



# HANDBOOK *for* FAMILIES 2020-2021

## OFFICE HOURS

Please send an email to  
[chsiung@pausd.org](mailto:chsiung@pausd.org) or [ahallada@pausd.org](mailto:ahallada@pausd.org) to arrange time.  
7:30 a.m. – 3:30 p.m. when school goes back to hybrid.

3450 Louis Road  
Palo Alto, CA 94303  
(650) 856 1672  
Fax: (650) 856 6316  
[paloverde.pausd.org](http://paloverde.pausd.org)



# PALO VERDE DAILY SCHEDULE

KINDERGARTEN
<p><b>AUGUST 17, 2020 – OCTOBER 4, 2020</b></p> <p>8:15 ..... Start Time</p> <p>9:45 – 10:10 ..... Recess</p> <p>11:45 ..... Dismissal</p> <p><b>OCTOBER 12, 2020 EXTENDED DAY SCHEDULE BEGINS</b></p> <p>8:15 ..... Start Time</p> <p>12:00 - 12:45 ..... Lunch</p> <p>2:15 ..... Dismissal</p> <p><b>OCTOBER 14, 2020 <u>WEDNESDAY</u> SCHEDULE BEGINS</b></p> <p>8:15 ..... Start Time</p> <p>1:15 ..... Dismissal</p>
GRADES 1-3
<p><b>AUGUST 17, 2020 – JUNE 3, 2021</b></p> <p><b>MONDAY, TUESDAY, THURSDAY &amp; FRIDAY</b></p> <p>8:15 ..... Start Time</p> <p>10:10 - 10:30 ..... Recess</p> <p>12:05 - 12:45 ..... Lunch</p> <p>2:15 ..... Dismissal</p>
GRADES 4 - 5
<p><b>AUGUST 17, 2020 – JUNE 3, 2021</b></p> <p><b>MONDAY, TUESDAY, THURSDAY &amp; FRIDAY</b></p> <p>8:15 ..... Start Time</p> <p>10:10 - 10:30 ..... Recess</p> <p>12:00 - 12:45 ..... Lunch</p> <p>2:50 ..... Dismissal</p>
GRADES K-5
<p><b><u>WEDNESDAYS &amp; MINIMUM DAYS SCHEDULE 2020-2021</u></b></p> <p>8:15 ..... Start Time</p> <p>10:10 - 10:30 ..... Recess</p> <p>11:50 - 12:30 ..... Lunch</p> <p>1:15 ..... Dismissal</p>

**ATTENDANCE:** School begins at 8:15 Monday through Friday for all students. Dismissal times vary by grade. Please refer to the schedule above for specifics. Coming to school on time, rested, and ready to learn is absolutely essential to a successful school experience.

# TABLE OF CONTENTS

<b>PALO VERDE DAILY SCHEDULE.....</b>	<b>Inside Front Cover</b>
<b>WELCOME TO PALO VERDE .....</b>	<b>1</b>
Our Vision.....	1
School Staff .....	1
<b>2020-2021 PALO VERDE STAFF .....</b>	<b>2</b>
<b>2020-2021 SCHOOL CALENDAR.....</b>	<b>3</b>
<b>2020-2021 DISTRICT CALENDAR.....</b>	<b>4</b>
<b>ATTENDANCE.....</b>	<b>5</b>
Attendance Expectations .....	5
Excused Absences .....	5
Unexcused Absences .....	6
Absence Reporting Procedure .....	6
Arrival at School .....	7
Kindergarten / New Student Registration .....	7
Immunization Requirements .....	7
<b>SCHOOL EXPECTATIONS FOR BEHAVIOR, HEALTH, &amp; SAFETY .....</b>	<b>8</b>
School Safety Rules & Behavior Standards .....	8
School Safety .....	8
Specific Safety Rules at School.....	8
Student Expectations for Behavior .....	8
Student Behavior Contract .....	9
Personal Items & Toys .....	10
Dress Code.....	10
Lunch Table Behavior.....	10
Possible Consequences .....	10
Grounds for Suspension .....	10
Dogs on Campus.....	11
Before & After School Supervision .....	11
Visitors On Campus.....	12
Accidents, Illness & Emergencies .....	12
Head Lice .....	12
Medications Policy.....	12
Insurance .....	12
Emergency Preparedness .....	12
Disaster Preparedness .....	13
Tobacco-Free District .....	13
Alcohol & Other Drugs.....	13
<b>TRANSPORTATION &amp; TRAFFIC SAFETY .....</b>	<b>14</b>
SAFETY is as easy as 1-2-3-POP!.....	14
Bicycle, Skateboard & Rollerblade Safety .....	14
Drop-Off, Pick-Up, & Parking.....	14
Bus Safety .....	15
Reporting Problems, Collisions, or Near-Misses .....	15
<b>HOMEWORK &amp; MAKEUP WORK.....</b>	<b>16</b>
Homework For Elementary Grades .....	16
Makeup Work .....	17
Parent-Teacher Conferences .....	18
Progress Reports.....	18
<b>LUNCH &amp; STUDENT ACTIVITIES.....</b>	<b>19</b>
Meal Charge Policy .....	19
<i>Meal Pickup (English, Spanish, &amp; Mandarin translations)</i> .....	20-22
Nut-Free Tables.....	19

Dietary Guidelines .....	23
Celebration Guidelines .....	23
Alternatives to Food Rewards .....	24
Field Trips.....	25
Lost & Found .....	25
Instrumental Music .....	25
After School Activities .....	25
<b>SPECIAL SERVICES FOR STUDENTS.....</b>	<b>26</b>
Classroom Instructional Assistants.....	26
Challenging the Most Capable .....	26
Reading Support.....	26
English Language Development.....	26
Student Study Team Process (SST Process) .....	26
Library Services .....	26
Psychologist .....	26
Resource Specialist Program .....	26
Speech / Language Services.....	27
Volunteers .....	27
<b>PARENT INVOLVEMENT.....</b>	<b>28</b>
Partners in Education (PiE) .....	28
Parent Teacher Association (PTA) .....	28
<i>The VOICE</i> .....	28
School Site Council .....	28
Single Plan for Student Achievement (SPSA) .....	28
Healthy Alternatives to Fundraising .....	29
<b>COMMUNITY ACTIVITIES &amp; PROGRAMS.....</b>	<b>30</b>
<b>DISTRICT BOARD POLICIES .....</b>	<b>31</b>
Uniform Complaint Procedures .....	31
Unlawful Discrimination Notice .....	43
Nondiscrimination / Harassment.....	44
Nondiscrimination In District Programs & Activities .....	49
Bullying Prevention.....	52
<i>Definitions</i> .....	52
<i>Prevention</i> .....	53
<i>Intervention</i> .....	53
<i>Complaints &amp; Investigation</i> .....	53
<i>Discipline</i> .....	54
Bullying Complaint Procedures .....	55
<i>Definitions</i> .....	55
<i>Notifications</i> .....	56
<i>Procedures</i> .....	56
<i>Enforcement</i> .....	59
Sexual Harassment .....	59
<i>Information</i> .....	61
<i>Complain Process/Grievance Procedure</i> .....	61
<i>Enforcement</i> .....	62
<i>Confidentiality</i> .....	63
Title IX Compliance .....	64
Williams Act .....	64
Conduct Statement.....	66
<b>COMMUNITY INFORMATION PHONE NUMBERS .....</b>	<b>Inside Back Cover</b>
<b>PALO VERDE SCHOOL MAP .....</b>	<b>Outside Back Cover</b>

# WELCOME TO PALO VERDE

## Planning for School Year 2020-2021

[PAUSD Return to Learn](#)

[COVID19 - Safety Protocols and Updates](#)

We hope you and your child/ren will enjoy your experiences at Palo Verde. This year we will have approximately 400 students, kindergarten through fifth grade. Our average class size is 20 students in kindergarten, 22 students in first grade, 23 in second and third grades and 24 at fourth and fifth grades. We have 18 classrooms (3 classes at each grade level). As a 'neighborhood' school, Palo Verde provides programs and approaches to meet a wide range of student and parent needs. A large number of highly interested parents support and are actively involved in their children's educational programs and experiences at school. Our school is truly "community" centered on supporting the academic and socio-emotional development of all children. We hope you can join our efforts!

### Our Vision

Palo Verde students will develop respect for self and others, value learning, and cultivate an understanding of others through a school experience which fosters high expectations for academic, social, and emotional development in a global community.

### School Staff

The school employs a principal, a school secretary, 18 classroom teachers (1 job-share), a resource specialist, and two full-time custodians. Other part-time staff includes a librarian, a reading specialist, a psychologist, an English language development teacher, and a data clerk. Instructional aides support classroom teachers in the classroom. The PAUSD provides specialists to teach music and physical education to all students. Spectra Art teachers, with funding from Palo Alto Partners in Education (PIE) also support classroom art instruction and provide staff development for teachers new to our district.

