Be considerate of others who need to use the Internet for school assignments and projects.
- Find out what is a reasonable time to be on the Internet and what is reasonable to download from the Internet.

Legal Issues

The California legislature passed a computer crime bill making certain activities a felony punishable by law. Examples of illegal activities include, but are not restricted to:

- Maliciously accessing, altering, deleting, damaging or destroying any computer system, computer network, or computer program;
- Moving another user's accounts;
- Changing another user's passwords;
- Using unauthorized accounts;
- Damaging files;
- Altering the system;
- Using the system to make money illegally or for other illegal purposes;
- Intentionally disrupting the network;
- Causing damage to any school district property; using ideas or writings from another person without giving credit to the author (plagiarism);
- Violating copyright laws;
- Libeling another person.

Consequences of Violations

The school has the right to monitor network activity in whatever forms necessary to maintain the integrity of the system. The Internet is a public place and privacy is not possible. Every message sent or received can be read by others and every "stop" made while one is exploring can be tracked by other users. If students have been found to have violated the rules for network behavior, they may be subject to any or all of the following:

- Suspension and/or revocation of internet access
- Suspension and/or revocation of computer access
- School suspension
- School expulsion
- Legal action and prosecution by authorities

Students and parents are responsible for reading, signing, and following the PAUSD Internet Contract and Guidelines and the Jordan Technology User Contract if students use school computers.

Cyberbullying (See "CYBERBULLYING" under Section "C")



Library

The Ellen Fletcher Library is an exciting and innovative media center. It has both a strong book collection and up-to-date technology for research and information gathering.

The library program is student-oriented. It is a flexible program that teaches information literacy, encourages reading, and supports and enhances classroom learning. The program encourages reading for pleasure by sponsoring reading incentive activities throughout the year and by making sure the collection takes into account the varied interests and abilities of the students.

Ellen Fletcher is a "virtual" library via the library's webpage. Access to it is from the Ellen Fletcher home page at:

<https://fle.opals.pausd.org/bin/home>

The Library maintains a quiet yet stimulating atmosphere to accommodate to the needs of the school population. Students can come to the library with their teacher or with a library pass. To use the technology in the library, students must follow the school rules related to computer use. All materials are checked in and out at the circulation desk. If students have overdue items, they will be unable to check out additional materials until they return the overdue items. Charges for lost or damaged materials will be in accordance with replacement and processing costs.

Library Hours: Monday, Tuesday, and Thursday 8:00 a.m. – 3:15 p.m. Homework Habitat is 3:00 p.m. – 4:30 p.m.
Wednesday 8:05 a.m. – 1:45 p.m.
Friday 8:00 a.m. – 3:15 p.m.
Hours may change during school closure

Lockers & Locks

Expectation: *There will be no backpacks in the classroom*

- Class sets of books are in the classrooms.
- Students have books at home; therefore, books do not have to be carried to and from home to class.
- According to the Ellen Fletcher schedule, students can go to their lockers before school and take items for the first two periods; they can go again at brunch for the two periods between brunch and lunch; after lunch, the students can go to their lockers to get items for the last two periods of the day.

Rationale

- SAFETY—Students and staff won't trip on packs and straps in the classroom and in the corridors.
- IMPROVED LEARNING ENVIRONMENT—Teachers will be able to move and circulate around classrooms without impediments, improving their access to all students.
- HEALTH—Students will not be carrying around 50 lb. packs perhaps causing back issues. Lockers were originally installed for this very purpose.

Lockers will be reassigned each year. The Locks are like textbooks and are the property of the school. If a student loses their lock a \$5 replacement charge will be levied. Lockers will be assigned when the Hall Locker Contract is signed by both student and parent/guardian. All students should be using school locks unless special permission has been issued.

