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https://hays.pausd.org

Walter Hays Elementary School

2022-23 HANDBOOK

Walter Hays Schedule

Grades 1 thru 5

Aug. 11 – June 1	Monday	Tuesday	Wednesday	Thursday	Friday
Start Time	8:25am	8:25am	8:25am	8:25am	8:25am
Morning Recess (1-5)	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am
Lunch Recess (1-5)	11:45am - 12:30pm	11:45am - 12:30pm	11:45am - 12:30pm	11:45am - 12:30pm	11:45am - 12:30pm
Dismissal (1-3)	2:30pm	2:30pm	1:35pm	2:30pm	2:30pm
Dismissal (4-5)	2:55pm	2:55pm	1:35pm	2:55pm	2:55pm

Kindergarten

Aug. 11 – June 1	Monday	Tuesday	Wednesday	Thursday	Friday
Start Time	8:25am	8:25am	8:25am	8:25am	8:25am
Morning Recess	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am
Dismissal	12:10pm	12:10pm	12:10pm	12:10pm	12:10pm

Oct. 11 – June 1	Monday	Tuesday	Wednesday	Thursday	Friday
Start Time	8:25am	8:25am	8:25am	8:25am	8:25am
Morning Recess	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am	10:05 - 10:25am
Lunch	12:00pm - 12:45pm	12:00pm - 12:45pm	12:00pm - 12:45pm	12:00pm - 12:45pm	12:00pm - 12:45pm
Dismissal	2:30pm	2:30pm	1:35pm	2:30pm	2:30pm

TK

Aug. 11 – June 1	Monday	Tuesday	Wednesday	Thursday	Friday
Start Time	8:25am	8:25am	8:25am	8:25am	8:25am
Morning Recess	9:30 - 9:50	9:30 - 9:50	9:30 - 9:50	9:30 - 9:50	9:30 - 9:50
Dismissal	11:35am	11:35am	11:35am	11:35am	11:35am

Tardies

On arriving to school, students should report to the attendance clerk in the school office, sign the tardy sheet, and pick up a tardy slip.

You may report a tardy at any time by leaving a voice-mail message at 322-5956, x4053 or email hays@pausd.org.

If you know your child will be late due to a doctor or dentist appointment, please let the office know in advance for an excused tardy.

Absence

When a child is absent for any reason (unexcused, illness or medical appointment), please call the office and indicate the reason for the absence (the law requires the exact nature of the illness be stated). You may report an absence at any time by leaving a voice-mail message at 322-5956, x4053 or email hays@pausd.org.

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The Walter Hays Story

Walter Hays School was named for a Presbyterian minister who lived in Palo Alto for 15 years (1905-1920). Walter Hays was President of the Board of Education at the time construction of a union high school was being considered. He was able to bring the Palo Alto Board of Education together to agree on a site, when delay seemed inevitable. Palo Alto High School opened in 1919. During his presidency, the South Palo Alto Grammar School was also built. A bronze plaque, designed by John and Pedro de Lemos and located on the brick wall near the Walter Hays School office, commemorates Walter Hays for "distinguished service to the schools of the community."

The original mission-style building of Walter Hays School, designed by noted architect Charles K. Sumner, was built (and opened) in 1923 for $66,000. Residents were critical of the location because it was on the edge of town. The structure contained six classrooms, accessory rooms and a tower over the entrance. In 1947, a six-room wing designed by Palo Alto architects Birge Clark and Walter Stromquist was added, and in 1962, the multipurpose room completed the complex. These two portions were retained when the original building was replaced in 1970. The new library was dedicated to Miss Edith Ellery Patton, who was on the first faculty and served as principal from 1926 until her retirement in 1942. Portables were added to the campus during the '96-'97 school year to accommodate growth and class size reduction. In 2000, construction was completed on a wing of four new classrooms. Extensive renovation of the existing classrooms, library and offices were completed in 2001.

What was once a small six-classroom building has expanded into a facility with over twenty classes, two playgrounds, gardens, and meeting rooms. We educate on average 530 to 560 students each year coming from over 400 families living in Palo Alto and East Palo Alto. We represent a myriad of cultures and races. Our community is diverse in so many ways and yet we come together for one clear goal: To ensure that our students are given the tools they need to achieve their own greatest potential.

Dear Parents,

Welcome to Walter Hays Elementary School! The staff and I are truly excited to be a part of your child's life. Your child will have many wonderful experiences during his/her years here at Walter Hays.

Our goal is for each child to learn and grow academically, socially, emotionally and physically so they may be better equipped to face the challenges of their future. Our staff will support and guide your children as they learn to navigate the world by practicing how to advocate for themselves so that they can develop a sense of personal responsibility and accountability for their academic and social experiences.

We are committed to providing each student with a high-quality academic program, which provides appropriate challenges and support, to ensure that every child reaches his/her potential. Our program also gives students many opportunities to develop in art, music, and drama. Most importantly, we have a strong school and community-wide commitment to social-emotional learning and character education. We look forward to partnering with you to enhance your child's growth.

This handbook contains useful information about our school's vision and mission, our curricular goals, our policies and procedures, and our parent involvement opportunities. Please read and refer to it when you have questions about any of these items.

Sincerely,

Mary

Mary Bussmann
Principal, Walter Hays

Walter Hays Curriculum Goals

The Palo Alto Unified School District has a long-standing commitment to educating the whole child. Our curriculum is designed to help students develop intellectually, physically, emotionally, ethically, aesthetically and socially. We encourage students to become active, engaged learners and responsible citizens. At each grade level our teachers challenge students and help them achieve academic and intellectual competencies. Students receive instruction in reading-language arts, mathematics, science, social studies, visual and performing arts, and physical education. The District has adopted the Common Core State Standards (CCSS) in mathematics and English Language Arts.

The PAUSD Promise

https://promise.pausd.org/home

Palo Alto Unified is recognized as one of the premiere school districts in the entire nation. Currently ranked as the top K-12 school district in California and the #1 district of over 10,000 students in the nation, Palo Alto is truly a destination location for families with children.

In 2019-2020, the PAUSD Promise replaced typical strategic plans to balance organizational goals, student outcomes, and innovative practices. An essential aspect of the PAUSD Promise is the prioritization of goals to maximize impacts. The five priority areas for 2022-2023 are:

- Serve and Celebrate Others
- Mental Health and Wellness
- Early Literacy
- Equity and Excellence
- Healthy Attendance

Our students are challenged to reach high standards and are provided an experience capable of accelerating learning through pedagogical academic supports, unobstructed access to rigorous courses, and an unwavering belief that our schools can positively impact the trajectory of each child.

While competitive in every aspect, PAUSD also values the importance of inclusion and success for all students. We strive to create an environment characterized by acceptance, respect, and support to invest in the pursuit of learning and excellence without fear of threat, humiliation, danger, or disregard.

We are able to make progress on our vision and goals and do special things because of the talent, dedication and professionalism of our educators and staff. Our work is further supported by strong partnerships with our amazing parent community, including our partners from PTA and Partners in Education (PiE) who contributed over 50,000 volunteer hours and $5 million to our operational budget in support of high-priority areas.

PAUSD respects the journey as much as the destination. Please enjoy the summary of our progress this year and our plans to embrace a culture of continuous improvement together!

Philosophy: Vision, Mission & the Walter Hays Way

PAUSD Mission & Vision

Vision
We support all PAUSD students as they prepare themselves to thrive as global citizens in a rapidly changing world. We develop our students' knowledge, critical thinking, and problem solving skills, and nurture their curiosity, creativity, and resilience, empowering every child to reach his or her full intellectual, social, and creative potential.

Mission
We are a public, pre-K-12 school district that unites our students, teachers, staff, and parents to deliver on our collective vision by offering a rich and challenging academic experience to all students within a supportive community, dedicated to preparing our youth for the challenges of living in a fast-changing world.

The Walter Hays Way

At Walter Hays, we strive to bring to life our district's vision and mission statements every day. We partner to create a balanced place for our children to learn and grow intellectually, socially, emotionally, and physically. Together, we live by our Pledge and our Core Values.

Our Pledge
We pledge to create a supportive, respectful, and kind community.

Our Core Values
We, the students, staff and families of the Walter Hays community, strive to live these values every day. We recognize that with consistent effort and practice, along with our best intentions, we support a safe and positive environment for all to learn and grow.

Respect: We honor others by treating them with kindness, courtesy, and fairness.

Perseverance: We put forward our best effort and work, especially when we are challenged.

Cooperation: We agreeably work together to solve problems, and we unite to create a supportive environment for everyone.

Empathy: We accept and support others and acknowledge their feelings.

Inclusion: We include others in activities and games with a welcoming spirit.

Integrity: We make positive and responsible choices that come from within ourselves.

Responsibility: We are all accountable for our behavior, we honor our promises, and we care for our earth.

Initiative: We are leaders and speak up, even when it is unpopular.

Resilience: We remember that there are always other opportunities, and we hold a hopeful spirit.

Classroom Enrichment Programs

Primarily, PTA and Partners in Education parent donations, limited Site Council funds provided by the State, and School discretionary dollars, fund the following enrichment programs. Program selections, evaluations, and priorities are developed with parent and staff participation through the Walter Hays Site Council and PTA.

Classroom Aides: Walter Hays maintains classroom aides in all classrooms (full-time Specialized Academic Instruction Class aides are funded by the district). Teachers describe this support as an integral part of the student-centered teaching approach in our classrooms. Aides lead small group activities, tutor one-on-one, and oversee and correct student work, although their tasks vary according to grade level, specialties, and teacher preferences.

Jr. Museum Science: Walter Hays contracts with the Palo Alto Jr. Museum and Zoo for hands on science instruction as a supplement to the science curriculum taught by our classroom teachers. The classroom teacher is present during these labs, which include the following subjects: Trees, Wood and Paper, Animals 2x2, Solids and Liquids, Plants and Animals, Air and Weather, Insects, Balance and Motion, Pebble, Sand and Silt, Matter and Energy, Baylands/Structure of Life, Sun, Moon and Stars, Electricity and Magnetism, Environments, Solid Earth, Mixtures and Solutions, Living Systems, and Water Planet. Additionally, Walter Hays holds a unit on Oceans, which includes the study of sandy beaches, marshes and mud flats, the kelp forest, and the open ocean.

Spectra Art: Walter Hays offers this award winning art instruction program twice a month to all K-5 students. The art docent instructor introduces and demonstrates grade-level appropriate instruction and projects. The art works are exhibited in many of the school hallways, as well as the classrooms.