*This Parent-Student Handbook is designed to facilitate communication between students, parents, and staff; as well as to serve as a source for school policies, events and resources. Please take the time to familiarize yourself with the contents and bookmark the link and/or keep it in a convenient place where you can refer to it frequently. Any changes to current policies or events will be announced in the newsletter, The VOICE, on our website, or via email.*

# PALO VERDE STAFF

## 2020-2021

Principal..... Annora Lee  
 Secretary..... Jenny Hsiung  
 Clerk..... Anne Marie Hallada  
 Day Custodian..... Carlos Valencia Verduzco  
 Evening Custodian ..... Jose Revueltas

GRADE(S)	ROOM	TEACHER
K	1	Laila Agrama
TK	2	Barbara Carlson
K	3	Sujin Park Argel
1	5	Kathleen Rice
1	6	Lynn Lin
2	7	Nina Vatkina
2	8	Susan Kim
2	11	Keri Ghiorso
3	12	Katherine Sullivan
3	4	LilyAnn Stolp
3	15	Tori Shaffer / Susie Deutsch
4	14	Grace Kim
4	16	Athena Foley
4	17	Mangla Oza
5	18	Jennifer Aza Allan
5	19	Carrie Sanderson
5	20	Jenna Segall
SPECIALTY	ROOM	SUPPORT STAFF
Learning Center	9	April Nguyen
ELD	10	Amanda Gantley
Reading	10	Carolyn Jones
Speech	Speech Office	Sabrina Cheng
Librarian	Library	Amy Hansen
Psychologist	Psychology Office	Laura Post
Psychologist Intern		Megan Miller
Family Engagement	Main Office	Christian Munoz
P.E. - G2-5		Diane Saunders
P.E. - K, 1		Ken Bunton
K-3 Primary Music	MP / Kids Club	Kerri Eikenberg
G4 General Music	MP / G4 Classrooms	Robin Smith
K Spectra Art		Alexandra Dudukovic / Stephanie Maples
G1 Spectra Art		Charlene Temple / Sue
G2 Spectra Art		Gretel Colvert / Jane Moorman
G3 Spectra Art		Andi Werboff / Karen Lenke
G4 Spectra Art		Dawn Tower Irvine / Scott Souter
G5 Spectra Art		Jennifer Sullivan / Alyssa Levitan
G5 Woodwinds		Sue Macy
G5 Woodwinds		Shawn McGinn
G5 Brass		Keith Hunter
G5 Strings	Library	Tracey Mumford
G5 Strings	MP Room	Allison Zenner
G5 Strings	Library	Valerie Lee
Literacy TOSA		Leslie Faust
Math TOSA		Nikole Manou
Food Services	MP Room	Letty Valencia
O.T.		Erin Finley
Lunch Yard Duty	Main Yard	John Coyle
Lunch Yard Duty	Main Yard	Michael Mar

# SCHOOL CALENDAR

## 2020-2021

School Year Begins .....	Monday, August 17
Minimum Day .....	Friday, September 4
Labor Day .....	Monday, September 7
Veterans' Day .....	Wednesday, November 11
Thanksgiving Break .....	Monday-Friday, November 23-27
Minimum Day .....	Friday, December 18
Winter Break Begins .....	Monday, December 21
School Resumes .....	Thursday, January 7
Martin Luther King, Jr. Day .....	Monday, January 18
Presidents' Day .....	Monday, February 15
Local Holidays .....	Monday, March 15
Minimum Day .....	Friday, April 2
Spring Break Begins .....	Monday, April 5
School Resumes .....	Monday, April 12
Memorial Day .....	Monday, May 31
Last Day of School (Minimum Day) .....	Thursday, June 3

### MINIMUM DAYS

**1:15 p.m. Dismissal**

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

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

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

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

# Palo Alto Unified School District

## SCHOOL YEAR CALENDAR 2020-21

JULY 2020						
S	M	T	W	T	F	S
			1	2	H	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
AUGUST 2020 11 days						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	SD	SD	WD	WD	WD	15
16	17	18	19	20	21	22
23	24		25	26	27	28
30	31					29
SEPTEMBER 2020 21 days						
S	M	T	W	T	F	S
		1	2	3	4	5
6	H	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
OCTOBER 2020 22 days						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
NOVEMBER 2020 15 days						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	H	12	13	14
15	16	17	18	19	20	21
22	LH	LH	LH	H	LH	28
29	30					
DECEMBER 2020 14 days						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	LH	LH	LH	H	H	26
27	LH	LH	LH	LH		

Important Dates

8/17/20 ..... First Day K-12

1/7/21 ..... Students Return to School

10/9/20 ..... End of 1<sup>st</sup> Quarter

12/18/20 ... End of 1<sup>st</sup> Semester

(83 days - secondary)

3/18/21 ..... End of 3<sup>rd</sup> Quarter

6/2/21 ..... End of 2<sup>nd</sup> Semester

(97 days - secondary)

6/3/21 ..... Last Day

Non-Student Days						
9/7	Labor Day					
11/11	Veterans Day					
11/23-27	Thanksgiving Break					
12/21-1/6	Winter Break					
1/18	ML King's Birthday					
2/15	Presidents' Day observed					
3/15	Local Holiday					
4/5-4/9	Spring Break					
5/31	Memorial Day					

Legend

H = Federal/State Holiday

LH = Local Holiday

SD = Staff Development Day

WD = Teacher Work Day

= Minimum Day-All Schools

JANUARY 2021 16 days						
S	M	T	W	T	F	S
					H	2
3	LH	LH	SD	7	8	9
10	11	12	13	14	15	16
17	H	19	20	21	22	23
24	25	26	27	28	29	30
31						
FEBRUARY 2021 19 days						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	H	16	17	18	19	20
21	22	23	24	25	26	27
28						
MARCH 2021 22 days						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	LH	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
APRIL 2021 17 days						
S	M	T	W	T	F	S
				1	2	3
4	LH	LH	LH	LH	LH	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
MAY 2021 20 days						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
JUNE 2021 3 days						
S	M	T	W	T	F	S
		1	2	3	WD	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



# ATTENDANCE

## Attendance Expectations

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

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

The following are attendance expectations for all students:

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

## Excused Absences

Excused Absences fall into one of two categories:

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

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

\*For high school students only.

## Health-Related Absences

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

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

## Health Appointments

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

## Unexcused Absences

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

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

## Family Trips

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

## Absence Reporting Procedure

It is the parent/guardian's responsibility to report their student's absences. Only parents/guardians can excuse a student's absence. Parents/guardians must send an email to [paloverdeattendance@pausd.org](mailto:paloverdeattendance@pausd.org) or call the school office.

When a child is absent because of illness or for a doctor or dental appointment, parents/guardians must send an email to [paloverdeattendance@pausd.org](mailto:paloverdeattendance@pausd.org) or call the school office. If contact is not made, the school requires the returning student bring a note signed by the parent/guardian. In a situation where a health condition begins to impact attendance and learning, a referral to the District Health Services Office may be initiated.

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

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

## Early Dismissal

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

## Tardy Policy

Children should be at school on time. Arriving after school has started is considered tardy. Teachers submit attendance online within the first few minutes of the school day. If the student arrives after school has started, the student will need to go to the office upon arrival at school so the attendance report can be amended to "tardy" rather than "absent."

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

Students who arrive at school after the second bell has rung at 8:15 a.m. and after the teacher has taken the roll, will be sent to the office to get a Tardy Slip. If the student arrives to school late, it is best to stop at the office and get a Tardy Slip prior to going to class. **If tardiness persists:** Attendance letters will be mailed home when your child has excessive tardies or unexcused absences. If tardiness still persists, the teacher or principal will confer with the parent/s and student to discuss strategies for getting the student to school on time. If unexcused tardies continue, consequences may include a referral to the School Attendance Review Board (SARB - the District's disciplinary committee for severe attendance and disciplinary cases). A child in grades K-5 is considered habitually truant after 5 unexcused tardies of 30 minutes or more and/or 5 unexcused absences.

## Habitual Truancy & Chronic Absenteeism

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

## Actions to Address Poor Attendance

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

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

## Arrival at School

School begins at 8:15 a.m. A warning bell rings at 8:12 a.m. prior to the final bell at 8:15 a.m. **Students should not arrive before 8:00 a.m., as we DO NOT have supervision.** To avoid being tardy, students should arrive between 8:00 and 8:15 a.m. When tardiness occurs, students miss instructional time, important directions and information to start the school day. **Students arriving after the designated start time should go to the office for an Admit Slip.**

## Kindergarten / New Student Registration

The actual dates for open registration are published in *The VOICE*. Incoming first graders must have had a general health examination within 18 months prior to entering first grade (up to six months before entering kindergarten, but not before March 15<sup>th</sup> of that year).