Locker Guidelines

- Lockers are Ellen Fletcher/PAUSD property on loan to students.
- The school is not responsible for lost items, theft, damage, or vandalized personal property.
- The student/student's family must pay for any school property missing from the locker or damage to the locker itself.
- Students must use locks provided by the district.
- Ellen Fletcher reserves the right to search lockers at any time.
- Students should keep only items necessary for school in the locker – **NO VALUABLES!** Lockers must be kept free of trash and debris.
- Musical Instruments should not be stored in lockers. They need to be stored in the music rooms.
- Skateboards, scooters should not be stored in lockers. They need to be stored in the Skate Shed.
- Students may use only their assigned locks and lockers, and not those of other students. Students should not share locks combinations! If they do, they risk loss of personal property, or being held accountable for damage done to their assigned lockers.
- Students may not leave their belongings in another student's locker. Students are not to share lockers.
- Lockers must be in the same condition at the end of the school year as they were in the beginning of the school year. This means **NO** stickers, writing or damage on the inside or outside of the locker. Students may use magnets on the inside and locker inserts made for that purpose if they choose.
- Any locker decorations for timely occasions (birthdays, etc.) must be removed by the end of the week.
- Students may not be at lockers while classes are in session. Lockers are not an excuse for being late to class.
- If there are any problems with lockers, students should go to the Ellen Fletcher Main Office during brunch, lunch, or before or afterschool.

Lost & Found

If a student loses something, please check the "lost and found" located in the hallway by the Main Office; if it is not there, be sure to report it. Do not bring valuables or large sums of money to school. We do everything possible to protect student property, but the school cannot be responsible for lost or stolen items. Check PE for lost PE clothes and locks. Parents are asked to encourage students to check periodically for missing items. During the school year, items are kept in the Main Office for a period of approximately two weeks and then sent to a secondhand clothing facility. At the end of the school year, all clothing items are sent to the PTA Wardrobe. This enables the school to get ready for summer cleaning and/or summer school.

Lunch

The Snack Bar serves hot and cold food. Applications for free or reduced price lunch tickets are available in Snack Bar. No food will be sold after the ball bell rings after lunch (on regular school days, this bell is at 12:50 p.m.)

Students may eat in any of the following areas: the snack bar area, Open area between F-Wing and G-Wing, also the area between the Gym and E-Wing. Students may not eat on the fields or black tops. Students are **NOT ALLOWED** in the following areas during lunch: east end of the fields, tree-lines or bushes, Front Parking Lot.

Lunch Program Information

Cashless Sales System

Ellen Fletcher uses a “cashless/ticketless” system for the lunch program. The PAUSD Nutrition Services Program uses a more effective Point Of Sale Register system at each school. This allows for better accounting as well as more convenience to parents and students. Each student is issued an account where they or their parent/guardian can put money on the student's account. The account serves as a debit account and each time a child goes through a meal line, the items purchased will be tracked and the account debited. An internet-based deposit and account balance information system is available to parents/guardians. For a service charge of \$3.50 per transaction per student, parents may update their account balance. Parents may also send cash or checks payable to Food Service with their student to be delivered to the Snack Bar.

Prices

Please check the Snack Bar or the PAUSD website for exact pricing.

Lunchtime Clubs

Students, parents, or teachers can organize lunchtime clubs by submitting a request to the Ellen Fletcher administration, provided there is a staff or parent sponsor and available location identified. Clubs usually meet once per week at lunch. Student Council funds lunch club sponsors. Sign-ups usually occur in Triangle in the fall and late January (for spring).



Main Office

The Main Office consists of the following offices: Administration; Guidance/Counseling; Counseling and Support Services for Youth (CASSY) School Psychologist; Attendance/Health; and Budget. The school secretaries will help to make any necessary appointments.

Medications at School

Before sending **any** medication to school (including over-the-counter drugs), please contact the Health Office. Authorization to medicate is required in writing from parents and physicians (forms are available in the Health Office).

Minimum Days

Dismissal on these days is 12:20 p.m. All students are to be off campus by 12:45 p.m. There is no lunch service on these days.



Parent / Teacher / Student Conference

If parents/guardians want to meet with their student's teacher, they should contact the teacher directly. The 6th grade teachers hold conferences in the fall semester.

Parent Visitation Days

We invite parents (**currently enrolled**) to visit the school to see the school day in action. If parents would like to observe, they need to come to the Main Office on designated Parent Visitation Days to check in and receive an informational packet.

Personal Property

Items that are not necessary for school or are illegal are not allowed in school. A locker will be assigned in which to keep personal property and materials related to school life. Lockers and personal belongings may be searched by the Principal or their designee. (Please see "UNNECESSARY ITEMS" section.)

The school is not responsible for theft, damaged or vandalized personal property.

