

# Citrus Valley High School Student Handbook 2020-2021

## Discipline

### Suspension/Expulsion (Education Code 48900: Grounds for Suspension)

The Principals, and their selected designees, administrators, have the authority to recommend to the Board of Education to suspend and/or expel any student for the following reasons/subdivisions:

- A. Student caused, attempted to cause, or threatened to cause physical injury to another person; or willfully used force or violence upon the person of another, except in self defense.
- B. Student was in possession, sold or furnished a firearm, knife, explosive, or another dangerous object of no reasonable use to the pupil at school or at a school activity off school grounds.
- C. Student was in possession of, used, sold, furnished or was under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, including alcoholic beverages or any other intoxicant.
- D. Student sold or attempted to sell a controlled substance or represented another substance as a controlled substance or an intoxicant.
- E. Student committed and/or attempted to commit a robbery or extortion.
- F. Student caused and/or attempted to cause damage to school property or private property or theft or attempted theft of school or private property on school grounds or during a school-related activity off grounds.
- G. Student stole and/or attempted to steal school or private property.
- H. Student was in possession of tobacco, or a product containing tobacco, including but not limited to, cigarettes, cigars, miniature cigars, cloves, smokeless tobacco, or chew.
- I. Student committed an obscene act or used excessive profanity or vulgarity.
- J. Student was in possession of, sold or attempted to sell drug paraphernalia defined in Section 11014.5 of the Health and Safety Code.
- K. Student disrupted a school activity, including but not limited to, classroom instruction, or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- L. Student knowingly received stolen school property or private property.
- M. Student was in possession of an imitation and/or replica of a firearm.
- N. Student committed or attempted to commit a sexual assault.
- O. Student harassed, threatened or intimidated another student.
- P. Student unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- Q. Student engaged in and/or attempted to engage in a hazing activity as defined in Section 32050.
- R. "Bullying means one or more acts by a pupil or group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act." This bill gives school officials grounds to suspend a pupil or recommend a pupil for expulsion for bullying, including but not limited to bullying by an electronic act. An electronic act includes but not limited to text messages, emails, web posting, videos, videos sent from one phone to another and social media postings.

48900.2 – Sexual Harassment    48900.3 – Act of Hate Violence    48900.7 – Terrorist Threats

48900.4 – Creating or intimidating or hostile educational environment

### Fighting (Penal Code 415.1: Fighting on School Grounds)

Any student involved in a fight on campus, in a classroom, in any building on school grounds, or on their way to

or from school or a school activity is subject to arrest. Also, students who use offensive words within any of these buildings or upon school grounds, who are inherently likely to provoke an immediate violent reaction, are also subject to arrest.

**Gangs** (Penal Code 186.26: Criminal Street Gangs) Any student who uses physical force or tries to intimidate, recruit, solicit or coerce another student to actively participate in any criminal gang related activity is subject to arrest.

**Hate Crimes** (Penal Code 11411: Hate Crimes) Any student act of intimidation, harassment, physical force or threat of physical force directed against another student, either in whole or in part by hostility to their real or perceived race, ethnic background, religious belief, sex, age, disability, or sexual orientation, with the intent of causing fear or intimidation, or to deter them from freely exercising or enjoying any rights or privileges secured by the Constitution and the state of California are subject to arrest.

**Loitering** (Municipal Code 9.58.020 Curfew) Any student under the age of eighteen years, who is subject to compulsory education or to compulsory continuation education, alone or in concert with others, to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, other public grounds, public places, public buildings, places of amusement and eating places, vacant lots or any place open to the public during the hours of eight-thirty a.m. to one-thirty p.m. on days when said minor's school is in session.

**Vandalism** (Penal Code 594.2 Vandalism) Any student, who maliciously defaces, damages or destroys school or personal property with graffiti and/or tagging is subject to arrest. Also, any student who is found in possession of a drill bit, glasscutter, grinding stone, awl, chisel, scribe, aerosol paint container, felt tip marker, or any other marking substance is subject to arrest.

**Gambling** (Municipal Code 9.24.010 and Penal Code 330 Gambling)

Any student involved in gambling, wagering, or betting on school premises or in the location where gambling is taking place is subject to suspension from school, arrest, and/or exclusion from school activities.