## Immunization Requirements

The following immunizations must be complete before a child may enter school. All immunizations must have the month and year given, and the doctor's signature or clinic stamp.

- **DPT (Diphtheria, Pertussis, and Tetanus):** If under age 7, then four doses – the last dose must have been given on or after the 2nd birthday. If age 7 or older, then three doses – the last dose must have been given on or after the 2nd birthday.
- **Polio:** Three doses – the last dose must have been given on or after the 2nd birthday.
- **MMR (measles-mumps-rubella):** One dose – must have been given on or after the 1st birthday.
- **Hepatitis B:** Three doses – required for kindergarten entry as of 1997.

# SCHOOL EXPECTATIONS FOR BEHAVIOR, HEALTH, & SAFETY

## School Safety Rules & Behavior Standards

Palo Verde School rules are based on respect for others and ourselves, personal safety, and responsible behavior. These school rules guide our behavior at school. Character Education is extremely important at our school community and we focus on the forty-one Developmental Assets from Project Cornerstone. Look for information to come home in the VOICE and classroom newsletters to keep you posted on the monthly book from the Asset Building Champion readers and ways you can follow-through at home.

## School Safety

Several activities contribute to school and playground safety, with students, parents, and school personnel supporting this effort. Some of these specific activities include: student "Lunch Helpers" who guide/monitor kindergarten children during lunch; other community service clubs, such as the Green Team; third-grade children participate in a bicycle safety program presented by the Palo Alto Fire Department; a variety of lunchtime activities help keep students positively engaged at noon such as our PTA sponsored Noon Art, Project Cornerstone Extensions and Noon Games activities. There are also a variety of after school activities, which engage and nurture student interest. For a list of these activities, inquire at the Main Office.

## Specific Safety Rules AT SCHOOL

### BICYCLES, ROLLERBLADES, SKATEBOARDS & SCOOTERS

Wear a helmet if you bike, skateboard, or rollerblade to school. All students must walk all wheels on campus and park and lock bicycles and scooters in the appropriate racks. Children who ride in-line skates to school must change into street shoes at the edge of the campus. The redtop and blacktop areas are off limits for riding from 8:00-3:00 p.m. Motorized scooters are NOT permitted on school grounds at any time.

### EQUIPMENT

Balls and other playground equipment are available at recess and lunch on an honor-system. Balls may be bounced against the ball wall, but not against the school building. Soccer balls may be used on the lawn areas only. We expect students to take good care of school equipment and use it safely.

### GAMES

Games such as lightening and foursquare should be played in appropriate areas on the blacktop. Kickball should be played on the grass only. No contact sports or activities, such as karate, martial arts, or tackle football are allowed. There are no "lock outs" at Palo Verde. We want our playground to be safe and enjoyable for every child. If there is a dispute, the children will be expected to try and work it out. If a satisfactory and peaceful solution is not found quickly, children should ask a yard duty person or a teacher for help.

## PALO VERDE STUDENT EXPECTATIONS FOR BEHAVIOR 2020-2021

1. **We take responsibility for learning.**
  - We arrive at school on time.
  - We are prepared for class.
  - We demonstrate a serious and responsible attitude in daily work.
  - Homework is completed and turned in on time.
2. **We take responsibility for our own behavior.**
  - We are honest and truthful at all times.
  - We admit when we've made a poor choice, make amends and make better choices next time.
  - We express our feelings respectfully and calmly to others.
  - We try hard to be a "Free Fish" and not take "The Bait."
3. **We follow the directions of adults in charge.**
  - We look at the speaker.
  - We communicate respectfully with teachers or adults in charge.

4. **We settle our differences in a peaceful manner.**
  - We do not physically or verbally fight with others.
  - We work towards a solution by listening to each other.
  - We try to agree on a solution that feels fair to everyone and use it.
5. **We are sensitive to the needs and feelings of others.**
  - We are "Upstanders."
  - We are "Bucket Fillers."
  - We appreciate and respect differences.
  - We use appropriate language at all times.
  - We do not bully or tease other children.
  - We are good listeners.
  - We are helpful.
  - We treat others with kindness, patience, courtesy, and understanding.
6. **We act safely and keep our school clean.**
  - We respect our own and others' property, bodies and personal space.
  - We do not participate in activities that are dangerous to ourselves, or others.
  - We clean up after ourselves.
  - We follow school and playground rules.
  - We recycle and compost our snacks and lunch in the appropriate bins.

## **STUDENT BEHAVIOR CONTRACT SCHOOL & PLAYGROUND RULES 2020-2021**

### **GENERAL RULES**

- Students are responsible for getting to class on time. School starts at 8:15 a.m. A warning bell will ring at 8:12 a.m. If students are not with their teacher at the beginning of school, they are considered late and will need to go to the office to receive a "tardy slip/late slip" to enter class.
- Yard duty supervisors are in charge of the playground. Obey the yard duty supervisors at all times and remember to speak respectfully to them.
- Stay within the limits of the school grounds during school hours. Do not leave school grounds at any time without being signed out by your parent.
- Always walk when going to lunch, recess, or the bus.
- When the bell rings, stop playing and walk to class immediately.
- Get off your bikes, scooters and skateboards at the school sidewalk and walk to the bike or scooter rack.
- Take pride in keeping the school grounds and the environment clean by making sure trash, recycling and compostable items are placed in the cans provided.
- Play "tag" on the lawn. Do not play tag on the play structure.

### **SPECIFIC RULES**

- All knives or potentially dangerous weapons, real or fake, are absolutely not allowed and may result in expulsion.
- Any form of swearing or obscene language (written or spoken), name calling, or any form of sexual harassment towards anyone at school will not be tolerated and may result in suspension.
- Fighting or threatening harm towards anyone may result in expulsion.
- Vandalism in any form may result in suspension and collection for damages will be pursued.
- Teasing, tickling, or pulling other children off equipment is not allowed.
- Tackling of any kind, shoving, or pushing is not allowed.
- Throwing objects such as rocks, sand, sticks, or anything other than balls is not allowed.
- Running and jumping from playground equipment is dangerous. Don't "bail out" off structures.
- Go down slides feet first.
- Sitting or climbing on a fence, rail, or roof is not permitted.
- When waiting in line, take your turn; do not give cuts; do not trade positions. This is not fair to others.
- Take good care of playground equipment. Please return the equipment to the ball cart before walking back to class.
- Any balls that go up on roofs, will be removed by the custodian the next day he is scheduled to clean the roof
- Rubber balls are the only types of balls to be used on backboards.
- Play soccer on the grass areas only. Respect other games.

- Gum is not allowed at school.
- Spitting is absolutely not allowed at school.
- Leave all electronic devices, games, iPods, water guns, water balloons, baseball bats, and hard balls, including tennis balls at home. **The school will not be responsible for any lost or stolen electronic devices or other items brought from home.**
- Cell phones must be turned off and put away during the school day.
- Games are not to be played in the restrooms.
- Trading cards are not allowed at school.

#### **PHYSICAL EDUCATION REQUIREMENTS**

- Rubber-soled shoes should be worn for student's safety. Flip-flops or sandals are not appropriate for field games and should not be worn to school.
- Demonstrate skills necessary for team sports, such as leadership, team cooperation, and sportsmanship.
- Demonstrate a sense of responsibility by caring for Physical Education equipment and modeling safe practice on the playground.

### **Personal Items & Toys**

Students may not bring non-school related personal items and toys. This guideline has been established to prevent unnecessary distractions at school and to eliminate the possibility of lost or stolen valuables. The school is not responsible for theft, damage, or vandalized personal property.

### **Dress Code**

We expect students to wear modest and appropriate attire to school:

- Shirts should cover shoulders completely (please, no tank or spaghetti strap tops) and cover the midriff when arms are raised over the head.
- Words and logos on clothing should be appropriate for a school setting.
- Hats must be removed in class and at assemblies.
- Makeup may not be worn; this includes colored hair spray and glitter worn as eye shadow. Halloween and Crazy Hair Day are exceptions to this rule.
- Everyone must wear shoes while at school.

### **Lunch Table Behavior**

Students at Palo Verde play first and eat lunch at the end of the lunch period. Students should eat and drink only at their picnic tables outside the classroom, sitting and eating politely. Students will be excused to return to their classroom when the bell rings.

### **Possible Consequences**

At Palo Verde, our children generally respond well to constructive approaches in order to redirect their mishaps or inappropriate behavior. We stress positive problem-solving approaches in dealing with issues that come up in the course of the day, whether in the playground or in the classroom. We view misbehavior as an opportunity to teach a skill. However, if a child chooses not to follow school rules after learning appropriate problem solving skills, typical consequences might include:

- The child may be asked to think about his/her behavior during a "time out."
- A parent conference may be held by phone or in person.
- A notice may be sent home to parents.
- The child may be asked to go the office with assigned classwork.
- The child may be sent home early.
- The child may be suspended and require a parent conference before the child returns to school.
- Should a serious violation occur, such as fighting, intimidation or harassment, defiance of authority, profanity/vulgarity toward staff, or drugs/alcohol-related abuse, the teacher and/or principal would, upon investigation, suspend the youngster. If a major violation were to occur, suspension and referral to the District Discipline Committee would result.