Students assume responsibility for loss or damage to their clothing, equipment, books, instruments, or other personal belongings. While we try to encourage all students to behave honestly, we cannot assume responsibility if they do not. There are several precautions which students and families can take to avoid loss:

- Please put names on all articles of clothing, musical instruments etc.
- Do not allow students to bring to school large sums of money or articles of real or sentimental value.
- iPods, music players, Gameboys, Kindles or other items, which are not needed for school activities, are not to be brought to school. If they are, they may be confiscated and returned only to the parents.
- Students are not allowed to bring anything to school for the purpose of selling it. (This includes but not limited to; Girl Scout cookies, outside fundraisers, etc.)
- The school will not be responsible for loss or damage of items, which we do not require as part of student's educational experience; nor will we assist in the recovery of the same.

Physical Education (Referred to as "PE")

The physical education program allows each student the opportunity to participate in a variety of activities that are developmentally appropriate for their grade level.

PE Uniforms

The physical education uniform includes athletic/tennis shoes, socks, official shorts and shirt. Sweatpants and sweatshirts may be used. PE clothes and sweats may be purchased at the beginning of the year (or as needed) from the PE Department directly.

During the class swimming unit or swimming fitness days, a student must have the following in addition to the regular PE uniform:

- A one-piece training swim suit (girls)
- Swim shorts (boys)
- Towel
- Bag (to take items home to dry) each day
- Safe footwear to get to and from the pool

Optional Items:

- Sunscreen
- Goggles
- Rash guard top
- board shorts (girls)

PE Locker

Each student will have a lock checked out to them for PE. If they should lose their lock a \$5 fee will be charged to replace it. The lock is the property of the school and should be used only for their PE locker.

PE Excuse

Students are expected to suit up and participate everyday they are scheduled to have a PE class. If, for any reason, a student cannot take part in full physical education activities, a note must be brought from the parent or guardian. The note will be honored for up to **three (3) school days only**, after which, a doctor's excuse, stating the reason that the student cannot participate, will be required. Missed work must be made up by the end of the grading period.

In addition, the doctor's note must state movements a student should NOT perform in class. Modifications will be made by the student's PE instructor so they will get their physical activity for the day. Students are required to report to their PE class daily even if a medical note is provided.

PE-Extracurricular

In addition to the regularly scheduled PE program, students are encouraged to join intramural teams during lunchtime.

Playground Balls

Students may check balls out for use during lunch from the Student Activities Ballroom in the Snack Bar area. Students will leave their Student ID card to check out a ball. Sometimes students want to bring a playground ball or basketball to school from home. This can lead to problems unless the following guidelines are followed:

- Any ball from home must be clearly marked with the student's last name.
- Any ball from home must be kept in their locker, so that it does not roll around a classroom, or get bounced in the halls.
- Balls are to be used only on the outside courts during brunch or lunch.
- Any ball which is not properly used will be taken and kept by a staff member until the end of the day, when it is to go home and not returned to school for at least three school days.

Progress / Warning Notices

See "REPORTING PUPIL PROGRESS" below.

PTA (Parent Teacher Association)

The Ellen Fletcher PTA (<https://fletcher.paloaltopta.org/>) is a local unit of the national PTA organization (www.pta.org) that promotes the welfare of the children in the school, community, and home. Some of the focus areas of the Ellen Fletcher PTA include encouraging communication between school and home, enhancing student learning, supporting teacher and staff needs, and building technological capabilities.



Release of Information

Ellen Fletcher recognizes student academic achievements and talents. Students are frequently recognized in school newsletters, local newspapers and displays throughout the schools and town buildings. Students' work may also be submitted to local and national contests. If a parent has objections to his or her child's name being posted or work displayed and/or photographed, an exemption form needs to be filed in the Guidance Office.

Reporting Pupil Progress

All Reports Cards are mailed home, with the exception of Wheel Reports, which are sent home via the students at the end of each wheel. The dates for the end of quarters and Wheel segments are noted in the calendar. Please allow about two weeks for Report Cards to be processed and mailed.

Students receive "progress" grades at the end of the first and third quarter and "official grades" at the end of each semester. Midway through each quarter, teachers send Progress Reports (Warning Notices) to Parents. When a student's current grade is a "D" or an "F" at this time, parents will be notified so that the student has the opportunity to improve his/her work. Notes may be sent to inform parents of concerns or issues their child is having, a significant drop in grades, or special progress their child is making; not all parents will receive these notes.

Academic Expectation for promotion to the next grade level will be mailed home. Counselors will meet with identified students and their families regarding retention.