## **CVHS Dress Code**

The Board of Education has determined that a student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order. When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy.

If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student.

- Shoes must be worn at all times. A substantial sole is required and enclosed toes and heel footwear are highly encouraged. Platform shoes (over 3 inches), and slippers are not permitted.
- Extremely brief garments that are distracting to the educational environment are not acceptable. For young ladies, those garments would include: halter tops, tube tops, pajama tops and/or bottoms, muscle shirts, sleeveless undershirts worn as an outside garment, strapless apparel, any clothing that reveals underwear, spaghetti straps or any shirt that is less than 1 inch in width, off the shoulder apparel, see-through garments, low-cut garments, bare midriff garments (A jacket or cover-up to conceal brief clothing that reveals bras or bare midriffs is not acceptable). For young men, those garments would include: sleeveless sports jerseys, pajama tops and/or bottoms, muscle shirts, saggy pants and baggy pants (definitions of saggy and baggy pants are at bottom of this page).
- Extremely short skirts and shorts are not permitted.
- Garments with violent, suggestive or obscene statements will not be allowed. Garments or accessories with slogans or pictures depicting or promoting drugs, alcohol, tobacco, nudity or controlled substances are not appropriate. Clothing which causes hatred or unrest between students is not allowed.
- Earrings, jewelry or accessories, which present a safety hazard to the wearer or others are not suitable for school wear. Spiked or studded jewelry of any kind, including bracelets, chokers, rings, gloves, and belts are not acceptable.

- Only prescription sunglasses may be worn in classrooms or offices. Other types of sunglasses may be worn on campus outside of class.
- Identified gang attire such as bandanas, towels, or beanies or any gang paraphernalia is prohibited. Those items of attire include: Bib overalls with straps unbuckled, oversized, sagged or baggy pants, lettered or numbered belt buckles, apparel with emblems, printing, etc. that create animosity.
- Headwear will be permitted to be worn on campus but not inside of buildings.
  - The administration or designee is responsible for determining the appropriateness of a hat and whether the hat meets District criteria of being appropriate. Hats that adorn slogans or pictures depicting or promoting drugs, alcohol, tobacco, guns/ammunition, nudity or controlled substances will be confiscated.
- Chains of any form such as wallet safeguards or chokers, safety pins worn on the outside of clothing and excessively long belts (sized belts must be worn on the belt loops) violate the intent of the gang attire policy provisions and are subject to dress code violation penalties.

### **Definitions**

**Baggy pants:** the waistline of the pants, located at the hip bone of the student, when pulled and pinched will not have an excess of cloth material greater than one inch or one size larger than actual size.

**Sagged pants:** the waistline of the pants is to be located at the hip bone of the student. With the pants correctly worn, the crotch of the pants will not hang below the torso. The length of the “hemmed” pants will be no longer than the heel of the shoe. Properly fitted pants incorrectly worn (below the hip bone) are sagged pants.

For the safety of all CVHS students and staff, the administration reserves the right to ban any clothing style that indicates gang affiliation, violence, or drug use, or any clothing style that distracts from the learning environment. The administration also reserves the right to do random dress code checks as necessary for the safety of all students.

### **Consequences:**

- First offense: Warning; loaner clothes will be provided for the remainder of the school day. If the dress code item is an accessory, the item will be held in the office and returned at the end of the school day.
- Second offense: Loaner clothes will be provided for the remainder of the school day, 1 day lunch detention issued. If the dress code item is an accessory, the item must be picked up by student’s guardian.
- Third offense: Loaner clothes will be provided for the remainder of the school day, 2 days of lunch detention issued. If the dress code item is an accessory, the item must be picked up by student’s guardian.
- Fourth offense: Loaner clothes will be provided for the remainder of the school day, 1 day after school detention issued. If the dress code item is an accessory, the item must be picked up by student’s guardian.
- Fifth offense: Loaner clothes will be provided for the remainder of the school day, may result in suspension. If the dress code item is an accessory, the item must be picked up by student’s guardian.