### **Grounds for Suspension**

**(CALIFORNIA EDUCATION CODE SECTION 48900 A-P, OR .2, .3, .4, .7):**

- Caused, attempted to cause, or threatened to cause physical injury to another person.
- Possessed, sold or furnished firearm, knife, explosive or other dangerous object.
- Possessed, used, sold, furnished or been under the influence of drugs, alcohol, a controlled substance or intoxicant.

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



## **NO DOGS on Campus During School Hours (8:00-3:30)**

This is a PAUSD policy and is part of our School Safety Plan. The policy is in effect all year, from August 17, 2020, through June 3, 2021. We realize that there are many friendly pets that join the family for the morning or afternoon walk to/from school. Unfortunately, there were several instances in the recent past of just such "friendly pets" biting Palo Alto School District students/adults. These were animals that had not previously exhibited hostile behavior. Veterinarians tell us that the most socialized dogs can become aggressive when stressed by crowds, such as 400+ students before or after school. We ask for your understanding and full cooperation from day one. Again, this is for the safety of all our children! Please DO NOT bring your dog on campus during school hours. If your family is one that enjoys walking to or from school with your pet, we would like to suggest that you pick a spot outside of campus, perhaps a nearby corner, where parent and dog bid children goodbye and the student/s enter the campus without the dog. Please do not tether your pet on the school borders.

## **Before & After School Supervision**

Parents with children waiting for the dismissal of primary and/or intermediate students may be on campus if they:

- Remain (with their children) in area(s) designated by the principal until school is dismissed.
- Supervise their children.
- Do not disrupt ongoing teaching and learning programs.

Unless accompanied by an adult, students may not be on campus until 8:00 a.m. All students not supervised by an adult are to leave campus for home and/or childcare immediately once school is dismissed. Thirty minutes after the upper grade students are dismissed, the community and students are welcomed on campus, provided their presence does not disrupt staff meetings and/or teacher preparation activities. Community members regularly meet friends, watch athletic practices/competitions, and attend neighborhood meetings at neighborhood schools. Before and after school supervision presents a special challenge to school personnel and parents, as the safety of our children is the shared responsibility of school personnel, parents, and community members.

## Visitors On Campus

For the safety of everyone involved, **we require all school visitors to sign-in at the Main Office and wear a visitor's badge.** In addition, parents who volunteer in the classroom regularly must also sign-in at the Main Office. This is critical in case of a disaster and we have to account for all individuals on campus at the time of the emergency.

## Accidents, Illness & Emergencies

In the event that your child is injured or becomes ill during school, the office staff will try to contact you and follow the instructions that you entered on Infinite Campus. For that reason, it is vital that you inform the office staff of any change in your daytime phone number or schedule and update Infinite Campus when there are changes. If your child exhibits signs of illness, such as cough, runny nose, nausea, headache, or fever, please do not send him/her to school. Students who have vomited and/or have been running a fever should wait 24 hours before returning to school.

## Head Lice

Head lice are a concern in all schools. As per the PAUSD Board Policy adopted in 2013 (BP5141.33) emphasis is placed on parent and staff education regarding prevention, early detection, prompt treatment and ongoing management of head lice. Parents are encouraged to check their child periodically at home for the presence of lice and to notify the child's school, if lice are detected. More information can be found on the PAUSD website under Health Services (<https://www.pausd.org/school-life/health-wellness/health-services/lice-control>). In addition, the brochure, *A Parent's Guide to Head Lice*, is available online (in [English](#) and [Spanish](#)) and in the school office.

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

## Medications Policy

Should your child need to take **any medication** (including prescription and non-prescription) at school, the parent must bring the medication in the original container to the Main Office. The parent or guardian must provide a completed "Physician/Parent Authorization to Dispense Medication" form before any medication can be administered. These forms are available in the School Office. **A new form needs to be filled out every year.**

- The school does not provide any medications of any kind, including aspirin.
- **Medications must be kept in the office.** No medications of any kind, including inhalers, may be kept in the classroom, the student's backpack or lunch box, without doctor's written directions that the student must carry their medication. They will be kept in a locked cupboard in the office and dispensed as prescribed.

## Insurance

Health insurance for the current school year can be purchased through the District at a nominal fee. The purchase is optional, and more information can be found at:

<https://www.pausd.org/school-life/health-wellness/health-services/student-accident-health-insurance>

## Emergency Preparedness

The PAUSD Emergency Preparedness plan is implemented to provide a food and water supply, sanitation facilities, and portable radio service in the event of an emergency. Each classroom is stocked with an emergency backpack with nametags and small necessities. Regularly scheduled emergency drills are held throughout the year to ensure readiness. Selected staff members are trained in CPR and First Aid.

If a disaster threatens or occurs on school grounds the school ordinarily will not send the children home. Many parents are likely to be away at work or other activities, and it is generally unwise to send young children home during school hours to possibly empty houses. Instead, the school will walk children to the nearest safe school, where they will, in most situations, stay until dismissal time. Ohlone School, 950 Amarillo Avenue, is the school to which Palo Verde students are most likely to be taken.

If during a disaster children are being kept at Palo Verde, Ohlone, or an alternate location, and you (or another person assuming your role) come to pick up your child, please check the child out through the secretary and complete the required release form.



The possibility that your children may need to go home because of a disaster, threat of disaster, or personal illness or emergency suggests how important it is to have current information on neighbors to whom your children should go, if you are away from home. **PLEASE CALL THE SCHOOL (856-1672) TO REPORT ANY CHANGES TO BE RECORDED ON EMERGENCY CARDS AND/OR STUDENT ID CARDS.**

## **Disaster Preparedness**

In the event of a major disaster the following steps will serve as guidelines:

- Teachers will institute the “Duck, Cover and Hold” drill, if appropriate.
- Teachers, designated alternates, and all other adults will also “Duck, Cover and Hold.”
- The teacher will give the signal for evacuation when the teacher deems it safe to do so.
- Evacuation will be to the field, in accordance with the Emergency Evacuation Plan.
- In the event of a disaster, the Site Manager will decide whether to continue school.
- At no time will students be sent home early without parent notification.
- Students will only be released to individuals listed on the Emergency Disaster Tag. Parents are asked to complete tags with the correct names of people willing and able to pick up their children, in case parents are unable to do so. Divorced parents must list the non-custodial parent, if he/she has permission to pick up the student.
- If the child does not know the adult coming to pick him/her up, the school reserves the right not to relinquish the student.
- The District Emergency Supply Kit (stored in the Emergency Container on campus) contains food and water, first aid supplies, splints, stretcher, blankets, and other items in case an extended stay is necessary.

## **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.

## **Alcohol & Other Drugs**

The district recognizes its responsibility to provide reasonable protection for all students from the influence of persons who might encourage the use of mind-altering chemicals. Appropriate action will be taken at the school site level to eliminate possession, use, provision or sale of illegal substances and related paraphernalia in any situation in which the school is responsible for the well-being of all students. Students involved in the possession and/or use of chemical substances, including tobacco shall be subject to immediate disciplinary procedures that may result in suspension or expulsion.

# TRANSPORTATION & TRAFFIC SAFETY

Everyone is concerned and responsible for traffic safety. To reduce traffic, we encourage you and your child to walk, bike, carpool or bike-pool as much as possible. Get to know your neighbors, get some exercise, and come to school together!

If children must be driven, a little additional thoughtfulness and extra time for unexpected delays can help keep our drop-off areas safe for all. Remember that your actions as a pedestrian, cyclist, or driver speak louder than any formal instruction in traffic safety ever can.

If you have any questions or concerns about safety, please contact the principal. If you would like to get involved, please contact the PTA Traffic Safety Chair.

## SAFETY is as easy as 1-2-3-POP!

### 1. Plan to arrive on Time

*The best way to avoid the last minute rush is to plan ahead:*

- Set your clock 5-10 minutes ahead
- Get lunches/backpacks/homework ready the night before
- Take the same route to school every day. The more familiar you are with your route, the safer you will be. Refer to our **Walk and Roll to School Suggested Routes** map for the safest routes to school from your home.

### 2. Observe Pedestrian/Motor/Bike Safety

*Teach and DEMONSTRATE these key safety behaviors:*

- Cross only at corners, preferably at intersections with stop signs and/or cross walks
- Make eye contact with drivers before you cross. (Studies show that young children assume if they can see the driver, the driver can see them. Drivers may be distracted, in a hurry or simply fail to stop at an intersection.)
- Do not make U-Turns in the streets surrounding the school during the posted drop-off and pick-up times. U-Turns are both illegal and unsafe.