Oceans Week: In cooperation with the Jr. Museum Science instructors, Oceans Week classroom activities take place during the spring of the school year. Each grade specializes in an ocean unit, integrating art, science, language arts, and field trip activities geared to their specific area of study: K-1st: rocky shores, 2nd: sandy beaches, 3rd: marshes and mud flats, 4th: kelp forest, 5th: open ocean. Oceans Week also includes an all-school Hat Parade and a classroom Open House.

Educational Resources

Technology: Technology plays an important role in the Walter Hays student's academic life. The staff provide ongoing technological skill development and usage for grades K-5 using interactive whiteboards, computers, Acers, classroom document cameras, and laptop carts. Activities using the computers and interactive white boards as a tool enhance skills in math, language, science, social studies, problem solving, word processing, and keyboarding. Students learn to use electronic reference materials such as on-line encyclopedias and databases, age appropriate web sites and other on-line tools as additional sources of information. They also gain the skills to use print and electronic research to create both written reports and electronic presentations.

Library Media Center: The Library Media Center plays an integral part in the education of the students at Walter Hays, a role that is facilitated by its central location on campus. At over 25,000 items, the collection represents a balance of picture and chapter books, as well as non-fiction and reference works. Additionally, curriculum-based materials in CD, DVD, and electronic form (e.g. Safari Montage) round out the collection. Access to applications such as I-Ready, and RAZ-Kids allows students to hone academic skills, while private web resources such as World Book Online and BrainPop, found via PAUSD's LibGuides, provide them with reliable and reputable tools for research. Close ties to the Palo Alto City Library encourage students to take advantage to an ever-widening array of print and online resources.

Library Media Teacher: The Walter Hays library is staffed by a part-time, certificated library media teacher who provides reading guidance to students and parents, and instruction to students in library, reference, and research skills using both print and electronic sources. The library media teacher also directs a dedicated corps of parent volunteers that keeps the library running efficiently. Students have access to the library for both curricular needs and independent reading interests. The library hosts visiting authors, a book fair, and a continuous display of art and schoolwork. The library's impressive collection does depend on parents and students to replace lost or damaged library materials. Finally, donations are always welcomed; indeed, students and families may donate a book or other item to the library in honor of a birthday or any other occasion.

District P.E. & Music Traveling Teams: P.E. and Music Traveling Teams are specialized teachers who deliver physical education and music instruction to all schools throughout the district. Our students receive 30 minutes of P.E. instruction for grades 1-3 per week and an average of 35 minutes twice a week for grades 4-5 per week. Our music team for grades 1-3 delivers 30 minutes of musical rhythm, exploration, theory and history each week. Grades 4-5 receive 40 minutes of general music, recorder, violin, viola, cello, clarinet, trombone, trumpet or flute instruction twice a week. These Traveling Teams also supply "release time" to teachers for lesson plan preparation. Special attention is given to allow grade-level teachers common release periods to encourage collaboration.

Student Study Team: The Student Study Team meets with parents and teachers to discuss the needs of and recommend appropriate interventions for individual students about whom there may be concerns. This team may include the school psychologist, the resource specialist, the speech language teacher, the classroom teacher, and the principal. Parents and teachers may request a student study team meeting by either contacting their child's classroom teacher, the resource specialist or the school principal.

Individual Educational Plan (IEP) Teams: The IEP Team, may be comprised of the school psychologist, the resource specialist, the speech and language specialist, the reading specialist, and the principal, who analyze the special education needs of a student. Walter Hays has programs to provide language-speech assistance, special education programs and other services deemed necessary to fill the needs of individual students who are eligible. This professional team provides assessment and consultation to parents, to staff, and in some cases to students.

Student Assessment

Walter Hays teachers use a number of formal standardized and informal assessment methods to evaluate student achievement in the instructional program.

Reading: Teachers in grades K-5 assess students' progress in reading using the I-Ready assessment tool. All students are assessed in the fall and spring, and those who do not meet the grade-level benchmark in the fall are also assessed in February. The assessment helps identify specific skills in which students excel, need re-teaching, or extra practice.

Writing: Teachers assess students in writing in the beginning of the school year to determine the skills they possess and the next step in their development. This assessment provides teachers with important instructional information to build upon what students know and to further support their writing skills. After a school year of instruction and practice the students are formally assessed in the spring to determine their growth.

Math: Similarly, teachers in grades K-5 assess students in the beginning of the year to determine the skills they possess in each of the math strands. Student progress is regularly evaluated following instruction of each unit of study in math through the Bridges in Mathematics Written Assessments. Basic Facts practice is embedded in instruction throughout the year and can be administered in any way that measures students' fluency: paper/pencil, oral, or computer-based problems.

Standardized Tests: Finally, students at Walter Hays in grades 3-5 participate in the California Assessment of Student Performance and Progress (CAASPP), which is a system of assessments for mathematics and English-language arts (Smarter Balanced), science in grade 5 (California Standards Test), or the California Modified Assessment. These assessments are administered in the spring and are designed to evaluate students' knowledge in the content areas.

These standardized assessments are one indication of how a student is assimilating the content being taught. Formal and informal classroom assessments obtained by regular teacher observation, conferring with students, student participation and contributions to individual and collaborative work, along with pre- and post-tests throughout the school year, provide the teacher with a more comprehensive picture of how each student is learning. The assessment data reflects an active and ongoing process and provides teachers with essential information to plan for differentiated instruction to effectively meet the needs of their students.

The Walter Hays Way: Educating the Whole Child

We believe that children who have strong social and emotional skills are better prepared to handle the challenges of academics, are more resilient, and are more likely to become the leaders of tomorrow.

The Walter Hays Way represents the work of the students, teachers, and the Site Council, as we envisioned the kind of environment that would be best for all students to learn and grow. It is the structure for how we educate social and emotional values for our community. We hope you will partner with us to model these values for our children.

Walter Hays Core Values Practice

At Walter Hays Elementary School, students in kindergarten through fifth grade participate in school-wide character education/social skills development. This focus is designed to support students' safety and growth by learning:

- To take personal **responsibility** by treating others with **respect** and being accountable for their work.
- To demonstrate **empathy** by acknowledging others feelings.
- To reflect on their efforts when they make a mistake, using the opportunity to apply what was learned from the experience and to **persevere** to the next step of the challenge.
- To remember **resilience** when we fail; knowing there are other opportunities and keeping an optimistic and positive perspective.
- To take the **initiative** to lead others to solve important problems or to make a positive impact in the community.
- To generously **include** and **cooperate** with others as you work and play.
- To demonstrate personal **integrity** by making positive and responsible choices that reflect our values.

Walter Hays Conduct Expectations

Statement of Purpose

As members of the Walter Hays community, we pledge to create a supportive, respectful, and kind environment for all to learn and grow, with a commitment to the Walter Hays Core Values of: responsibility, integrity, initiative, respect, perseverance, resilience, empathy, inclusion and cooperation.

As a student at Walter Hays:

- I try my personal best inside and outside the classroom.
- I take responsibility for all of my behavior.
- When I make mistakes, I reflect on the mistake and accept reasonable consequences.
- I speak and interact in a polite way with others at all times.
- I do not solve problems with physical or verbal aggression. I use polite words and seek help when necessary.
- I listen quietly and attentively whenever an adult is talking.
- I respect the personal space of others by keeping all parts of my body to myself.

General Expectations

A. Disagreements and misunderstandings occur in our lives every day. We want each student to feel safe and empowered to solve conflicts and positively move forward to learn and play. **The Peace Path** was developed to help students' resolve conflicts. There are five **Peace Paths** located on campus. All students and staff are trained how to use the paths at the beginning of each school year.

- Recognize Your Feelings - Take a moment to take a deep breath, think about what happened and how it made you feel.
- Talk – Share what you believed happened using an 'I' message and how you felt about it.
- Listen – Give the other child a chance to express their perspective about the event and how they felt.
- Take Responsibility – Think of how you may have contributed to the conflict.
- Cooperate – Think of ways you both can work together to solve the problem.
- Challenge – If you are having trouble working together to solve the problem, get help from an adult, yard duty, teacher or principal.

B. School Boundaries for students: For safety and security reasons, students are expected to avoid any unsupervised areas (except when it is required, or by special permission from your teacher), including:

1. Parking lot
2. Bicycle rack area during school hours
3. Behind the Multipurpose Room and portables
4. Rinconada Park
5. Middlefield side of the buildings
6. Behind the shed and the large storage container on the playing field, adjacent to Embarcadero Road.
7. Never leave the school grounds during school without special clearance from the office.

C. Students are expected to treat all school items with care and respect, including the buildings, desks, books, equipment, and play areas. As residents of Palo Alto, we are responsible for the materials and supplies entrusted to us.

D. For the safety of all students, parents should supervise their children's activities after school. Students should not wait for friends or play on the school grounds after school without parent supervision. Students should go home at dismissal.

Student Playground Expectations

A. Be safe and respectful in all games. Tackle games (including football) are not allowed. No karate or boxing.
B. Be inclusive. Do not exclude others by playing lockout games.
C. Take good care of the play equipment you are privileged to use.
D. Running and Tag Games are allowed on the grass and not on the blacktop or around or on the play structures, at any time.
E. Carrying others around (including piggy backs) is not allowed.
F. Jump ropes are for jumping only.
G. Personal toys and balls must be left at home unless special arrangements are made with the teacher or principal.
H. Play only within the playground area, marked by blue lines, marked on the ground. Students are not allowed behind or on top of the portables or behind the earthquake container. Always stay a "hula hoop" distance from all fences.
I. Playing in the bathrooms is not allowed.
J. All snacks and lunches are to be eaten at the lunch tables, not while walking in the playground. No food items are allowed in the bathrooms.
K. Only kindergartners may play in the kindergarten play yard during morning and lunch recess.

Student Lunchtime Expectations

A. **Walk** to the lunch line and to the tables.
B. For Health and Safety reasons: Eat snacks/lunch in the lunch table area - not on the playground. Students should eat their own snack and lunch and not share food with others.
C. Students should eat their own snack and lunch and not share food with others.
D. Non-food allergy students will respect the ***Peanut Free*** table.
E. Please use respectful table manners at snack and lunch times. Avoid shouting, throwing paper or food, and standing on tables.
F. Be seated during lunch. Walk to the playground when you're dismissed.
G. Clean up your lunch place. Throw away your trash, recycle, and compost other items. Take home your uneaten food.
H. Participate in your class's turn cleaning tables and the lunch area.
I. Do what you can to cut down on food waste. Talk to parents about what you prefer to eat for snack and lunch.

Safety Policies, Parking & Traffic Procedures

Student Drop-off Time: Students may be dropped off **at 8:10 a.m**. Playground supervision begins at 8:10 a.m.

Therefore, please be sure that children arrive only between 8:10 a.m. and 8:20 a.m. or that an adult stays with the students who arrive before 8:10 a.m. Unsupervised children will be asked to sit in the office until 8:10 a.m.