Resolution 2019-20.23

RESOLUTION DENOUNCING RACISM, AND SUPPORTING EQUITY, SAFETY AND WELL-BEING OF BLACK PEOPLE

WHEREAS, the Palo Alto Unified School District (PAUSD) desires to provide a physically and socioemotionally 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 of Education prohibits, at any district school or school activity, racial 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;

WHEREAS, we value and teach equity, diversity and inclusion. The PAUSD Promise elevates goals of equity, and we actively teach our students conflict resolution, to communicate their own feelings of injustice without prejudice, and to be upstanders in their community;

WHEREAS, we believe that silence and inaction perpetuate injustice, bias, and racism;

WHEREAS, recent events in the United States remind us that hundreds of years of prejudices, injustices, and inequalities are embedded in our societies, from social structures to institutions to cultures to individuals. Decades of civil rights legislation and education have not obliterated racism, and its breadth has a negative impact on the safety, health, and well-being of Black individuals, families, and communities;

WHEREAS, it has been documented that the COVID-19 pandemic has taken an inequitable and disproportionate physical, mental, and financial toll on Black and Brown communities;

WHEREAS, the systemic inequities in our nation have again been exposed and our hearts are heavy as we all witness a succession of killings of Black individuals by government entities that validates generations of Black voices expressing this overarching inability to protect themselves, their families, and communities;

WHEREAS, ensuing events derive from an accumulation of desperation in the Black community reflects the hopelessness for equal access to constitutional protections and rights for themselves, their families, and communities;

WHEREAS, Black community members continue to report that they regularly experience microaggressions, racial profiling, hate incidents, and racial bias in all systems they encounter, including our school district;

WHEREAS, we recognize that discrimination, bias, and racist incidents negatively affect the mental health and in turn the academic outcomes of Black students;

WHEREAS, we recognize that there are employees and students who have felt harmed and who want the Board to take immediate action;

WHEREAS, despite a long record of extensive interventions to promote successful outcomes for all students, an equity gap still exists among PAUSD students, most notably Black and Brown students;

NOW, THEREFORE, BE IT RESOLVED, that the PAUSD Board stands firmly against bigotry, prejudice, discrimination and inequity in all forms, both institutional and individual; As protests surge in our local community and beyond, the PAUSD Board wishes to affirm its commitment to the well-being and safety of Black community members and let them know they are not alone;

1. PAUSD denounces discrimination, racism, and sentiments against Black people. We will not tolerate racist treatment of any members of our community, and we will speak out against racism and systemic oppression in our society to help stop the spread of bigotry.
2. PAUSD joins cities, counties, and states across the country in affirming its commitment to the safety and well-being of our Black community and in combating hate crimes and biases in our government systems.
3. PAUSD will increase its efforts to provide a safe and welcoming school environment for all students, working with the City of Palo Alto, Stanford University, community non-profits, and other government agencies.
4. PAUSD will confront the biases in our own school district and actively engage in the challenging work of dismantling the problematic practices that are limiting the opportunities for our Black and Brown students.

PASSED AND ADOPTED THIS 9th day of July 2020



Saturday School

Saturday School may be assigned as disciplinary action for cutting classes, excessive tardiness or other violations of school rules. Saturday School starts promptly at 8:00 a.m. and ends at 11:30 a.m. Saturday School is held on selected Saturdays only.

Scholarship Assistance

Scholarship assistance, provided by the PTA, is available for all costs associated with school. All assistance is strictly confidential and can be obtained by seeing the grade level counselor.

School Hours

The school day for students is from 8:10 a.m. until 3:00 p.m. (Mondays, Tuesdays, Thursdays) Class begins at 8:10 a.m. and ends at 3:00 p.m. On Wednesdays school hours are from 8:10 a.m. until 1:40 p.m. On Fridays, school begins at 8:10 a.m. and ends at 3:00 p.m. Unless involved in a supervised campus activity, or accompanied by an adult, students may not be on campus until 15 minutes prior to the opening of school. Once school is dismissed, all students not involved in a supervised campus activity or accompanied by an adult are to leave campus for home and/or childcare within 15 minutes of dismissal.

School Service

Counselors select students from a pool of interested students who are then assigned a period in their schedule to help in the library or school offices, or as aides to teachers. Grades are based on the reliability and quality of service rendered. Assignments are made at the beginning of each semester, and students may only serve one term.

Site Council

The School Site Council is a group representing parents, staff, and Student Council members, and is responsible for monitoring school improvement efforts. The Site Council is responsible for allocating and monitoring the use of funds received by the school for school improvement efforts. Representatives from each group are elected by their peers. Parents indicate their desire to serve on the Site Council by writing a letter to the principal in June for the following school year. Parent representatives are elected by ballots included in the Back to School Mailings.