### 3. Put the School on Your Right

*To increase safety, please follow a clockwise driving pattern around the school:*

- As you look for a place to park or drop-off or pick up your child, keep the school on your right.
- Ask your child to enter/exit your car from the right
- If you park across the street from the school, have your child walk to the nearest corner or crosswalk before crossing.
- Drop-off your child/ren at designated drop-off areas (front of school on Louis Road or by the gates on Rorke Way).

## Bicycle, Skateboard & Rollerblade Safety

Walking or biking to school is a great way to start and end the day. Please take time to map out the safest route with your child.

It is recommended that only students in grades 3 and higher be allowed to come to school unaccompanied by an adult. We strongly encourage parents to determine that their children are competent on their own BEFORE they are permitted to come to school alone, regardless of age.

**State law requires protective helmets** for all cyclists less than 18 years of age. Bike licenses are required for all bikes ridden on Palo Alto streets and are available from city fire stations from 4-5 p.m. daily.

**Scooters and bicycles must be walked on school grounds and in crosswalks.** Both scooters and bicycles must be parked only in the bike or scooter racks and should be locked.

## Drop-Off, Pick-Up, & Parking

We know that parents driving their children to and from school are often in a hurry. Please help us keep all children safe by observing the following safety tips:

- Let your child out only where he/she will have direct access to the curb area. Encourage your child to exit or enter quickly so that others behind you may let their children off at the curb as well. Do not leave your car unattended.
- If your child needs assistance getting to the classroom, **please park in a regular space** and accompany your child. Allow a few extra minutes to avoid the rush!
- Do not drop students off or pick students up behind the perpendicular parked cars in the Louis Road parking area.
- Be aware of bicycle riders when pulling out of drop off and pick up zones.
- Do not park in or **block the fire lane** by room 15 at any time.
- Do not double park and **do not block access to the designated bus stop areas** (red painted curbs) or neighbors' driveway access.
- On rainy days the drop-off/pick-up area is especially congested. Please allow extra time.
- **Do not make U-turns in front of the school on Louis Road or on Rorke Way.** They are illegal during drop-off and pick-up times, as they are dangerous to both pedestrians and bicyclists.

***Thank you for taking a little extra care to assure the safety of all children at Palo Verde!***

## **Bus Safety**

If your child will be taking a bus to/from school, please review the following information.

- Wait safely in the designated area at the bus stop.
- Be calm and orderly while getting on and off the bus.
- Stay in your seat, facing forward.
- Keep head, hands, and feet inside the bus.
- Follow the bus driver's directions.

Please note that the driver may not let anyone off at a stop different from his or her regular stop without a dated note signed by the parent.

PAUSD Transportation Department determines bus schedules, supervises drivers, and responds to problems. Bus schedules and bus rules are mailed to the parents of all children who ride the bus prior to the opening of school. If you have a question or problem related to buses, please call the Transportation Department at 329-3747.

## **Reporting Problems, Collisions, or Near Misses**

Report all accidents involving students to the PAPD at 329-2413, even if there are no injuries. Also contact your school office to fill out the PAUSD incident report form. For more traffic safety information, please check the PTA Council Traffic Safety website: <https://saferoutes.paloaltopta.org>

Additionally, if you see non-emergency concerns in the community related to traffic, please download the Palo Alto 311 App and report any issues there.

Please report all traffic incidents to the office staff. It is important to report any injuries to the Police Department as well. The information provided goes a long way to track the safety of our streets and help with building a safer community for all.

# **HOMEWORK & MAKEUP WORK**

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

Homework should be designed to:

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

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

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

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

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

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

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

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

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

## **Homework for Elementary Grades**

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

- K = Occasional short homework
- 1 = 0-10 minutes average M-Th
- 2 = 0-20 minutes average M-Th
- 3 = 0-30 minutes average M-Th
- 4 = 0-40 minutes average M-Th
- 5 = 0-50 minutes average M-Th

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

## Homework Guidelines for Teachers

In assigning homework, teachers should:

1. Clearly explain objectives, timelines, suggested amount of time for completing the homework, and required materials associated with the assignment.
2. Post assignments in a manner that is clear, consistent and easily observed by the student both in and outside of the classroom. The use of online communication tools is strongly encouraged at the secondary level.
3. Encourage students to monitor their own assignments.
4. Monitor homework time requirements and feasibility of assignments using student assignments, student feedback, and parent feedback.
5. Differentiate assignments when it is determined that, despite appropriate effort and learning habits, a student is spending more than the expected time on homework.
6. Clearly communicate to parents and students the expectations regarding the amount and quality of homework required by the student and the level of parental involvement to complete assignments.
7. Inform parents and students of opportunities for student assistance.
8. Suggest and practice techniques to help increase efficiency, such as how to allocate time wisely, meet deadlines, and develop good study habits for each subject area. Examples of this may include the use of a binder reminder or computer based tools as communication avenues between home and school.
9. Provide a process for student or parent feedback if there is a concern.
10. Work with grade and department level colleagues to promote consistent homework practices and reasonable total time requirements for each evening.

## Homework Guidelines for Site Administrators

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).

## Makeup Work

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

*(Education Code [2]48980) [2]*

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 5145.6 - Parental Notifications) [3]*

Students who miss schoolwork because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall

be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.  
(Education Code 48205)  
(cf. 5113 - Absences and Excuses)

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

*Legal Reference: EDUCATION CODE*

*48205 Absences for personal reasons 48913 Completion of work missed by suspended student 48980 Parental notifications*

*58700-58702 Tutoring and homework assistance program; summer school apportionment credit*

*Management Resources: SBE POLICIES*

*Parent Involvement in the Education of Their Children, 1994 Policy Statement on Homework, 1995*

## **Parent-Teacher Conferences**

Formal conferences with your child's teacher will be held during the fall. \*Each teacher will arrange the date and time for the conference/s with you. The conference is your opportunity to discuss the details of your child's school experience. It is your opportunity to ask questions and voice any concerns you might have. It is a significant opportunity to point out interests and strengths. In addition to the formal conference, you are encouraged to contact the teacher about any concerns you might be having regarding your child in school. Call the school office at 856-1672 to make an appointment.

*\*Fall conferences are mandatory; spring conferences are at the option of parents, unless the child's teacher feels otherwise.*

## **Progress Reports**

Report cards will be posted online three times a year following the end of each trimester. Parents/guardians can access the report cards through the Parent Portal in Infinite Campus. A hard copy will be made available upon request.

# LUNCH & STUDENT ACTIVITIES

## Meal Charge Policy

The purpose of this policy is to insure compliance with federal requirements for the USDA Child Nutrition Program. This policy will provide oversight and accountability for the collection of outstanding student meal balances.

The intent of this policy is to establish procedures to address unpaid meal charges. The provisions of this policy pertain to regular priced school breakfast and lunch meals only-ala carte/snacks windows and second meals are not included. Palo Alto Unified School District provides this policy as a courtesy to households in the event that they forget to add money to their child's account.

Policy:

- **SCHOOL MEAL PICKUP:** Please refer to detailed information on the next pages (in English, Spanish, and Mandarin).
- **FREE MEAL BENEFIT:** Free eligible students will be allowed to receive one free breakfast and one free lunch each day. (Ala Carte Snack window items and Second Meals are not part of the USDA Child Nutrition Meal Reimbursement Program and are not included).
- **REDUCED MEAL BENEFIT:** Reduced eligible students will be allowed to receive one complete breakfast for \$0.30 and one complete lunch for \$0.40 each day. If a student is without meal money, they will be allowed to charge their meal. The charge meals offered to students will be a choice from the same reimbursable meals that are available to all students. (Ala Carte Snack window items and Second Meals are not part of the USDA Child Nutrition Meal Reimbursement Program and are not included). Students' whose accounts are already negative and they attempt to get Ala Carte Snacks or Second Meals will be told that their account is not set up to charge for this. The goal is to minimize stigmatizing children with insufficient funds. Parents will be notified via email when their student's account goes into a negative balance. If a student is without meal money on a consistent basis, the School Office will investigate the situation more closely and take further action as needed.
- **FULL-PAID STUDENTS:** Students will pay for meals at the school's published paid meal rate each day (Breakfast-all grade levels \$3.00, Lunch Elementary \$5.00, Lunch Secondary \$5.00). If a student is without meal money, they will be allowed to charge their meal. The charge meals offered to students will be a choice from the same reimbursable meals that are available to all students. (Ala Carte Snack window items and Second Meals are not part of the USDA Child Nutrition Meal Reimbursement Program and are not included). Students' whose accounts are already negative and attempt to get Ala Carte Snacks or second meals will be told that their account is not set up to charge for this. Parents will be notified via email when their student's account goes into a negative balance. The goal is to minimize stigmatizing children with insufficient funds. If a student is without meal money on a consistent basis, the School Office will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced priced lunches for their child, if applicable.
- **Parents/Guardians are responsible for meal payment to the food service program.** Online payments are accepted as well as in-person payments to the School Office. Email notices of low or deficit balances are sent to parents/guardians weekly during the school year.