Classroom instruction begins promptly at 8:25 a.m. If your child arrives after this time they must check-in to the office to obtain a tardy slip.

Playground Supervision:

- Morning Supervision: Supervision is provided after 8:10 a.m. Please drop your children off after this time.
- Dismissal: There is no adult supervision of students after school.
- Children should leave campus after dismissal, traveling to their parents' agreed upon destination.
- After school parental supervision on the playground is required.

Adult Traffic Patrol Guards: Supervision begins at 8:15 a.m., at Middlefield/Embarcadero and Newell/Embarcadero intersections.

Safety Practices & Routes: Because accidents involving motor vehicles and child pedestrians are the leading cause of death for children aged 5-12 in California, we ask everyone to help us prevent traffic accidents involving children near Walter Hays School. Parents can help by keeping the safety of all children in mind when planning their child's route to and from school. Whatever route you choose, help safeguard your children by teaching them the basics of traffic safety and accompanying them until you are confident that they can negotiate the route safely alone. Remember that your actions as a pedestrian, cyclist, or driver serves as the predominant model of traffic safety instruction for your child.

Choose an Alternative Driving Route: Please do not drive or park at the cul-du-sac end of Coleridge Avenue to drop your child off in the morning or in picking them up in the afternoon. Many of our students use this route to walk, bicycle, or scooter to and from school. Cars are a tremendous hazard to the children in this busy location.

Think Green: Consider carpooling, walking, biking, rollerblading, or taking the bus to school to reduce the traffic congestion in the parking lot and on neighborhood streets.

Driving - Speed Limit & Parking: If children must be driven, avoid congestion by arriving a few minutes early. Even if you're running late, please continue to travel at a slow, safe speed in the school parking lot and surrounding street areas.

THE SPEED LIMIT IN THE WALTER HAYS PARKING LOT IS 5 MPH AT ALL TIMES.

Field Trip Transportation: When driving on a field trip that is leaving school between 8-8:30 a.m., please park along Middlefield and walk to the classroom to pick up the students you are assigned to drive rather than parking your car in the Walter Hays parking lot.

Parking Lot Safety

The Walter Hays parking area was designed many years ago and is not able to accommodate our current enrollment. Safety is our primary concern and because of our limited parking space we have developed the following safety procedures. For the safety of our community we implore you to follow this procedure when picking up or dropping off your child.

Parking Lot Supervisors are on duty from 8:10–8:30 a.m. and from 2:30–3:00 p.m.

- Their role is to assist your child into the car and direct cars safely as they enter and exit the parking lot.

- Please remain in your car, while these supervisors facilitate the traffic flow.
- We ask for your cooperation with the supervisors to maintain safety and efficiency during these drop-off and pick-up time periods.

To maintain a safe environment, all parents must adhere to the following rules:

1. THE PARKING LOT SPEED LIMIT IS **5 MPH** AT ALL TIMES.
2. The right lane along the curb is for dropping off or picking up students: "Loading/Unloading Zone".
3. The left/center lane is for "Through Traffic" to exit the parking lot.
4. **Parking and leaving your car unattended along the yellow loading/unloading curb for any reason is prohibited and may result in a citation for the offense** between the hours of 8:00 a.m. and 8:30 a.m. daily, 2:30 p.m.- 3:00 p.m. daily, except Wednesdays; and 1:15 p.m.-1:45 p.m. on Wednesdays**.** During these designated times, this area is for loading/unloading children only.
5. **Bus Loading and Unloading Zones: Do Not Park Areas**
   - The area 50 feet prior to school entrance driveway on Middlefield Road
   - The right lane "Do Not Park; Bus Loading Zone" indicated area, in front of Rooms 16, 17, and 18.
6. Pull your car all the way over to the yellow "loading/unloading zone" curb before allowing your child to get in or out of the car.
7. Students should enter and exit on the curbside of the car only.
8. Do not form a double line of cars in the "Through Traffic Lane" to pickup or drop off students. Children must not walk between idling or creeping vehicles to reach the curb.
9. If you have picked up your child and are ready to exit, but the yellow/red curb "loading /unloading" zone is still occupied by waiting vehicles, please cautiously merge left into the "through traffic lane" to exit the parking lot.
10. On rainy days, the parking lot is particularly congested. Please be patient and allow a lot of extra time. Make prior arrangements with your child for another meeting place, if at all possible.
11. If you park in one of the visitor spaces near the exit side of the lot, make sure your child uses the pathway around the perimeter of the lot to get to or from your car. Walking across the lot is unsafe.
12. Should you wish to accompany your child to school, park in the Junior Museum lot or along Hopkins Avenue (bordering Rinconada Park).
13. When exiting the lot, observe the "no left turn between 8-8:30 a.m. and 2:30-3:15 p.m." sign, to avoid backups. This violation may result in a traffic ticket.
14. AREAS OF THE PARKING LOT MARKED "BUS ZONE", "STAFF", AND "HANDICAPPED" ARE TO BE USED FOR THOSE PURPOSES ONLY.
15. **FIELD TRIP DRIVERS:** PARK YOUR CARS IN THE JUNIOR MUSEUM PARKING LOT AND WALK TO THE CLASSROOM TO RECEIVE INSTRCUTIONS FROM THE TEACHER.

Bicycle Safety

- Students in the 3rd grade and above may ride bikes, unaccompanied, to school. All 3rd graders will receive basic bike safety training in the fall. Following basic traffic rules (e.g. stopping at stop signs, riding on the right, not darting out of driveways) will prevent most bicycle accidents for young riders. We urge parents to determine if your children are competent riders who follow the rules of the road before permitting them to ride unaccompanied to school, regardless of age.
- For safety's sake, bicycles must be walked on school grounds and in crosswalks.
- All cyclists under the age of 18 are required by state law to wear protective helmets. Bike licenses are required for all bikes ridden on Palo Alto streets, and are available from city fire stations from 4:00-5:00 p.m. daily.
- Bikes and scooters should be locked at all times to the racks, which are located by Room 4, behind Room 16 and in front of Room 23. Invest in a strong lock (we recommend a kryptonite type), to guard against lock cutting devices.

Please lock your bikes whenever on campus!

WALTER HAYS SCHOOL IS NOT RESPONSIBLE FOR

THEFT, DAMAGED OR VANDALIZED PERSONAL PROPERTY.

Dogs on Campus

For the safety of all, dogs are not allowed on campus, at any time.

Volunteer & Visitor Sign-In/Sign-Out

Between 8:25 a.m. and 2:55 p.m. (8:25 a.m. and 1:30 p.m. on Wednesday), **ALL school volunteers and visitors must sign in at the office when they arrive at Hays and wear a Walter Hays Visitor Badge while on campus.** Visitors and volunteers should sign out and return their visitor badge when leaving. Parents and caregivers who are dropping off and picking up students do not need to follow this procedure during 10 minutes before and after drop off/pick-up.

Gates

All school gates are locked at 8:45 a.m. and will be opened again at 2:20, 1:15 p.m. on Wednesdays and minimum days.

Emergency/Disaster Procedures

In the event of an emergency, Walter Hays staff will follow Palo Alto Unified School District procedures. Each classroom is equipped with a Red Backpack containing a class roster, and a disaster release tag for each child. The backpack contains basic first aid and emergency materials.

In addition, we have a site emergency supply kit that contains water, food, extensive first aid supplies, splints, blankets, cold packs, flashlights, tarps, and other important emergency supplies. We are prepared to care for the children until you or your designee can come to the campus.

Please note that in the event of an emergency your child will only be released to you or to the person or persons you have indicated via Infinite Campus. Please be sure to keep this information current.

Procedure for Student Checkout During an Emergency:

1. Once you have arrived at school, report to the Command Center to complete a **Release Request Slip** for your child and for other children for whom you are responsible.
2. School staff will bring your child to the Command Center.

We ask for your cooperation with this procedure so that we can keep track of our students' whereabouts at all times, this is to help insure the safety of all of our students.

Student Health Services

Health services are provided in Palo Alto to protect the health and safety of pupils and to identify health problems that may inhibit a child's activities and ability to learn. If a pupil is to be exempted from these services, his or her parent must file an exemption card annually. School personnel are required by State Law to notify parents when pupils are suspected of having health problems.

Emergency Contact Information: This information instructs school personnel as to whom to call in an emergency if you cannot be reached in a reasonable amount of time. The information is drawn from Infinite Campus, which parents review and update annually. Please update the school office and Infinite Campus of any changes to your child's emergency information during the school year. The emergency contacts should include who should be called in the case of illness if we cannot reach you.

Hearing & Vision Testing: Hearing and vision testing is given at the time of enrollment in kindergarten and every three years thereafter, grades 2 and 5, through grade 8. A color vision test is given to boys in grade 4 and in grades 5 through 8 for those boys not previously tested. Parents should understand that the testing program is a screening process only and does not rule out the possible existence of certain vision problems best diagnosed by a physician.

Lice: PAUSD has established a school board Policy and Protocol to address lice:

Palo Alto Unified School District BP 5141.33, adopted 02.26.13
http://go.boarddocs.com/ca/pausd/Board.nsf/goto?open&id=BLN8P61F390F
(PAUSD school board Policy and Protocol can also be found on page 23 of the handbook)

We have also established a set of Best Practices at Walter Hays, as follows:

- Parents are responsible for checking their children on a regular basis and notifying the school if they find lice.
- If a teacher sees a student with symptoms of lice, they are sent to the office for the office staff to check. If live lice are found, parents will be notified to pick up their child immediately so they may begin treatment. If only nits are found, the parents are notified, but the student is not sent home.
- In all cases, an exposure notice will be sent home to all students in the exposed classroom/grade level.
- After treatment, a parent must accompany the child to the school office for re-admittance.
- In the event of multiple cases of lice in a classroom, trained school personnel will perform lice checks on a broader scale, as determined by the principal.

Medications: If a child requires medication at school, all medication (including over the counter medications) must be kept in the office. School personnel are not allowed by state law to dispense medications, except under direct written orders from the physician. All medical forms are available at the office or at https://www.pausd.org/school-life/health-wellness/health-services and must be signed by the doctor and a parent. Medications left in June will be sent to a hazardous waste disposal site.

Allergies/Asthma: If your child has allergies/asthma, which may require emergency medication such as an inhaler, Epipen or Benedryl, please provide two sets of medication along with the appropriate physician signed documents. One set of medications will be in the office and the second set will be kept in the classroom. If a student has been identified by a parent in Infinite Campus as requiring emergency medications, the student will not be permitted to attend field trips until all medication and forms have been provided.

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.