Sixth Grade

Sixth grade students spend five-sevenths of their day (five periods) in a self-contained classroom or with a team of two or three teachers who are responsible for core curriculum.

During one period, either 1st or 2nd, sixth grade students spend alternate days in Physical Education (PE) and Music.

During the remaining period, called "Wheel," students cycle through a variety of subjects from the Career Technical Education and Visual and Performing Arts programs. These courses provide students with a five-week introduction to elective subjects they may choose to pursue in 7th and 8th grade.

Social Emotional Learning

Social emotional learning (SEL) is a process for learning life skills, including how to deal with oneself, others and relationships, and work in an effective manner. In dealing with oneself, SEL helps in recognizing our emotions and learning how to manage those feelings. In dealing with others, SEL helps with developing sympathy and empathy for others, and maintaining positive relationships. SEL also focuses on dealing with a variety of situations in a constructive and ethical manner. (<http://casel.org/>)

Sports (After School) Program

Ellen Fletcher's after school sports program is jointly sponsored by the school district and City of Palo Alto. Teams at all grade levels play other schools in our league. Registration is on line or forms may be picked up at Ellen Fletcher, Mitchell Park Community Center or Lucie Stern Community Center.

Sports Available

The School Year is divided up into three seasons. In the fall, flag football, volleyball and cross-country are offered for all students. In the winter, basketball is available. In the spring, wrestling, track and field, boys' volleyball, or tennis (sponsored separately) may be selected.

Registration Dates

After school sports registrations are handled by the City of Palo Alto through the Mitchell Park Community Center. In the fall, the enrollment period begins in early September. In the winter, 7th and 8th graders register in September (6th graders register for basketball in early January). For spring sports, all students register in early March for wrestling or in late March for track and field.

The City of Palo Alto is offering online registration of all sports at their website:

<http://www.teamsideline.com/sites/paloalto/home>

Parent Meetings

Team Meetings are held by the coaches in the Ellen Fletcher Library or multipurpose room (consult the calendar). These sessions will address most questions.

Staying After School

Students must leave the campus unless they are staying for after-school activities, extra help, or detention. If they are staying, they must report to a teacher or adult supervisor immediately. They may not wander through the classrooms and/or corridors. They must remain under the supervision of an adult while on campus. Students, not on campus for a specific activity supervised by an adult, need to leave campus no later than 15 minutes after dismissal. This is a safety issue.

Student Council

Student Council is the student leadership group elected to represent and share student ideas, interests, and concerns with teachers and administrators. Five officers for each grade level are elected at the end of each school year. They organize student activities, assemblies, social events, community projects and fundraisers. Students have an opportunity to use and apply their student experience and learning about leadership, public speaking, and decision-making within a school system. Student Council is also involved in all issues related to school reform, working closely with the School Climate Committee and Site Council to promote both school and district goals.

Student Visitors

Students are allowed to have visitors spend the day with them at school only under the following conditions:

- The host student must submit a permission form from the Guidance Office at least 48 hours in advance.
- This form needs to be signed by the host's teachers, parent, and an administrator.
- The visit is to be limited to one day.
- On the day of the visit, upon arrival, the visitor must check in at the front office with their host student for a visitor's badge.
- Visitors are limited to out of town guests (50+ miles) of middle school age.
- The school has the right to refuse visitors during days involving assemblies, testing, field trips, promotion practices/end-of-the-year activities, etc.

Suspensions & Expulsions

A student may be suspended for the following behaviors. A suspension is defined as the removal of a student from ongoing instruction for disciplinary purposes. An administrator will confer with parents or guardian concerning a student's suspension. Expulsion, if indicated, is determined exclusively by the Palo Alto Unified School District and not by the Ellen Fletcher administration. The following is taken from the Education Code of the State of California: #48900:

<i>Physical Injury</i>	Caused, attempted to cause, or threaten to cause physical injury to another person. This includes aiding or abetting the infliction or attempted infliction of injury to another person.
<i>Willful Use of Force or Violence</i>	Willfully used force or violence upon another person, except in self-defense. This includes aiding or abetting the infliction or attempted infliction of injury to another person.
<i>Dangerous Objects</i>	Possessed, sold, or otherwise furnished any firearm, knife, explosive or other dangerous object (including but not limited to firecrackers, laser lights, "poppers" and lighters).
<i>Imitation Firearm Possession</i>	Possessed an imitation firearm.
<i>Drugs/Alcohol</i>	Arranged, negotiated, offered, possessed, sold, used or otherwise furnished, or been under the influence of ANY controlled substance (including SOMA), alcohol and/or any other intoxicants.
<i>Look-Alike Substance</i>	Sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented that liquid, substance, or material as a controlled substance, alcoholic beverage, and/or intoxicant.
<i>Robbery/Extortion</i>	Committed or attempted to commit robbery or extortion.
<i>Damage to Property</i>	Caused or attempted to cause damage to school property or private property. Property includes electronic files and databases. This includes vandalism and arson to school property or private property.
<i>Theft</i>	Stole or attempted to steal school property or private property. Property includes electronic files and databases.
<i>Receipt of Stolen Property</i>	Knowingly received stolen school or private property. Property includes electronic files and databases.
<i>Tobacco</i>	Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to: cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
<i>Obscenity/Profanity/Vulgarity</i>	Committed an obscene act or engaged in habitual profanity or vulgarity.
<i>Drug Paraphernalia</i>	Unlawfully possessed or offered, arranged or negotiated to sell any drug paraphernalia.
<i>Disruption/Defiance</i>	Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other personnel engaged in the performance of their duties.
<i>Hostile Educational Environment</i>	Bullied, intimidated, threatened, harassed (in any form), menacing any person on campus.
<i>Hate Violence</i>	Caused or attempted to cause threatened to cause, or participated in an act of hate violence. (Ed Code 48900.3)
<i>Threats/Terrorist Threats</i>	Made terrorist threats against school officials, or school property or both. (Ed Code 48900.4)
<i>Assault/Battery on School Employee</i>	Threaten school officials and/or school property. (Ed Code 48900.7)
<i>Witness Harassment or Intimidation</i>	Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that pupil from being a witness.
<i>Sexual Harassment</i>	Committed or attempted to commit a sexual assault or sexual battery.
<i>Bullying</i>	Committed physical, verbal or cyberbullying.



Tardiness (Unexcused)

Ellen Fletcher takes student tardies very seriously. Students who come to class late not only deprive themselves of important curriculum and information, but they also distract peers who are trying to focus/learn and the teacher who is trying to teach.

A student is considered “tardy” if they are not in the room or at the place designated by the teacher at the beginning of the period (e.g. at their desk). Late students are marked tardy unless they arrive with written permission from the Attendance Office. If a student is absent for half of the day or more, the student may NOT attend a sport practice, drama practice, sport or drama evening event, dance, or any other school activity on that day or evening.

Parents will be updated in writing when their students are accumulating tardies. To encourage prompt attendance, the following consequences will be provided for students who are tardy. Tardy counts will be reset to zero at the beginning of the semester.

Tardies	Consequences
3-5	1 lunch detention
6-10	2 lunch detentions
11-15	Saturday School (4 hours)
16+	Additional Saturday School. By mid-December, the student and their parent/guardian will be required to attend a district attendance meeting with the District Attorney

Technology User Contract

Students at Ellen Fletcher have access to a wide range of technologies, including computers and the Internet. With Ellen Fletcher's link to the Internet, students have access to computer networks around the world, providing open access to local, national, and international sources of information and collaboration vital to intellectual inquiry in a democracy. Technology at Ellen Fletcher is utilized and shared by large numbers of students and staff. For this reason, we need to have a set of rules that keeps things running smoothly. Every Ellen Fletcher user is expected to act in a responsible, ethical, and legal manner.

The student and the student's parent(s) are warned that Ellen Fletcher does not have control of the information on the Internet, nor does it provide any barriers to account holders accessing the full range of information available other than those constraints imposed by finite resources. The Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people. While Ellen Fletcher's intent is to make Internet access available to further its educational goals and objectives, students will have the ability to access other material as well.

Ellen Fletcher believes that the benefits to educators and students from access to the Internet, in the form of information resources and opportunities for collaboration, far exceed any disadvantages of access. But ultimately, parent(s) of minors are responsible for setting and conveying the standards that their child or ward should follow. To that end, Ellen Fletcher supports and respects each family's right to decide whether or not to apply for Ellen Fletcher access. However, Ellen Fletcher cannot guarantee that a student will never gain access to the Internet.