## Nut-Free Tables

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

## **PALO ALTO UNIFIED SCHOOL DISTRICT**

### **School Meal Pickup**

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

**JLS, Gunn and Greene**

Monday 10:45 am - 1:00 pm

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

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

Free students - \$0.00 for breakfast and lunch

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

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

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

You may view our menus at:

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



## PALO ALTO UNIFIED SCHOOL DISTRICT

### Recogida de Comida Escolar

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

JLS, Gunn and Greene

Lunes 10:45 am - 1:00 pm

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

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

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

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

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

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

Puede ver nuestros menús en:

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

## 帕洛阿尔托联合学区

### 領取校餐

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

#### **JLS, Greene 及 Gunn**

周一, 上午 10:45 - 下午 1:00

周二 - 周五, 上午 10:30 - 下午 12:10

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

您可以在此网站上查看我们的菜单

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

## Dietary Guidelines

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

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

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

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

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

- If snacks or foods are served during snack time or events, healthy foods are strongly encouraged such as natural real foods, unprocessed and without artificial food coloring, dyes, or flavors, like fruits and vegetables. We would like to strongly discourage foods with added sugar such as candy, cakes, cookies, soda and juice.
- Food is part of the curriculum.
- Celebrations will follow the celebration guidelines.
- Food as incentive is allowed if part of an IEP or 504 Plan or for approved medical reason(s). However, it is highly encouraged to consider options described in the alternatives to rewards guidelines section.

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

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

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

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

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

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

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

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

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

## Celebration Guidelines

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

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

- As a class, consider beginning a practice of having multiple birthday celebrations by month - all on one day.
- Consider alternatives to food. Try to not make food the focus - plan activities such as dancing, games, crafts, or singing.
- Talk to students about the reasons for healthy makeovers and involve them in the planning of the party.
- Bring age appropriate "food-less goodies," such as pencils, bookmarks, or stickers.
- Make a small gift to the classroom, such as art supplies, posters, or books. Be sure to check with the teacher for anything that might be especially needed.
- For Holiday Celebrations, make efforts to create games, activities and crafts rather than have the party centered around food and sweets.

- Bring a basket of gently used books and have each child in the class get to choose a book (birthday child chooses first)
- If food is involved in this celebration, we strongly encourage the following:
  - If you bring a birthday snack to share, be sure to alert the teacher and Room Parent ahead of time of your plans. And bring in a snack that has no added sugar (natural foods such as fresh fruit, bananas, berries, melons, and vegetables, popcorn, cheese, fresh squeezed juices). Please consider the possibility of food allergies in our children and remember to be gluten and nut free and consider foods without artificial additives and preservatives.
  - If you have time, make treats from scratch to eliminate artificial ingredients, like high fructose corn syrup, partially hydrogenated oils, artificial flavors and colors and preservatives. Again, please consider the possibility of food allergies in our children and remember to be gluten and nut free, and consider foods without artificial additives and preservatives.

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

## Alternatives to Food Rewards

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

### CONSEQUENCES OF USING FOOD REWARDS:

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

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

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

1. Make deliveries to office
2. Teach class
3. Be a helper in another classroom
4. Read morning announcements
5. Sit with friends
6. Have lunch or breakfast in the classroom
7. Have a private lunch in the classroom with a friend
8. Play a favorite game or do puzzles
9. Extra recess time
10. Free time at the end of class
11. Dance to music in the classroom
12. Walk with the principal or teacher
13. Fun physical activity break
14. Trip to treasure box filled with non-food items, e.g., stickers, pencils, erasers, bookmarks, school supplies
15. Teacher or volunteer reads special book to class
16. Fun movie

17. Certificate, trophy, ribbon, plaque
18. Teacher performs special skill, e.g., singing, guitar playing, listen to music or a book on audiotape
19. Read outdoors or have class outdoors
20. Extra art, music or reading time
21. Access to items that can only be used on special occasions, e.g., special art supplies, toys gift certificate to school store (nonfood items)
22. Commendation certificate or letter sent home to parents
23. Resources
24. Show-and-tell
25. Earn points or play money for privileges or non-food items

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

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

## Field Trips

Field trips are an important part of the student's learning experiences. Parents will be informed whenever students will be away from the school campus and parents will need to sign a **Permission Slip**. In some instances, parents will be asked to drive and, to do so, they must have a signed **Volunteer Driver Card** on file in the school office. Volunteer Driver's Requirements include:

- Must have a current, valid DRIVER'S LICENSE.
- Must have Public liability and bodily injury insurance \$300,000 per occurrence.
- Must have Property damage \$100,000 insurance per occurrence.
- Must have at least \$5,000 medical coverage per occurrence.
- Number of passengers must not exceed the number specified for your vehicle by the California Vehicle Motor Code.
- **Each passenger must wear a seat belt.**
- **Children under the age of 8 must be secured in a car seat or booster seat in the back seat.** Children under the age of 8 who are 4' 9" or taller may be secured by a safety belt in the back seat.
- Only adults may sit in the passenger seat with an air bag

***PTA sponsorship of field trips is a vital addition to our program.***

## Lost & Found

The lost and found rack for clothing, lunch boxes and other items is located outside, near the school office. Parents and students are encouraged to check the rack frequently. Money, valuables and small personal items that have been found are turned in to the office. ***Parents are encouraged to mark all personal items with the child's name.*** Unclaimed items are donated to charity at the end of December and at the end of school in June.

## Instrumental Music

Instrumental music instruction is offered to students in the fifth grade. Fifth grade students who are not studying an instrument receive instruction in general (vocal) music. Musically mature 4<sup>th</sup> graders may qualify for string instrument instruction.

Music teachers come to Palo Verde twice a week. Instrumental and vocal music productions are planned each year and parents are encouraged to attend these programs.

Some musical instruments are available on loan from the School District (Music Department phone 858-1254). However, because the number of instruments is limited, priority goes to students for whom the expense of outside rentals would be difficult. Most students rent their instrument for the year from local music stores.

## After School Activities

After school for pay activities are available and participation is optional. These activities include (but not limited to): chess, Spanish, French, basketball, drama, science, art, and other games and activities—as scheduled by the outside organizers. Scholarships may be available as needed. Please inquire with the office or individual program for information about scholarships.

# SPECIAL SERVICES FOR STUDENTS

Palo Verde and the Palo Alto Unified School District provide support systems to assist students with their academic, social, and emotional development. If your child would benefit from one of these services, contact the school Principal.

## **Classroom Instructional Assistants**

Provide assistance to the teacher and students in the classroom. Each 1<sup>st</sup>-5<sup>th</sup> grade classroom receives approximately 6.5 hours of aide time per week (233 hours per year), as a result of direct parent contributions via the Partners in Education (PIE). Once full day kindergarten begins, those classrooms receive up to 14 hours of instructional aide support per week.

## **Challenging the Most Capable**

Students who have been identified as having specific strengths and talents in a designated subject are challenged within their classrooms by the use of complex instruction, open-ended activities, and extension materials. The classroom teacher identifies the strengths and specific needs of these students and modifies lessons accordingly. Children are challenged and guided to do their best and are monitored by their teacher.

## **Reading Support**

When students need additional support to learn to read, they may receive individual and small group reading instruction from the reading specialist. This support is for identified students, primarily in grades 1, 2, and sometimes in grade 3.

## **English Language Development**

Some students attending Palo Verde speak little or no English. The ELD Specialist works with classroom teachers to teach English to these children in small groups, as well as in their classrooms, and frequently assists with communication between school staff and parents. Primary language tutors may provide some instruction in the classroom curriculum in the student's native language while they transition to a new school. Classroom instruction is in English.

## **Student Study Team Process (SST Process)**

When a teacher or parent is concerned that academic or emotional problems are getting in the way of a student's learning, teachers or parents may call a meeting of our Student Study Team (SST Team). These meetings are held on alternate Wednesday afternoons to analyze individual student's needs and design a plan to address specific concerns. Participants may include the classroom teacher, parent/s, principal, resource specialist, psychologist, and any other staff member who might be helpful to the situation (i.e. Reading teacher, English Language Development teacher, previous classroom teacher/s, etc.). After a plan is developed, a follow-up meeting is scheduled to determine if additional interventions are needed and/or necessary.

## **Library Services**

A librarian is assigned to Palo Verde on a part-time basis (4 days a week). The librarian works with each class to develop library and research skills and assists the teacher in gathering resource materials for the classroom.

## **Psychologist**

A psychologist is assigned to Palo Verde on a part-time basis. The psychologist works with the school staff to provide the best possible learning environment for all students, to test and observe students who may need special attention, and to hold conferences with parents concerning the individual needs of their child. The psychologist is primarily concerned with each child's learning patterns and behavior in the school setting. However, parents with particular concerns about their student may schedule appointments with the psychologist.