Immunizations: Immunizations against poliomyelitis, diphtheria, tetanus, measles, rubella, mumps, hepatitis B, and whooping cough are mandatory for school enrollment in any grade unless contrary to the family's religious or personal beliefs. New students transferring into PAUSD and all first graders are required to have a full physical examination and return a completed School Health Report. Immunization information may be obtained from the Santa Clara County Public Health Department (408) 299-6850. A California School Immunization Record becomes a part of the student's permanent record.

First Aid: School personnel are not permitted to render more than immediate first aid. Except in extreme emergencies, parents are contacted before a physician is called. Parents, be advised that there is no school nurse on duty at Walter Hays. In case of sudden illness at school, a child will be kept at the school office only until he can be released to the care of a parent or other adult designated via the student's Emergency Information. It is imperative that the Annual Data Update is completed by the first day of school. Please update the school office and Infinite Campus of any changes on your child's emergency information during the school year.

Contagious Illnesses: Please keep your child home during the first few days of a cold, flu, or similar illness to avoid spreading the illness. Your child must be free of fever for 24 hours before returning to school. Your child must be free of symptoms of diarrhea and vomiting for 24 hours before returning to school.

If you discover that your child has a contagious illness or condition (like chicken pox, pink eye, head lice, giardia, pinworms, strep throat, diarrhea, fifths disease, scarlet fever, hand/foot/mouth disease, or impetigo, etc.), notify the school office so that his or her teacher, and parents of classmates may be informed.

PTA & Teachers' Classroom Celebration Guidelines

In an effort to be more thoughtful about our students' health, the PTA and Walter Hays Teachers ask you to please consider limiting the amount of sugar in foods you bring to school for your children's birthdays and classroom Holiday Parties.

There are other elementary schools in our district that have a ban on sweets and treats. We aren't suggesting a total ban on sugar, but rather more measured thinking in choices and portions. We have included some of the ideas from those school communities and those ideas from our own parents and teachers. Your child's teacher and your class Room Parent will communicate more on this subject, but here are some guidelines:

- If you bring a birthday snack to share, be sure to alert the teacher and Room Parent ahead of time of your plans.
- Bring snacks that are low in 1) added sugar, 2) refined carbohydrates, 3) preservatives and food colorings – for example: fresh fruit, veggies and dip, 100% fruit popsicles, dried fruit, plain salted popcorn, whole grain muffins or crackers. All other things being equal, please choose organic treats.
- As a class, consider beginning a practice of having multiple birthday celebrations by month – all on one day with one treat.
- Consider alternatives to food treats, i.e., bring in a pencil or a sticker for each child rather than a sweet.
- Bring a basket of gently used books and have each child in the class get to choose a book (birthday boy/girl chooses first)
- For Holiday Celebrations, make efforts to create games, activities and crafts rather than have the party centered around sweets.

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.

General Information

Personal Items: Please mark your children's personal items with their name and telephone number. Please leave toys at home.

Bulletin Boards: There are bulletin boards posted outside every classroom as well as next to the office and in the corridor outside the multi-purpose room. There are also school activity boards between rooms 12 and 13 and by Room 8. Check these boards for information about special events and activities.

Middlefield/Embarcadero Sign: There is a marquee sign on the corner of Middlefield and Embarcadero, which lists upcoming special events.

E-News: If you would like to receive school news via e-mail, please contact the PTA Communications Vice President.

Tardiness: School begins promptly at 8:25. Your child is expected to be ready to begin the day at that time. If your child arrives after the 8:25 bell, students are expected to sign in at the office and get a tardy slip before going to class.

Early Pick-Up: A child may be dismissed from school if a call or note to the teacher has indicated the specific reason. Children may not be excused on a regular basis for extra-curricular activities such as music, art, or dance lessons. A child leaving school early must report to the office, wait for transportation there and the parent/guardian should sign them out. Students returning to school also need to check back in to the office.

Absences: Please notify the office via telephone or email (hays@pausd.org) if your student will not be in school that day for any reason including illness, family plans and travel. If your family is planning a trip, please notify the school office and your child's teacher in advance, so arrangements can be made to make-up schoolwork.

Breakfast and Lunch: PAUSD will be providing complimentary school breakfast at recess and lunches to all of our students each day. If your child prefers to regularly eat breakfast at home and/or bring their own lunch, please inform the school office to reduce food waste of unused lunches.

Leaving Campus: Students are not to leave school grounds during the school day without written permission. Parents/Guardians must sign out the student at the office before leaving.

Lost & Found: We advise parents to mark children's belongings, including musical instruments, with their names. Small items found at school, such as keys, glasses, etc., will be kept in the school office. Larger items and clothing may be found in the lost and found cart located in front of the school office. All lost and found items not claimed at winter and spring break and at the end of the school year will be donated.

Wildcat: The Walter Hays PTA publishes a newsletter, which contains important information about school activities and special events and can found on the Walter Hays PTA E-News email distribution.

The Walter Hays Team

Beyond the teachers and staff, the Walter Hays community also relies on three organizations essential to making this the school that it is: Partners in Education (PiE), the Walter Hays Site Council, and our Parent and Teacher Association (PTA).

Parent & Teacher Association (PTA)

The Walter Hays PTA is a vital part of the community providing three key functions to the school: volunteer, financial and community support.

Volunteer Support: The PTA recruits and manages an extensive army of parent volunteers who together ensure that the teachers and staff have the resources and support they need to provide our students with the best education possible. The Volunteer Services Team uses online software to advertise and manage the sign up process for most volunteer opportunities.

Financial Support: The PTA raises a critical portion of the annual school budget; covering such essential non-personnel items as technology support, staff development, and operational needs. These PTA funds are raised through parent contributions to the Walter Hays Annual Fund Drive, a one-time "ask" at the beginning of each school year, and the Walter Hays Fall Fest Event, which includes an auction and Party Sign-ups.

Community Support: Through our many annual events such as the Cultural Festival, Fall Fest, Staff Appreciation Week, our outreach events, and our parent education program, the PTA is the cornerstone of the Walter Hays community. Beyond school events, the PTA connects the community through our monthly Wildcat Newsletter, eNews, and our website.

The PTA Executive Board is elected from the parent community serving one-year terms in the following positions:

- President
- Vice President Elect
- Vice President, Fundraising
- Vice President, Events
- Vice President, Programs
- Vice President, Communications
- Vice President, Core Values
- Vice President. Health and Safety
- Vice President, Community Building
- Vice President, Volunteer Services
- Parliamentarian
- Secretary
- Treasurer

The Executive Board meets monthly. The principal, a staff member liaison, and the Site Council Chairperson also attend these meetings.

Membership in the PTA is entirely voluntary. However, we are proud to have one of the highest participation levels in the district. Membership and parent education meetings are open to all parents and staff members. We invite you to attend to learn more about your PTA.

Partners in Education

Partners in Education (PiE) is a non-profit foundation dedicated to sustaining Palo Alto's community tradition of extraordinary public education. As budget cuts across the state have reduced the Palo Alto Unified School District budget, PiE donors have played an increasingly important role in supplementing core programs funded by the district.

Gifts to PiE make it possible for us to provide instructional aides in every classroom, supplemental science instruction at the Junior Museum, Spectra art lessons in all classrooms, and additional staffing support for the students and teachers at Walter Hays. PIE is entirely funded by parents and other community members.

Site Council

The Walter Hays Site Council is responsible for establishing school goals, and allocating School Improvement Program (SIP) funds received annually from the state for prioritized school improvements. In addition, the Site Council conducts a parent survey every other year and develops the Safe School Plan and the School Accountability Report Card. The Site Council is composed of an equal number of parents and staff members serving two-year terms. In addition, the principal and a PTA parent liaison serve on the council. Parent representatives are elected for a two-year term in the spring, and the Walter Hays staff selects staff representatives. The Site Council meets once a month and are open to all parents and staff members (see Calendar in Student Directory for schedule).

Parent Volunteers

Information & Opportunities

Volunteering at Walter Hays: There are many ways that parents can volunteer at Walter Hays, some examples include:

- Facilitating a small student group in the classroom
- Serving as a lunchtime playground aide
- Assisting in the Library
- Driving and chaperoning on a fieldtrip
- Reading to or listening to a child read
- Make baked goods for the Fall Fest
- Deliver much appreciated snacks to the staff

The PTA, in partnership with the teachers, recruits volunteers to assist in essential school-wide programs such as health and safety related concerns, as well as fundraising, events, and communications. Parents are invited to volunteer during the Back to School Coffee held on the first morning of school and at Back to School Night held during the first month of school. Conveniently, the PTA Volunteer Services Team advertises and manages the sign-up process for most volunteer activities via an online software tool making it easy to find opportunities and sign up.

Certain requirements are expected of volunteers including:

- **Sign In:** Each volunteer must sign in and get a badge at the front office before going to their respective volunteer job.
- **Proper Insurance for Field Trips:** All field trip drivers must have a transportation form on file in the school office. The minimum auto insurance requirements are $100K/$300K public liability/bodily injury per occurrence. All children must be secured in seatbelts on field trips, and children under 13 must not be seated in front seats of vehicles with passenger-side air bags.
- **Field Trip Drivers:** A seat belt must be available for each passenger and each passenger is required to wear a seat belt. "Children must be secured in an appropriate child passenger restraint (safety belt or booster seat) IN THE BACK SEAT OF A VEHICLE until they are at least 8 years old or 4'9" in height. (CHP)

Thank you in advance for your participation as a field trip driver and student chaperone. The teachers appreciate your support and focused attention on the students and their safety during these trips.

The Family-School Partnership Act: Effective January, 1995, this law allows parents to take time off from work to participate in their children's school activities. The law covers employees in companies with 25 or more people at the same location. With reasonable notice, employees can take up to 40 hours, no more than 8 hours per month, to volunteer in classrooms each school year. Contact your employer to see if you qualify.

Volunteering at Walter Hays is a terrific way to support our children. However, one tremendous benefit is for parents to meet and build relationships with one another. This adds to the great sense of community we enjoy at our school. We would encourage parents to reach out to others that you don't yet know to continue our spirit of inclusiveness. The Walter Hays Way was developed to guide our parents and children as they work to build a cohesive and trusting environment. Thank you all for your efforts to make our school a true community.

Walter Hays Playground Volunteers

Playground volunteers are an essential part of a successful playground experience during the lunch recess. If you are interested in volunteering, please contact your PTA Vice President of Health and Safety. Lunchtime Playground Volunteers should first check in at the front office in order to obtain a playground vest, guideline card and a first aid kit.