Ellen Fletcher makes no guarantees with respect to the Internet, and it specifically assumes no responsibilities for:

- The content of any advice or information received from a source outside Ellen Fletcher, or any costs or charges incurred as a result of seeking or accepting such advice;
- Any costs, liability or damages as a result of use of the student's Internet access;
- Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of Ellen Fletcher.

Ellen Fletcher students and parents/guardians must read and sign the *PAUSD Student Handbook: A Guide to the Internet and District Information System*, and the *Ellen Fletcher Technology User Contract* before they are permitted to use any technology on campus.

Telephones

Students may use the telephones in the classrooms to call parents for **SCHOOL PURPOSES ONLY** (to make arrangements to stay for extra help or activities). Students must make their social plans before coming to school. Telephones may be used with **teacher supervision only**.

Students are asked not to use the office phones except in case of emergency. However, students may be allowed to use the phone at the Attendance Office window after school, for school purposes only.

Any illegal use of any telephone (i.e. crank call to 911, etc.) may result in police involvement and possible suspension.

Students may possess cell phones while on campus, however they must ensure that the devices are turned off (not even on vibrator mode) and out of sight during school hours. Cell phones cannot be used for any purpose during school hours. This includes sending and/or receiving text messages. Please refer to "Electronic Signaling Devices" #11 of Student Expectations.

Testing

Parents will be advised of district and/or schoolwide testing dates and will be asked to schedule medical/dental appointments before or after testing days.

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:

Title IX / Civil Rights Coordinator
Palo Alto Unified School District Office
25 Churchill Avenue
Palo Alto, CA 94306
complianceofficer@pausd.org

Tobacco-Free Schools

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



Uniform Complaint Procedure

UNIFORM COMPLAINT PROCEDURES

[Board Policy 1312.3](#)

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

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)
2. Any complaint alleging the occurrence of unlawful discrimination, including discriminatory harassment, (such as sexual harassment, sexual violence or harassment based on a protected characteristic), intimidation, or bullying against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, 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:
 WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>

Unnecessary Items (Also refer to box #11 under “CONDUCT & DISCIPLINE”)

Objects that are not directly related to a classroom project or assignment and approved by a staff member are not permitted on campus. This may include but is not limited to: lighters, matches, sharp objects, laser pointers, noise makers, water balloons, squirt guns, paint balls, eggs, pocket knives, box cutters, pepper spray, poppers, firecrackers, spray cans of any type. The presence of inappropriate objects can create a disruption. A student who brings an object to the campus is responsible for the object brought onto the campus. The school cannot assume responsibility for lost/stolen personal items.

Vacation Trips

Absences due to vacation trips are not excused. Before making vacation plans, parents should consult the school calendar. Parents are strongly discouraged from taking their children out of school for family vacations because valuable classroom instruction time can never be replaced by makeup assignments.

When parents decide to take their children out of school for vacations, they must notify the school of their intentions. Because such extended absences are not excused, students are expected to request and make up their work upon their return. Know that grades may be affected by such trips as due dates may have expired for some assignments.

Volunteers

Parent help is always welcomed in all areas of our school: classrooms, library, office, field trips, chaperoning, fundraisers, and athletic events. To volunteer for, or to find out about specific events or activities, please contact the PTA volunteer coordinator (listed in the PTA Board in the back of the handbook).

Volunteer Drivers' Requirements

BEFORE parents can drive students on a school outing, they must complete a “private car travel checklist” on an annual basis. These forms can be obtained in the Guidance Office.

PAUSD Requirements for Drivers

- **INSURANCE:** The following figures represent MINIMUM COVERAGE required: Parents must have public liability and bodily injury – \$100,000/\$300,000 per occurrence; property damage – \$25,000 per occurrence. *PAUSD does not provide coverage for drivers transporting school children in private vehicle.
- The number of passengers in each vehicle may not exceed the number specified for the vehicle by the California State Motor Vehicle Code. All passengers must wear a seat belt.
- Drivers must have a current driver's license.
- Drivers must have the current registration and certificate of insurance in the car.



Wheel Program

The Wheel Program is the elective program for 6th Grade. Wheel rotation revolves around seven beginning classes covering introduction to guidance, home economics, computers, industrial tech, art, writing and drama. Classes range from 28-32 school days. Wheel progress reports are sent home via the student at the end of each wheel rotation. Wheel grades are not included on school report cards.



ARASTRADERO ROAD



PALO ALTO
UNIFIED SCHOOL DISTRICT