## **Resource Specialist Program**

Our Resource Specialist is assigned to Palo Verde to work with identified Special Education students. The specialist works either in the classroom or the Resource Room, individually or with small groups of children, on areas targeted for special work. She regularly consults with the classroom teacher, often provides special materials and participates on the Student Study Team (SST Team) and the Individualized Education Program Team (Special Education) meetings.

## **Speech / Language Services**

Our Speech/Language Specialist is assigned to Palo Verde on a part-time basis (2.5 days a week). The therapist works with students who have identified needs in speech or language development. She also consults with parents and staff to support the language and speech needs at home and in the classroom.

## **Volunteers**

Parent and community volunteers readily assist teachers and students in the classroom in a variety of ways to support instruction and augment student learning. We love our volunteers!

# PARENT INVOLVEMENT

## Partners in Education (PiE)

Partners in Education (PiE) is a non-profit foundation dedicated to sustaining Palo Alto's community tradition of extraordinary public education. PiE's vision is to harness the community's support for its schools and build a lasting public-private partnership. They work with parents, the school district, and the community to give all students the best education possible. PiE partners with PAUSD in providing support and enrichment opportunities that help every child receive a well-rounded, fulfilling education from PAUSD. They distribute funds on an equal per-pupil basis at each school level throughout the district. More information can be found at <https://papie.org>.

## Parent Teacher Association (PTA)

The Palo Verde PTA is made up of parents and school staff members who work together to support and enrich the school life of the students and to promote the welfare of all children. It functions as a liaison between the staff and the school community to ensure open communication and understanding of the school program. It also provides a social setting to bring parents together.

Membership is open to any adult in the school community. Annual membership dues are \$12.00 per person. New members are always welcome. Membership envelopes are available in the school office. More information can be found at <http://ptac.paloaltopta.org/>.

### PTA MEETINGS

The PTA Board meetings are held monthly, and general membership meetings are held throughout the year, including parent education events. Advance notice of all meetings is published in the school newsletter, *The VOICE*, as well as through e-news and campus bulletin boards.

## The VOICE

The PTA newsletter, *The VOICE*, is distributed once a month. It is an important link between school and home and is published for the benefit of parents, teachers, and students.

The newsletter contains information about upcoming school, PTA, District and community events. It frequently includes messages to the parents from the Principal and the PTA President. Teachers and community members are also encouraged to submit items. The deadline is 3:00 p.m. on the Friday afternoon preceding publication, unless school vacation or holidays require deadlines be moved. The schedule will be published in *The VOICE* and posted in the school office. Articles may be submitted online to [paloverdevice@gmail.com](mailto:paloverdevice@gmail.com) or placed in the Newsletter folder in the PTA drawer in the Main Office.

The Palo Alto E-News is published online approximately once a week. Subscribe to the E-News on the school website.

## School Site Council

School Site Councils were set up as a result of a statewide program begun in 1990 called School-Based Program Coordination (SBPC). The goal was to enable those individuals closest to the students to be involved in making significant decisions affecting the school's instructional programs, curriculum, and budget. It was a way for those in the school community to work together toward the common goal of improving the school for all students by coordinating and directing the use of supplemental funds.

The School Site Council (SSC) is composed of representatives from all segments of our school community: the principal, 4 staff members, and 4 parents. The SSC comes together to develop a comprehensive school plan to ensure that students of all ranges of ability are best served.

At Palo Verde, the SSC meets generally at 3:30 p.m. on the first Wednesday of each month in the Staff Lounge. Meetings are open to anyone who wishes to attend. Members serve for two years, with terms staggered so that about half of the council is re-elected each year to insure continuity. The Site Council is an important communications link between parents and teachers to insure that we all work together to meet the needs of all students in the school. The Site Council also works closely with the PTA to set priorities and coordinate our expenditures to benefit the maximum number of students. Community members are welcome to attend.

## Single Plan for Student Achievement (SPSA)

The Single Plan for Student Achievement (SPSA) is State-funded and requires staff and parents on our Site Council to take responsibility for providing a program that accurately reflects the current needs of our students. Each year we assess the result of our program and make adjustments to the plans, as needed. Site Council allocates resources to accomplish these changes. SIP funds are administered by the School Site Council.



## Healthy Alternatives to Fundraising

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

1. Encourage the solicitation of non-food items in auctions. Collectibles and large ticket items are attractive and typically raise more money than food items;
2. Plan events and activities that promote fitness (a run/walk or dance marathon)
3. Offer an experience (musical concert);
4. Provide a product (book) or service (car wash, recycling, consulting session, fitness training, photography, company tour);
5. Replace traditional bake sales with "bakeless" bake sales. Instead of buying ingredients and baking an item, parents make a donation in an amount similar to what they would have spent or provide a gift card or gift certificate to a favorite vendor;
6. Ask fundraising companies to provide your schools with fundraising catalogs that feature only non-food or healthy food products;
7. Encourage school fundraisers at restaurants that do not serve fast food but instead have healthy options;
8. Enlist students in developing healthy, profitable fundraising ideas;
9. Enlist students in creating something to sell: art projects, building/making a simple item and customizing it;
10. Include a donation-only option;
11. Identify how much your school needs to raise for the year and suggest a donation amount to families. Know that some will give more and some will give less. Then you can do one or two smaller fundraisers to make up for any shortfall. If your school meets the requirements, donations could be tax deductible — be sure to let donors know of the benefits. Consult with site principal in advanced if considering this alternative.

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

# COMMUNITY ACTIVITIES & PROGRAMS

The following activities and programs are supported and funded by the Palo Verde PTA and community.

**AUCTION:** This is our largest fundraiser of the year; in which items and services donated by parents and local businesses and members of the school community are auctioned to the highest bidders. This fun evening is held typically in March. It is a great social event, as well as a major school fundraiser.

**BACK-TO-SCHOOL NIGHT:** Typically held in the second or third week of school. Parents are invited to visit their child's classroom and listen to the teacher explain their classroom requirements and expectations, give an overview of curriculum content, grading criteria, homework assignment policy, general routines and communication procedures, and other information, which will foster a successful learning environment. Parents are encouraged to leave their children at home to allow for fewer interruptions.

**BOOK FAIRS:** Each fall the PTA sponsors a book fair to promote reading and a love of books for our children.

**HOSPITALITY:** PTA hospitality volunteers welcome new families and facilitates their integration into the Palo Verde School community:

- **Kinder Play Dates** – Held throughout the summer, allowing entering kindergartners and their families to get to know each other over the summer.
- **New Families Ice Cream Social** – Held just before the start of the school year, also gives incoming families a chance to get acquainted.
- **New Family Packets** – Provide valuable information about the larger community.
- **Wednesday Coffees** – Once a month gives all parents a chance to mingle after the Wednesday assemblies.

**ICE SKATING PARTY:** The Ice Skating party is an annual event held at the Winter Lodge on Middlefield Road in January or February. Hot pizza is ordered from a nearby restaurant. Ice skating is optional, having fun is mandatory!

**INTERNATIONAL FAIRE:** International Faire provides an opportunity to display the rich diversity of our community, as families share their cultural heritage through booths, art projects, dances, and food.

**NOON ART:** Noon Art is staffed by parent volunteers on alternating Thursdays or Fridays at lunchtime. Children are encouraged to participate in a variety of art projects.

**PARENT EDUCATION:** Programs and meetings are provided to improve parenting skills and enhance communication within the school community.

**ROOM PARENTS:** Palo Verde room parents assist the teacher by helping to coordinate special class activities and parties.

**SPIRIT SALES:** PTA provides for sales of T-shirts, hats, and sweatshirts with the school logo to promote school spirit.

**TEACHER APPRECIATION:** The PTA coordinates various events to recognize the diligence of the Palo Verde teachers and staff.

**TRAFFIC SAFETY:** A team of parents and staff works with the PAUSD and the City of Palo Alto to manage the flow of cars, pedestrians, and bicycles into the school in order to enhance the safety of all our children.

# DISTRICT BOARD POLICIES

*This handbook contains several important board policies.  
To view all policies, please visit: <https://www.pausd.org/policies#/browse>*

## 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>

## ADMINISTRATIVE REGULATION 1312.3

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

### **District Compliance Officer**

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

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

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

(cf. 9124 - Attorney)

## **AVOIDING CONFLICT**

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

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

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

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

## **NOTIFICATIONS**

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

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

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 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.

## **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 & 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/school-life/health-wellness/bullying-prevention>).

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 & 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 AR1312.3 - 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](mailto: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.