1st – 5th GRADE LUNCH/ RECESS 11:45 a.m. – 12:30 p.m. Daily except Wednesday
Kindergarten Lunch Beginning October 11: 12:10 p.m.
1st – 5th GRADE LUNCH 11:45 a.m. – 12:30 p.m. Wednesday

Playground Volunteer Guidelines

Our students are learning how to cooperate and maintain respect of one another on the playground. We work to give them the support they need to behave in a responsible, kind and inclusive manner in and outside the classroom. The primary goal of Playground Volunteers is to ensure that our students are safe. Always involve a yard duty supervisor if physical aggression or injury is involved. Also, if you feel you need assistance or guidance, please feel free to ask a yard duty supervisor.

We encourage our students to independently resolve their conflicts, when possible. However, students sometimes need guidance and support. Adults can work with students in this important conflict resolution process. As a Playground Volunteer, adults help guide the students by using strategies from The Walter Hays Solution for Conflict Resolution.

- **Recognize Your Feelings** - Take a moment to take a deep breath, think about what happened and how it made you feel.
- **Talk** - Share what you believed happened and how you felt about it, to the other person.
- **Listen** - Give the other child a chance to express their perspective about the event and how they felt.
- **Take Responsibility** - Think of how you may have contributed to the conflict.
- **Cooperate** - Think of ways to you both can work together to solve the problem.
- **Challenge** - If you are having trouble working together to solve the problem, get help from an adult, yard duty, teacher or principal.

The goal is for students to learn how to "Talk It Out" using words to express their feelings and positively work with the other student on what they believe is a positive solution so they eventually can resolve conflict respectfully and independently. This is a lifelong skill in a child's social development. **The role of the adult is to serve as a facilitator, asking questions, giving the children an opportunity to positively participate in an effective dialogue.**

Healthy Foods at School

Dietary Guidelines

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

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

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

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

NO FOOD IN CLASSROOMS WITH THE FOLLOWING EXCEPTIONS:

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

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

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

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

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

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

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

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

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

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

Birthday & Party Celebration Guidelines

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There are other elementary schools in our district that have a ban on sweets and treats. We aren't suggesting a total ban on sugar, but rather more measured thinking in choices and portions. We have included some of the ideas from those school communities and those ideas from our own parents and teachers. Your child's teacher and your class Room Parent will communicate more on this subject, but here are some guidelines:

- If you bring a birthday snack to share, be sure to alert the teacher and Room Parent ahead of time of your plans.
- Bring snacks that are low in 1) added sugar, 2) refined carbohydrates, 3) preservatives and food colorings – for example: fresh fruit, veggies and dip, 100% fruit popsicles, dried fruit, plain salted popcorn, whole grain muffins or crackers. All other things being equal, please choose organic treats.
- As a class, consider beginning a practice of having multiple birthday celebrations by month – all on one day with one treat.
- Consider alternatives to food treats, i.e., bring in a pencil or a sticker for each child rather than a sweet.
- Bring a basket of gently used books and have each child in the class get to choose a book (birthday boy/girl chooses first)
- For Holiday Celebrations, make efforts to create games, activities and crafts rather than have the party centered around sweets:

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

Healthy Alternatives to Fundraising

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

- Encourage the solicitation of non-food items in auctions. Collectibles and large ticket items are attractive and typically raise more money than food items;
- Plan events and activities that promote fitness (a run/walk or dance marathon)
- Offer an experience (musical concert);
- Provide a product (book) or service (car wash, recycling, consulting session, fitness training, photography, company tour);
- 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;
- Ask fundraising companies to provide your schools with fundraising catalogs that feature only non-food or healthy food products;
- Encourage school fundraisers at restaurants that do not serve fast food but instead have healthy options;
- Enlist students in developing healthy, profitable fundraising ideas;
- Enlist students in creating something to sell: art projects, building/making a simple item and customizing it;
- Include a donation-only option;
- 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).

Alternatives to Food Rewards

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

CONSEQUENCES OF USING FOOD REWARDS:

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

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

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

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

Source: Alternatives to Food Rewards, Connecticut State Board of Education, https://healthymeals.fns.usda.gov/hsmrs/Connecticut/Food_As_Reward.pdf. Find more ideas and discussion in this document: Healthy Alternatives for School Celebrations, Rewards, Fundraisers and Snacks from Kansas City (https://www.tpchd.org/files/library/3379ffef0bb808ad.pdf).

School District Policy Glossary

The following pages contain several important board policies.
To view all policies, please visit:
https://go.boarddocs.com/ca/pausd/Board.nsf/Public?open&id=policies

PAUSD – A Basic Aid District

Palo Alto Unified School District is among the 7% Basic Aid districts in the State of California. A Community-Funded (Basic Aid) School District is one in which the district's per-pupil property tax revenue exceeds its per-pupil revenue limit. For these districts, the state does not provide any general purpose funding, instead they receive all of their general purpose funding from the local property tax. These districts are also referred to as "basic aid" or "excess property tax" districts.

A community-funded district has no control over the revenues it receives from the property tax. Property tax collections can vary from year to year, depending upon local economic conditions, sales of commercial, industrial, and residential property, conversion of property to higher value parcels, and reassessments (including downward reassessments during down markets).

Unlike revenue limit districts, community- funded districts do not receive funding based upon district enrollment. Property tax revenue has no direct relationship with district enrollment. Therefore, a community-funded school district can experience years of flat or falling property taxes at the same time enrollments may be increasing. The state has eliminated the $120 per-pupil general-purpose apportionment. Therefore, community-funded districts only receive state aid through various categorical programs. Categorical programs often prescribe how funds may be spent and which students may be served; therefore, these programs are often described as having "strings attached" to the funding.

Background of Basic Aid

The state adopted revenue limits as a means of funding K-12 school districts in response to the State Supreme Court ruling in the *Serrano* case. This case held that students were entitled to equal protection under the law and that the quality of their education should not be determined by the property wealth of the district.

In turn, the state guaranteed districts a certain amount of funding per pupil, regardless of the contribution from the local property tax. For districts whose property tax exceeded this guarantee, (i.e., the revenue limit), the state provided no additional state aid, apart from the $120 per pupil guaranteed by the State Constitution. Thus, these districts became known as basic aid districts. The $120 payment was eliminated in 2003-04 when Proposition 98 was suspended and funding for all school districts was reduced.

Bullying

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 well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 – Conduct)
(cf. 5136 – Gangs)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual Harassment)
(cf. 5145.9 – Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.
(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.
(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about discriminatory bullying, the complaint shall be resolved in accordance with the law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.
(cf. 1312.3 - Uniform Complaint Procedures)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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/ls/ss
Center for Safe and Responsible Internet Use: http://cyberbully.org
National School Boards Association: http://www.nsba.org
National School Safety Center: http://www.schoolsafety.us
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Bullying

Administrative Regulation 5131.2

*****CURRENTLY UNDER REVIEW*****

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

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

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

Bullying Definitions

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

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience a substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

(i) A message, text, sound, or image.

(ii) A post on a social network internet website including, but not limited to:

a. Posting to or creating a burn page. "Burn page" means an Internet website created for the purpose of having one or more of the effects listed above

b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

c. Creating a false profile for the purpose of having one or more of the effects listed above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

"Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
(Education Code 48900(r))

The school district has jurisdiction to respond to bullying behavior that is related to school activity or school attendance and that occurs at any time, including, but not limited to, while on school grounds, at a school sponsored activity, while traveling to or from school, on a school bus, or during the lunch period whether on or off campus.
(Education Code 48900(s))

Indicators of Bullying Behavior

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

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

Notifications

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

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

a. Appear in any school or district publication that sets forth the schools or district's comprehensive rules, regulations, procedures and standards of conduct.

b. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.

c. Be posted in all schools and offices, including staff lounges and student government meeting rooms.

d. Be provided to employees and employee organizations.

Procedures

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

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

A. Reporting a Complaint

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

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

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

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

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

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

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

B. Documenting a Complaint

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

C. Interim Measures

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

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

D. Investigating a Complaint

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

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

Complaint Investigation Procedures

1. The principal/designee shall investigate all allegations of bullying that are not based on a protected status.
2. The investigator may not be the alleged aggressor or the alleged target.
3. The principal/designee or appropriate administrator shall begin a thorough investigation with the alleged target and accused as soon as possible upon receiving a notification of complaint. The school administrators/designees will provide immediate notification to the parents/guardians of both the alleged target and the alleged aggressor.
4. During the investigation, the principal/designee or appropriate administrator may take any action necessary to protect the complainant, alleged target, other students or employees consistent with the requirements of applicable regulations and statutes.
    a. Interviews of the alleged target, alleged aggressors, and all relevant witnesses are conducted privately, separately, and are confidential. Each individual (alleged target, alleged aggressor, and

witnesses) will be interviewed separately and at no time will the alleged aggressor and alleged target to be interviewed together.

b. At no time during the investigation will the name of the complainant be revealed by the investigator.

c. In general, student complainants and/or alleged targets will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.

d. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate administrator also may discuss the complaint with any school district employee, the parent of the alleged target, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.

e. During the investigation where an employee is the accused, the principal/designee or the appropriate administrator may recommend to the Associate Superintendent for Human Resources any action necessary to protect the complainant, the alleged target, or other students or employees, consistent with the requirements of applicable statutes, Board of Education Policies, and collective bargaining agreements.

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

6. No retaliation of any kind is permitted in connection with an individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.

7. Record of all complaints, including documentation of witness interviews and complaint resolutions shall be maintained by the school site administrator.

8. A student who has been determined by school personnel to have been the alleged target of an act of bullying shall be given priority and/or additional consideration for an inter-district transfer if the parent/guardian of that student requests such a transfer.

E. Factors in Reaching a Resolution

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

a. Statements made by the complainant, the individual accused, and other persons with knowledge relevant to the allegations of bullying.

b. The details and consistency of each person's account.

c. Evidence of how the alleged target reacted to the alleged bullying incident.

d. Evidence of any past instances of bullying behaviors by the alleged aggressor and the type, frequency, and duration of these bullying behaviors.

e. The relationship between the alleged aggressor and the alleged target.

F. Resolution

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

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

G. Remedial Action

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

Examples of appropriate action include:

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

H. Disciplinary Action

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

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

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

Enforcement

The Superintendent or designee shall take appropriate actions to reinforce the district's bullying prevention policy.
Regulation approved: 06.03.14
PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, CA

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, at school activities, or using district transportation.

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including but not limited to, physical violence, possession of a weapon, or terrorist threats.
2. 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 to the school program.
3. Conduct that disrupts the orderly classroom or school environment.
4. Damage to or theft of property belonging to students, staff, or the district. The district shall not be responsible for students' personal belongings, which are brought on campus or to a school activity and are lost, stolen, or damaged.
5. Obscene acts or use of profane, vulgar, or abusive language.
6. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs.

7. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27).
8. Use of a cell phone, smartwatch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy.
9. Plagiarism or dishonesty on schoolwork or tests.
10. Wearing of any attire that violates district or school dress codes.
11. Tardiness or unexcused absence from school.
12. Failure to remain on school premises in accordance with school rules.

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school official suspects that a search of a student or a student's 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.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the students or turned over to the principal or designee, as appropriate.

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 nonschool hours, which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32280-32289 Comprehensive safety plan
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 Rules
44807 Duty concerning conduct of students
48900-48925 Suspension and expulsion
51512 Prohibition against electronic listening or recording device in classroom without permission
CIVIL CODE
1714.1 Liability of parents and guardians for willful misconduct of minor
PENAL CODE
288.2 Harmful matter with intent to seduce
313 Harmful matter
417.25-417.27 Laser scope or laser pointer
647 Use of camera or other instrument to invade person's privacy; misdemeanor
653.2 Electronic communication devices, threats to safety
VEHICLE CODE
23123-23124 Prohibitions against use of electronic devices while driving
CODE OF REGULATIONS, TITLE 5
300-307 Duties of students
UNITED STATES CODE, TITLE 42
2000h-2000h6 Title IX, 1972 Education Act Amendments
COURT DECISIONS
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088
Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
New Jersey v. T.L.O., (1985) 469 U.S. 325
Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503
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
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National School Boards Association: http://www.nsba.org
National School Safety Center: http://www.schoolsafety.us
U.S. Department of Education: http://www.ed.gov

Discipline – Suspension / Expulsion

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

a) Caused, attempted to cause, or threatened to cause physical injury to another person.
b) Possessed, sold or furnished firearm, knife, explosive or other dangerous object.
c) Possessed, used, sold, furnished or been under the influence of drugs, alcohol, a controlled substance or intoxicant.
d) Offered, arranged, or negotiated to sell look-alike controlled substances, alcohol or intoxicants.
e) Committed or attempted to commit robbery or extortion.
f) Caused or attempted to cause damage to school or private property.
g) Stole or attempted to steal school or private property.
h) Possessed or used tobacco or product containing tobacco or nicotine.
i) Committed obscene act or engaged in habitual profanity or vulgarity.
j) Possessed, offered, arranged or negotiated to sell any drug paraphernalia.
k) Disrupted school activities, willfully defied valid authority of school personnel in the performance of their duties.
l) Knowingly received stolen school property or private property.
m) Committed sexual harassment *(Ed. Code Section 48900.2)*
n) Participated in an act of hate violence *(Ed. Code Section 48900.3)*
o) Harassed, threatened or intimidated another student. *(Ed. Code Section 48900.4)*

Harassment

It is the policy of the PAUSD to provide a school environment free from all forms of harassment, hazing or intimidation and to maintain an environment in which all students and adults model this behavior and are treated with dignity and respect. Therefore, no student shall be subjected to overtures or conduct (including sexual), verbal, visual or physical, which is intimidating, hostile, offensive, or unwelcome. Such conduct by adults or students is deemed unacceptable behavior and will not be tolerated by the school district.

For purposes of this policy, "sexual harassment" is defined for student-to-student interaction as unwelcome sexual advances, requests for sexual favors and other verbal, visual and physical conduct of a sexual nature. "Sexual harassment" is defined for adult-to-student interaction as any sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature. "Sexual harassment" is also defined as conduct of a sexual nature which affects an individual's employment, academic status or progress; which has a negative impact on an individual's work or academic performance; which creates a work or educational environment that is intimidating, hostile or offensive; or which affects benefits, services, honors, programs or activities available to an individual in the education setting.

Grounds for Suspension or Expulsion – *Education Code §48900*

A pupil may be **suspended** from school or recommended for expulsion if the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined in §48900, subsection (a) to (q), (s) or §48900.2, §48900.3, §48900.4, §48900.7.

A pupil may be **suspended or expelled** for acts that are related to school activities or school attendance, including, but not limited to, acts that occur at any time while on school grounds, going to or coming from school, during lunch, whether on or off campus, and during or while going to or coming from a school sponsored activity. (§48900(r))

(a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
(a)(2) Willfully used force or violence upon the person of another, except in self-defense.
(b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance, listed in Chapter 2 (commencing with §11053) of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or any products containing tobacco or nicotine products; does not prohibit use or possession by a pupil of his or her own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in §11014.5 of the Health and Safety Code.

(k) Disrupted school activities or otherwise willfully defied valid authority of school personnel.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm.

(n) Committed or attempted to commit a sexual assault as defined in Penal Code §§261, 266c, 286, 288, 288a, or 289 or committed a sexual battery as defined in Penal Code §243.4.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug SOMA.

(q) Engaged in, or attempted to engage in, hazing as defined in §32050.

(r) Engaged in an act of bullying. (Bullying includes individual or group participation in any severe or pervasive physical or verbal act or conduct, including written or electronic communications.)

(s) A pupil who aids or abets, as defined in §31 of the Penal Code, the infliction or attempted infliction of physical injury to another.

§48900.2 Committed sexual harassment, as defined in §212.5. (Grades 4-12)

§48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in §233(e). (Grades 4-12)

§48900.4 Intentionally engaged in harassment, threats, or intimidation directed against school personnel or pupils. (Grades 4-12)

§48900.7 Made terroristic threats, written or oral, against school officials or school property, or both.

Mandatory Suspension & Recommendation for Expulsion,
Unless Inappropriate Under the Circumstances
Education Code §48915

a(1) Caused serious physical injury to another person, except in self-defense.

a(2) Possessed any knife or other dangerous object of no reasonable use to the student.

a(3) Unlawfully possessed any controlled substance listed in Chapter 2 (Section 11053) of Division 10 of the Health and Safety Code except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

a(4) Robbery or extortion.

a(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Mandatory Suspension & Mandatory Recommendation for Expulsion *Education Code §48915*

c(1) Possessed, sold, or furnished a firearm.

c(2) Brandished a knife at another person.

c(3) Unlawfully sold a controlled substance listed in Chapter 2 (Section 11053) of Division 10 of the Health and Safety Code.

c(4) Committed or attempted to commit a sexual assault/battery as defined in EC 48900(n).

c(5) Possessed an explosive.

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* (*Spanish*) is available in the school office as well as on the PAUSD website.

We have also established the following set of Best Practices at Walter Hays:

- If a student is found to have head lice (nits or live 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. If only nits are found, the parents are notified, but the student is not sent home.
- 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.
- In the event of multiple cases of lice in a classroom, trained school personnel will perform lice checks on a broader scale, as determined by the principal.

We have included the PAUSD board policy and key points from *A Guide for the Management and Prevention of Pediculosis (Head Lice) at School* for your reference.

Board Policy 5141.33

The Board of Education recognizes that head lice infestations among students require treatment but do not pose a risk of transmitting disease. The Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.

The Superintendent or designee may distribute information to parents/guardians of preschool and elementary students regarding routine screening, symptoms, accurate diagnosis, and proper treatment of head lice infestations. The Superintendent or designee also may provide related information to school staff.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible.

If a student is found with active, adult head lice, parents will be called and encouraged to pick up their child. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school.

In order for the student to return to school, the parent will accompany their child to school for a readmission check. The school nurse or designee shall check the student for active head lice. If it is determined that the student remains infected with head lice, the school nurse or designee shall contact the student's parent/guardian to discuss treatment.
(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)
(cf. 1020 - Youth Services)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

When it is determined that one or more students in a class or school are infested with head lice, the principal or designee may, at his/her discretion, notify parents/guardians of students in that class or school and provide them with information about the detection and treatment of head lice.

Staff shall maintain the privacy of students identified as having head lice.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
Legal Reference:
EDUCATION CODE
48320-48325 School attendance review boards
49451 Physical examinations: parent's refusal to consent
Management Resources:
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
Guidelines on Head Lice Prevention and Control for School Districts and Child Care Facilities, rev. March 2012
A Parent's Guide to Head Lice, 2008
CALIFORNIA SCHOOL NURSES ORGANIZATION
Pediculosis Management, Position Statement, rev. 2011
WEB SITES
American Academy of Pediatrics: http://www.aap.org
California Department of Public Health: http://www.cdph.ca.gov
California School Nurses Organization: http://www.csno.org
Centers for Disease Control and Prevention, Parasitic Disease Information, Head Lice: http://www.cdc.gov/parasites/lice/head
Policy adopted: 02.26.13
PALO ALTO UNIFIED SCHOOL DISTRICT, Palo Alto, California

A Guide for the Management & Prevention of Pediculosis (Head Lice) at School

In 2013, PAUSD adopted a board policy regarding head lice in schools, (BP5141.33). Goals of the policy include community education regarding prevention and management of head lice, early detection and prompt treatment of students with head lice, minimizing disruption to the educational program, and reducing student absences.

Recent research indicates that neither NO NIT policies nor mass school screenings prevent or shorten the length of lice outbreaks at school. The American Academy of Pediatrics (AAP), the National Association of School Nurses (NASN), the Centers for Disease Control and Prevention (CDC), and the California School Nurses Organization (CSNO) all oppose the NO NIT policy as well as mass school screenings.

The problem of pediculosis, or head lice as it is more commonly known, is ongoing and requires education and treatment. However, head lice do not pose a risk of transmitting disease and are not a threat to health.

Education & Prevention: Best Practices for Schools

1. The brochure, *A Parent's Guide to Head Lice* with information regarding prevention, screening, recognition, and treatment of head lice is available at each elementary school site for both staff and the parent community. The brochure is available in the Health Office at the secondary schools. The brochure, *A Parent's Guide to Head Lice (Spanish)* is available online at https://www.pausd.org/school-life/health-wellness/health-services/lice-control
2. Parents/Caregivers are encouraged to screen their children at home on a regular basis throughout the school year.
3. Parents/Guardians should notify the school office if their child is found to have head lice.
4. In order to prevent the spread of lice within the school setting, teachers and custodians can do the following:
   a) Minimize activities resulting in head to head contact.
   b) Assign students individual lockers or coat hooks spaced so that clothes of other students do not touch. Coats and sweaters may be placed in the student's individual backpack or chair.

   When a case of head lice has been found:
   a) Reconsider the use of headphones and other headgear when a case of lice has been found. If they must be used, they should be wiped clean (hot water and soap) after each student.
   b) Shared clothing, pillows, pillowcases, stuffed animals, etc. may be laundered in hot water, placed in dryer on high heat for at least 20 minutes, or bagged in plastic for at least one week.
   c) Custodial attention to classrooms – vacuum furniture and carpets daily for two weeks.
5. School staff shall refer students with signs of possible head lice to the office for further follow up.