# 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](mailto: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>

## 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](mailto: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 & ACTIVITIES BOARD POLICY 0410 PHILOSOPHY, GOALS, OBJECTIVES, & COMPREHENSIVE PLANS**

The Board of Education is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

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

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

*(cf. 6145.2 - Athletic Competition)*

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

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

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

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

*(cf. 3540 – Transportation)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5145.13 - Response to Immigration Enforcement)*

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

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

*(cf. 1330 - Use of Facilities)*

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

## **NOTIFICATION**

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's 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](mailto: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>

## **BULLYING PREVENTION**

### **BOARD POLICY 5131.2**

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 & 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/lss>  
 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.  
*(c.f. 5137 – Positive School Climate)*

School staff members who witness acts of bullying as defined within District policy shall immediately intervene to stop the incident when it is safe to do so.  
*(Education Code 234.1)*

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

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

**B. Documenting a Complaint**

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

**C. Interim Measures**

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

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

**D. Investigating a Complaint**

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

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

**Complaint Investigation Procedures**

1. The principal/designee shall investigate all allegations of bullying that are not based on a protected status.
2. The investigator may not be the alleged aggressor or the alleged target.
3. The principal/designee or appropriate administrator shall begin a thorough investigation with the alleged target and accused as soon as possible upon receiving a notification of complaint. The school administrators/designees will provide immediate notification to the parents/guardians of both the alleged target and the alleged aggressor.
4. During the investigation, the principal/designee or appropriate administrator may take any action necessary to protect the complainant, alleged target, other students or employees consistent with the requirements of applicable regulations and statutes.
  - a. Interviews of the alleged target, alleged aggressors, and all relevant witnesses are conducted privately, separately, and are confidential. Each individual (alleged target, alleged aggressor, and witnesses) will be interviewed separately and at no time will the alleged aggressor and alleged target 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*

# 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](mailto:complianceofficer@pausd.org)

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

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

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

(Education Code 234.1)

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

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

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

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

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

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

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

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

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

## **ENFORCEMENT OF DISTRICT POLICY**

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

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

## **DISCIPLINARY ACTION**

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

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

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

(Education Code sections 48900 et seq.)

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

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

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

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

### **CONFIDENTIALITY**

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

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

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

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

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

### **RECORD-KEEPING**

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

### **NOTIFICATIONS**

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

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

*Legal Reference:*

#### **EDUCATION CODE**

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

#### **CIVIL CODE**

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

#### **GOVERNMENT CODE**

12950.1 *Sexual harassment training*

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

4600-4687 *Uniform complaint procedures*

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

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

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

1681-1688 *Title IX, discrimination*

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

1983 *Civil action for deprivation of rights*

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

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

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

99.1-99.67 *Family Educational Rights and Privacy*

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

#### **COURT DECISIONS**

*Donovan v. Poway Unified School District*, (2008) 167 Cal.App.4th 567  
*Flores v. Morgan Hill Unified School District*, (2003, 9th Cir.) 324 F.3d 1130  
*Reese v. Jefferson School District*, (2001, 9th Cir.) 208 F.3d 736  
*Davis v. Monroe County Board of Education*, (1999) 526 U.S. 629  
*Gebser v. Lago Vista Independent School District*, (1998) 524 U.S. 274  
*Oona by Kate S. v. McCaffrey*, (1998, 9th Cir.) 143 F.3d 473  
*Doe v. Petaluma City School District*, (1995, 9th Cir.) 54 F.3d 1447  
 Management Resources:  
 CSBA PUBLICATIONS  
*Safe Schools: Strategies for Governing Boards to Ensure Student Success*, 2011  
*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*, Policy Brief, February 2014  
 OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
*Dear Colleague Letter Title IX Coordinators*, April 2015  
*Questions and Answers on Title IX and Sexual Violence*, April 2014  
*Dear Colleague Letter Sexual Violence*, April 4, 2011 *Sexual Harassment: It's Not Academic*, September 2008 Revised *Sexual Harassment Guidance*, January 2001  
 WEB SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>  
 Adopted: Tuesday, February 11, 2014; Tuesday, December 8, 2015; Tuesday, September 12, 2017

## TITLE IX COMPLIANCE

Title IX of the Civil Rights Act provides that “no person...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance.” [20 U.S.C. §1681(a)]

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

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

Title IX / Civil Rights Coordinator  
 Palo Alto Unified School District Office  
 25 Churchill Avenue, Palo Alto, CA 94306  
[complianceofficer@pausd.org](mailto:complianceofficer@pausd.org)

## WILLIAMS UNIFORM COMPLAINT ADMINISTRATIVE REGULATION 1312 .4

The district shall use the following procedures described in this administrative regulation only to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (*Education Code* [2]35186; [2] 5 CCR 4680-1, 4682, 4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, having missing pages, or are unreadable due to damage.  
(*cf.* 6161.1 - *Selection and Evaluation of Instructional Materials*) [3]
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:

- a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.  
(cf. 4112.22 - Staff Teaching Pupils of Limited English Proficiency) [4]
3. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester.  
(Education Code 35186 [2]; 5 CCR 4600)

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

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; [2] 5 CCR 4600)  
(cf. 4112.2 - Certification) [5]  
(cf. 4113 - Assignment) [6]

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

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to or staff; structural damage creating a hazardous or uninhabitable condition, or any other condition deemed appropriate. (Education Code [7]17592.72) [7]

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

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.  
(Education Code 35292.5) [8]

*Open restroom* means the school has kept all restrooms open during school hours when students are not in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs.  
(Education Code [8]35292.5) [8]  
(cf. 3514- Environmental Safety) [9]  
(cf. 3517- Facilities Inspection) [10]

## Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186 [2]; 5 CCR 4680)

## Investigation & Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186 [2]; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186 [2]; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (*Education Code 35186*) [2]

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Board of Education at a regularly scheduled meeting. (*Education Code 35186* [2]; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in the section "Types of Complaints" item #3a above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (*Education Code 35186* [2]; 5 CCR 4687)

All complaints and written responses shall be public records. (*Education Code 35186* [2]; 5 CCR 4686)  
(*cf. 1340 - Access to District Records*) [11]

## Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meetings and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (*Education Code* [2]35186 [2]; 5 CCR 4686)

## Forms & Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (*Education Code 35186*; [2]5CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (*Education Code 35186*) [2]

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (*Education* [2] [2]Code [2] 35186) [2]

*Adopted: Tuesday, August 31, 2010; Tuesday, August 25, 2015*  
*PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California*

# CONDUCT

## BOARD POLICY 5131

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

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

(*cf. 5131.1 - Bus Conduct*)

(*cf. 5137 - Positive School Climate*)

(*cf. 6145.2 - Athletic Competition*)

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

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including but not limited to, physical violence, possession of a weapon, or terrorist threats.  
(*cf. 0450 - Comprehensive Safety Plan*)

*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5142 - Safety)*

2. Conduct that disrupts the orderly classroom or school environment  
*(cf. 5131.4 – Student Disturbances)*
3. Discrimination, harassment, and/or intimidation of students or staff, including bullying, sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption.  
*(cf. 5131.2 - Bullying)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*
4. Damage to or theft of property belonging to students, staff, or the district  
*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 5131.5 - Vandalism and Graffiti)*

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

5. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose  
*(Penal Code 417.27)*  
  
Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.
6. Obscene acts or use of profane, vulgar, or abusive language.  
*(cf. 5145.2 - Freedom of Speech/Expression)*
7. Plagiarism or dishonesty on schoolwork or tests  
*(cf. 5131.9 - Academic Honesty)*  
*(cf. 6162.54 - Test Integrity/Test Preparation)*  
*(cf. 6162.6 - Use of Copyrighted Materials)*
8. Inappropriate attire  
*(cf. 5132 - Dress and Grooming)*
9. Tardiness or unexcused absence from school  
*(cf. 5113 - Absences and Excuses)*  
*(cf. 5113.1 - Chronic Absence and Truancy)*
10. Failure to remain on school premises in accordance with school rules  
*(cf. 5112.5 - Open/Closed Campus)*
11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*
12. Use of a cellular/digital telephone or other mobile communications devices during instructional time.

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

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

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

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health.  
*(Education Code 48901.5)*

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

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

*(cf. 5145.12-Search and Seizure)*

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

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

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

*Policy adopted: 01.12.10 and 06.03.14*

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



# COMMUNITY INFORMATION

## PHONE NUMBERS

AYSO .....	324-0863
Children's Theatre .....	329-2216
Palo Verde Kids Club (On-site Daycare Program) .....	852-9475
Kidline (for Latch-key Children) .....	327-KIDS
Little League .....	494-1933
Palo Alto Recreation Department Program Information .....	329-2261
Parental Stress Hotline .....	327-3333
Poison Control Centers.....	(800) 662-9886
Teen Hotline .....	327-8336
(Specialists available between 3:00 p.m. and 9:00 p.m.)	
PAUSD Food Services .....	329-3806
PAUSD Information Office .....	329-3700
YMCA .....	494-1833