School Staff / Office Response to Head Lice

1. School office staff or health technician will check students suspected of having head lice.
2. When live lice are found:
   a) Office staff will contact parent to pick up their child, provide them with the brochure, *A Parent's Guide to Head Lice* and a *Lice Treatment* form with readmission requirements. Parents are encouraged to begin treatment immediately and to check all family members for head lice or nits.
   b) When live lice or previously untreated nits are found, copies of the *Lice Exposure Notice* and *A Parent's Guide to Head Lice* will be sent home with all children in the affected student's elementary classroom.
3. When only nits are found:
   a) Office staff will contact parents to determine if the student has been treated for head lice.
   b) If student has already been treated for this infestation, staff will remind parent to continue daily nit removal and observation for presence of live lice, requiring re-treatment. Student remains at school and no re-admission check required.
   c) If the student has NOT been treated for this infestation, parent will be given *A Parent's Guide to Head Lice* and the *Lice Treatment* form with re-admission requirements. Parents are encouraged to begin treatment immediately and to check all family members. Student remains at school until end of school day. Re-admission check is required.

Re-admission Requirements

1. Before returning to the classroom, parent/guardian will accompany child to the school office for a re-admission check by office staff or Health Technician.
2. Parent/Guardian will return the signed Lice Treatment form to the office.
3. If no live lice are found, student may return to class.
4. If nits are present, parent/guardian is encouraged to continue daily nit removal and observation for presence of live lice requiring re-treatment. Student may return to class.
5. If live lice are present, student will be sent home and further treatment discussed.

http://pediatrics.aappublications.org/content/126/2/392.full.html
http://www.nasn.org/Portals/0/positions/2011pspediculosis.pdf
http://www.csno.org/wp-content/uploads/2011/08/2Pediculosis_Management1.pdf
http://www.cdph.ca.gov/HealthInfo/discond/Documents/2012SchoolGuidanceonHeadLice.pdf
http://www.cdph.ca.gov/HealthInfo/discond/Documents/2012HeadLiceEng.pdf
PALO ALTO UNIFIED SCHOOL DISTRICT BP 5141.33, adopted 02.26.13

Homework / Make Up Work

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

Homework should be designed to:

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

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

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

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

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

Homework for Elementary Grades

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

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

    Note 1: Students in 4th and 5th grade who participate in band or strings can expect to practice their instrument for 10 minutes, five days per week.

Homework Guidelines for Teachers

In assigning homework, teachers should:

1. Clearly explain objectives, timelines, suggested amount of time for completing the homework, and required materials associated with the assignment.
2. Post assignments in a manner that is clear, consistent and easily observed by the student both in and outside of the classroom
3. Monitor homework time requirements and feasibility of assignments using student assignments, student feedback, and parent feedback.
4. Differentiate assignments when it is determined that, despite appropriate effort and learning habits, a student is spending more than the expected time on homework.
5. 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.
6. Inform parents and students of opportunities for student assistance.
7. 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.
8. Provide a process for student or parent feedback if there is a concern.

9. Work with grade and department level colleagues to promote consistent homework practices and reasonable total time requirements for each evening.

Homework Guidelines for Site Administration

Site administrators shall:

1. Provide professional development on homework, including overview of the policy, effective strategies and practices, and time for collaboration with grade level teams or departments to plan, as needed.
2. Be responsible for ensuring compliance with the homework policy, including the use of feedback processes to support its implementation.
3. Have on-going discussions with staff regarding effective homework strategies and practices.
4. Coordinate school-wide resources and practices that support homework completion, e.g. use of planners, library facilities and academic support programs.

Makeup Work

Students who miss schoolwork because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.
(Education Code 48205)
(cf. 5113 - Absences and Excuses)

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.
Legal Reference: EDUCATION CODE
48205 Absences for personal reasons
48913 Completion of work missed by suspended student
48980 Parental notifications
58700-58702 Tutoring and homework assistance program; summer school apportionment credit
Management Resources: SBE POLICIES
Parent Involvement in the Education of Their Children, 1994 Policy Statement on Homework, 1995

Inappropriate Objects

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

Nondiscrimination/Harassment

Board Policy 5145.3

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and/or bullying of any student, based on actual or perceived characteristics of race or ethnicity, color, nationality, national origin, immigration status, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)
(cf.5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

Unlawful discrimination includes discriminatory harassment, intimidation, or bullying, consisting of physical, verbal, nonverbal, or written conduct, based on one of the categories listed above, that is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities. Prohibited discrimination also includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

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

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

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

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

The Board is committed to providing age-appropriate training and information to students, parents/guardians, and employees regarding unlawful discrimination, including discriminatory harassment, intimidation, and bullying, including, but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents and to whom such reports should be made. Staff and administrators will also receive training on their responsibilities for responding to reports or complaints of discrimination under the District's Uniform Complaint Procedure.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.
(cf. 1240 - Volunteer Assistance)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

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

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

discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

Any school district employee who observes an incident of discrimination, including discriminatory harassment, intimidation, or bullying shall immediately intervene when safe to do so and report the conduct to the Principal/designee or District Compliance Officer within one school day. (Education Code 234.1)

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21- Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
(cf. 5145.2 - Freedom of Speech/Expression)

Grievance Procedures

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

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

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

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

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

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 6163.4 - Student Use of Technology)

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

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

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130
Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
California Student Safety and Violence Prevention - Laws and Regulations, April 2004
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, January 1999
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
First Amendment Center: http://www.firstamendment.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Nondiscrimination / Harassment

Administrative Regulation 5145.3

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, intimidation, retaliation, and bullying of students at district schools

or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

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

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti
   (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the

school's response to students, parents/guardians, and the community
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against perpetrators and anyone determined to have engaged in wrongdoing, including any student who is found to have made a complaint of discrimination that the student knew was not true
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

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

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

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

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

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

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

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

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

Transgender and Gender-Nonconforming Students

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

Nondiscrimination in District Programs & Activities – Philosophy, Goals, Objectives, & Comprehensive Plans

Board Policy 0410

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
tbahadursingh@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

Title IX Compliance

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

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

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

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

Sexual Harassment – Students

Board Policy 5145.7

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5157 - Gender Identity and Access)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Scope and Definitions Related to Sexual Harassment Complaints

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

(Education Code 212.5; 5 CCR 4916)

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

   (cf. 5131 - Conduct)
   (cf. 5131.2 - Bullying)
   (cf. 5137 - Positive School Climate)
   (cf. 5145.3 - Nondiscrimination/Harassment)
   (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

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

b. Any sexual harassment or sexual violence report or complaint, between employees or between employees and third parties, but **not** involving student complainants or student respondents, shall be addressed through BP/AR 4119.11/4219.11/4319.11 and AR 4031.

c. Any sexual harassment or sexual violence report or complaint between third parties which took place in the educational setting shall be referred to the District Compliance Officer to determine how to appropriately address the complaint.

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

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

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

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

Examples

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

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

based on written, verbal, and/or physical contact or fraternization with a student(s). In some circumstances, an employee's physical contact with a student may also take on sexual connotations and rise to the level of sexual harassment. For example, an employee's behavior, such as repeatedly hugging and putting their arms around a student under inappropriate circumstances, could rise to the level of unwelcome touching of a sexual nature.
(cf. 4119.21/4219.11/4319.21-Professional Standards)

15. Sexual relationships between employees and students.
(cf. 4119/21/4219.11/4319.21- Professional Standards)
16. Sexual relationships between employees and former students if the employee pursued an intimate or sexual relationship with the former student while the student was enrolled in the District and while the employee was employed with the District.
(cf. 4119.21/4219.21/4319.21 – Professional Standards)
17. Sexual relationships between employees and students or former students may also violate Title IX.
(cf. OCR 2001 Guidance on Sexual Harassment)

Instruction/Information

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

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

Complaint Process/Grievance Procedure

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

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

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

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

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

Any school employee who observes an incident of sexual harassment involving a student shall immediately intervene when safe to do so and shall, within one school day, report the conduct to the Principal/designee, whether or not the target of the harassment makes a report or files a complaint.
(Education Code 234.1)

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

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

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

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

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

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

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

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

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

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

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti
   (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
   (cf. 4131 - Staff Development)
   (cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the District's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community
   (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
   (cf. 5125 - Student Records)
5. Taking appropriate disciplinary action as set forth below or in Section I of AR 1312.3
6. Taking appropriate remedial actions including, but not limited to, those listed in Section H of AR 1312

Disciplinary Action

If it is determined that an employee has violated this policy by engaging in sexual harassment, sexual violence, a sexual relationship with a student, or retaliation, the District shall take action to address the violation and any substantiated risk, including appropriate disciplinary action. Disciplinary action may include action to dismiss the employee, in accordance with law, board policy, and applicable collective bargaining agreements.
(cf. AR 4218 –Dismissal/Suspension/Disciplinary Action; Education Code sections 44932 et seq.)

Any student who engages in sexual harassment or sexual violence in the educational setting, in violation of this policy, shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account. Suspensions and recommendations for expulsion shall follow applicable law.
(Education Code sections 48900 et seq.)

Students who knowingly file false complaints of sexual harassment or sexual violence or give knowingly false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another student in violation of this policy.
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

Confidentiality

All complaints and allegations of sexual harassment or sexual violence shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)15]
(cf. 5125 - Student Records) [16]

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

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

Record-Keeping

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

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year

(Education Code 48980; 5 CCR 4917)
(cf. 5145.6 - Parental Notifications)

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

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion 48900.2 Additional grounds for suspension or expulsion; sexual harassment 48904 Liability of parent/guardian for willful student misconduct 48980 Notice at beginning of term
CIVIL CODE
51.9 Liability for sexual harassment; business, service and professional relationships 1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX, discrimination
UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
106.1-106.71 Nondiscrimination on the basis of sex in education programs
COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter Sexual Violence, April 4, 2011 Sexual Harassment: It's Not Academic, September 2008 Revised Sexual Harassment Guidance, January 2001
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
Adopted: Tuesday, February 11, 2014; Tuesday, December 8, 2015; Tuesday, September 12, 2017

Tinsley Voluntary Transfer Program

The VTP program enables students in the Ravenswood School District to enroll in other local school districts. This 1986 program is the result of a 1976 lawsuit asserting that Ravenswood students were not receiving educational opportunities equal to students in surrounding districts. PAUSD is required to accept 60 voluntary student transfers per year (during grades K-2 only) through this program, plus replacement students for any transfer students leaving during these grades. PAUSD receives partial funding for these students.

Tobacco-Free Schools

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

Uniform Complaint Procedures

Board Policy 1312.3

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

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

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

Uniform Complaint Procedures

Administrative Regulation 1312.3

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

District Compliance Officer

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

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

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

Avoiding Conflict

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

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

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

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

Notifications

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

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

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622).

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

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Explain any civil law remedies that may be available to a victim of discrimination under state or federal discrimination laws, if applicable
3. Describe the appeal process, including, if applicable, a complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies. A respondent to an unlawful discrimination complaint may also file an appeal with the CDE in the same manner as the complainant.
4. Include statements that:
    a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
    b. The complaint review shall be completed within 60 calendar days of the district's receipt of the complaint. This time period may be extended by written agreement of the complainant and respondent.
    c. A complaint alleging retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying should be filed not later than six months from the date it occurred or six months from the date the complainant first obtained knowledge of the facts unless the time for filing is extended in writing by the Superintendent or designee for up to 90 calendar days following the expiration of the

six month time period, for good cause upon written request by the complainant setting forth the reasons for the extension. (e.g., 5 CCR §4630.)

d. A complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision. A respondent to an unlawful discrimination complaint also shall have the right to file an appeal with the CDE in the same manner as the complainant.

e. The appeal to the CDE shall include a copy of the complaint filed with the district and a copy of the district's decision.

f. Copies of the district's Uniform Complaint Procedures are available free of charge.

g. While it is the District's intent to notify a parent/guardian about a Title IX report involving their student, the District must consider any student request not to notify a parent/guardian based on the law.
(cf. 5145.6 - Parental Notifications)

h. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

i. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

j. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

k. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to: (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

Complaint Procedures/Grievance Procedures

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

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

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

A. Reports and Complaints:

A "report" or "complaint" is defined as any oral or written communication to a school district employee or administrator which alleges behavior or misconduct that may constitute unlawful discrimination. A report or

complaint may include an oral report, an email, a text message or other message conveyed to a school district employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

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

The following requirements apply to school district employees or administrators:

i. Reporting Up

a. A school district employee who receives a report or complaint of discrimination, including discriminatory harassment, intimidation and/or bullying, shall, within one school day of receiving the report, notify the Principal/designee. In addition, any school district employee who observes any incident of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying involving a student shall, within one school day, report this observation to the Principal/designee, whether or not the victim makes a report.

b. The Principal/designee shall, within one school day of receiving a report or complaint of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying, notify the District Compliance Officer of the report or complaint.

c. When a report or complaint of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying is made against the Principal/designee to whom the report would ordinarily be communicated, the school district employee who receives the report or who observes the incident shall instead report to the District Compliance Officer within one school day.

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

a. Either the Principal/designee or the District Compliance Officer shall, within one school day of receiving a report or complaint, inform the reporting individual or complainant of the resolution options under these procedures and the differences between these options (such as appeal rights and different types of written outcome.) The options include (1) the right to proceed under the Uniform Complaint Procedures; (2) the option to pursue resolution through an informal resolution process as described below in subsection D; or (3) the right to request that the District not take steps to investigate or pursue the complaint, with the understanding that the District may still have a duty to address the matter after a District-initiated investigation described in subsection E, below, depending on the seriousness of the allegations and the risk of future harm to students or others. If a District-initiated investigation proceeds, the Principal/designee or the District Compliance Officer shall inform the reporting individual or complainant in writing of the District's decision to proceed. After the District has investigated the matter and determined the outcome, the Principal/designee or the District Compliance Officer shall provide a written notice of outcome to the parties who would have been the complainant and respondent. The notice of outcome shall state that the party who would have been the complainant may pursue a Uniform Complaint at a later date, but the District reserves the right to enforce the six to nine month time line constraints for filing a Uniform Complaint as set forth in 5 CCR §4630(b). If a District-initiated investigation does not proceed, the reporting individual or complainant shall be informed of the right to proceed under the Uniform Complaint Procedures at a later time by making a request in writing to the District Compliance Officer.

b. If an individual who wants to proceed and submit the allegations in writing, but is unable to do so due to conditions such as a disability or illiteracy, district staff shall assist the individual in the writing the information related to the allegations. (See, e.g., 5 CCR 4600) The district may offer a Uniform Complaint Form for the complainant to place the uniform complaint in writing.

c. The Principal/designee or District Compliance Officer shall also inform the reporting individual or complainant that the identity of all parties of a complaint shall be kept confidential except when the District has a duty to share the parties' identifying information as necessary to gather a response to

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

d. If the reporting individual or complainant insists on not being identified or does not give names of the alleged perpetrators, the individual shall be informed by the Principal/designee or the District Compliance Officer that the request may limit the District's ability to investigate or take other necessary action.

e. This discussion and any decisions based on the discussion shall be reduced to writing and submitted to the reporting individual or complainant. The Principal/designee shall forward a copy of the document to the District Compliance Officer. A copy of the document shall be maintained in a confidential complaint file with the Principal/designee and with the District Compliance Officer.

B. Interim Measures:

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

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

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

D. Optional Informal Resolution Process at the Site Level:

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

Before the parties consent to engage in an informal resolution process, the Principal/designee shall inform the complainant, the respondent and their respective parents/guardians of the following: (1) The complainant or the complainant's parent/guardian will not be asked or required to meet directly with the respondent as part of the informal resolution process; (2) The informal resolution process shall be completed within 10 calendar days of the district's receipt of the complaint; (3) The differences between the informal resolution process and the process set forth under subsections D-H below shall be explained; (4) The right of either party to terminate an informal resolution process at any time and request that the District Compliance Officer proceed with the investigation of the uniform complaint under subsections F-H within the timelines set forth in this AR 1312.3; and (5) the informal resolution process, if successful, will result in a signed, written agreement between the parties which includes a waiver of any appeal rights set forth in AR 1312.3 and acknowledgement that the complainant cannot pursue another Uniform Complaint regarding the same allegations discussed and resolved between the parties.

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

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

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

E. District-Initiated Procedures to Address a Report

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

F. Investigation

i. Initiation of Investigation

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

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

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

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

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

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

ii. Initial Interview with the Subject of the Complaint:

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

iii. Additional Interviews and Gathering of Evidence:

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

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

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

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

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

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

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

(cf. 5125 – Student Records)
(cf. 3580 – District Records)

iv. Factors in Reaching a Determination:

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

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

a. Statements made by the complainant, the respondent, and other persons with knowledge relevant to the allegations

b. The details, consistency and/or corroboration of each person's account

c. Evidence of how the complainant and respondent reacted to and felt about the incident, if it was found to have occurred

d. Evidence of any past instances of unlawful discrimination, including discriminatory harassment, intimidation and/or bullying or other misconduct by the respondent

e. Evidence that the complainant or respondent filed a complaint or cross-complaint alleging unlawful discrimination, including discriminatory harassment, intimidation and/or bullying which was found to be a knowingly false complaint or cross-complaint or to have included knowingly false statements made by the complainant or respondent.

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

a. How the misconduct affected the complainant and/or the complainant's access to education and education programs and activities

b. The type, frequency, and duration of the misconduct

c. The age of the complainant and respondent and the nature of the relationship between them

d. The number of persons engaged in the alleged conduct

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents of discrimination, harassment, intimidation or bullying at the school

G. Written Report of Findings and Decision:

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

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

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

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

a. The findings of fact based on the evidence gathered

b. As to each allegation, the District's conclusion(s) of law

c. Rationale for such conclusion(s)

d. Corrective actions, if warranted, which may include consequences imposed on the individual found to have engaged in the discriminatory conduct that relate directly to the complainant, as required by law, such as requiring that the individual found to have engaged in the discrimination stay away from the complainant, prohibiting the individual from attending school for a period of time, or transferring the individual to other classes or another school.

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

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

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

e. Notice that the complainant and/or the complainant's parent/guardian should immediately report any reoccurrence of the conduct or retaliation to the District Compliance Officer or Principal/designee. Notice that the respondent and/or the respondent's parent/guardian should also immediately report any retaliation to the District Compliance Officer or Principal/designee.

f. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal .

Any decision concerning a complaint of discrimination, including discriminatory harassment, intimidation, and/or bullying shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing state law civil law remedies. (Education Code 262.3)*)*

H. Remedial Action

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

1. Interventions for the respondent who engaged in the discrimination, such as parent or supervisor notification, discipline (discussed below), counseling, or training.
2. Interventions for the subject of the complaint such as counseling, academic support, and information on how to report further incidents of discrimination.
3. Separating the subject of the complaint and the respondent who engaged in the discrimination, provided the separation does not penalize the subject of the complaint.
4. Follow-up inquiries with the subject of the complaint and witnesses to ensure that the discriminatory conduct has stopped and that they have not experienced any retaliation. Follow-up inquiries with the respondent who engaged in the discrimination to ensure that the respondent understands what behavior is expected and/or appropriate after the investigation.
5. Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute discrimination, that the District does not tolerate it, and how to report it.

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

I. Disciplinary Action

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

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

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

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

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

II. Complaints Alleging Noncompliance with Other Federal or State Laws

A complaint alleging district violation or noncompliance with federal or state laws or regulations governing specific educational programs, such as adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

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

If a complaint alleging noncompliance with federal or state laws or regulations governing specific educational programs or the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075.)

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

Appeals to the California Department of Education

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

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

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

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

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

The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions

listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 calendar days of the date the complaint was filed with the district.

Civil Law Remedies

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

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

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

Williams Uniform Complaint

Administrative Regulation 1312.4

Any individual, public agency or organization may file complaints about specified situations pertaining to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, teacher vacancies or misassignments, and deficiency in instruction and/or services to any student, by completion of grade 12, has not passed one or both parts of the high school exit exam. Such complaints are subject to a different complaint procedure. A complaint may be filed anonymously. The complaint shall be filed with the Principal of the school or his or her designee. The Principal or appropriate District official will remedy valid complaints within thirty (30) working days from the date the complaint was received and shall complete a written report within forty-five (45) working days of the initial filing.

A complainant not satisfied with the resolution of the Principal or appropriate District official has the right to describe the complaint to the Board during at a regularly scheduled hearing. If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the Principal or appropriate District official has the right to file an appeal to the Superintendent of Public Instruction within fifteen (15) days of receiving the District's decision.

For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to these complaint procedures are available upon request at the school or District offices or at https://www.pausd.org/policies#/browse.

Palo Alto Unified School District Directory

Superintendent of Schools

Dr. Donald B. Austin
25 Churchill Avenue
Palo Alto, California 94306
daustin@pausd.org

Board of Education
Information & Meeting Schedule

Information about the School Board including current Board members' addresses and phone numbers can be found at:
https://www.pausd.org/about-us/board-of-education

School Board meetings are generally held on the second and fourth Tuesdays of the month at 6:30 p.m. in Room 16 at 25 Churchill Avenue. Meetings are open to the public and are usually broadcast on Comcast channel 28. Videotapes of past meetings may be checked out from the District office.

PALO ALTO
UNIFIED SCHOOL DISTRICT

Notes