## **Covid 19 pandemic policies for the 2020-21 school year:**

These policies will remain in place until the California Department of Public Health determines that students are safe:

### **Temperature Check and safety questions**

Every student will be required daily to have their temperature checked and answer five safety questions prior to entering campus. This is for the safety of your child and the safety of others. Students who are above 100.3 degrees F or answer yes to any of the five safety questions will be escorted to a safe location where the parent/guardian will be contacted for removal from campus.

### **Masks and Face coverings**

- Masks will be worn on campus at all times.
- Masks must cover the mouth and nose.
- Masks must be appropriate and not contain any depiction of alcohol, drugs, gang affiliation, or create an unsafe or uncomfortable environment on campus.

Failure to comply with these rules will result in the student being sent to a location that will be isolated for safety. Parent/guardian will be required to pick the student up from school or the student will be escorted to their vehicle for campus removal.

### **Social Distancing**

Students will be required to do their best to stay six feet apart from each other. Although we realize that this may be challenging when moving about campus; however, students who knowingly violate social distancing practices will be subjected to being escorted to the administration office for parent communication and possible campus removal.

## **Attendance/Tardy Policy for CVHS**

Student is considered tardy if not completely inside the assigned room when the bell rings. Individual teachers may require a more strict definition (i.e., Students must be in seat when the bell rings).

### **Period 1 Tardies**

- Students who are tardy within the first 7-minutes following the late bell will be required to report to the attendance window for a pass to class.
- After the first 7-minutes, student will walk the Attendance Office window to check-in. The student then will be given a pass to class with a tardy marked in Aeries. Students who show late to class without a pass *must* be marked tardy by their teacher in Aeries.

### **Attendance Expectations**

- Students are to report on time to *all* classes.
- CLASS should *always* be displayed in hallways and when entering a classroom or locker room.
- Students are to be present and engaged during their classes on a daily basis.

### **Perfect Attendance Awards**

Students will be considered for semester and year-long Perfect Attendance Awards each school year. All students receiving perfect attendance for the designated time period, will receive a perfect attendance certificate.

#### **To qualify for perfect attendance:**

- Students must be physically present to all periods every day being calculated for perfect attendance
  - Students must not be absent from any period (including excused absences)

- Students must not arrive late to any period for any reason (including excused tardies)

Students must not leave early from any period for any reason (including excused early outs)

- Participating in a school activity (i.e., sports, field trip, club activity, etc.) is the only reason a student may be absent from a period, arrive late to a period, or leave early from a period.

## **Classroom Interruption Policy**

**In order to maintain the best learning environment, CVHS will adhere to the following Classroom Interruption Policy:**

Classrooms will be interrupted only for the following emergencies with the approval of an Assistant Principal or designee: death or serious injury of a family member, household disaster (fire, flood, car accident with injuries), or anything directly affecting the safety of a student.

\*Messages concerning a change in transportation when received from a parent/guardian will be forwarded to the student's next class, unless it is the student's last class.

\*Previously unscheduled appointments, which require early dismissal of the student, will be handled through the Attendance Office.

Items delivered to the school at the request of the student who has called home will be held at the switchboard. The student will be responsible for checking for the delivered item(s) during passing periods. "Forgotten" items, (i.e. lunch money), which are delivered, will be held at the switchboard. A note will be sent to the student to pick the item up at lunch or the end of the day – no exceptions.

**All food, floral and balloon deliveries will be refused. Issues will be directed to an Assistant Principal.**

## **Electronic Information Resource Acceptable Use Policy**

The Redlands Unified School District strongly believes in the educational value of electronic services and recognizes the potential of such to support the curriculum and student learning in the district. The goal of the district in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. The Redlands Unified School District will make every effort to protect students from any misuses or abuses as a result of their experiences with an information service. All users must be continuously on guard to avoid inappropriate and illegal interaction with the information service. Access to the internet will enable students to explore thousands of libraries, databases, and bulletin boards. Families should be warned that some material accessible via the internet may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While the intent of the District is to make internet access available to further educational goals and objectives, students may find ways to access other materials as well. It is believed that the benefits to students from access to the internet in the form of information resources and opportunities for collaboration exceed the disadvantages. Ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. To that end, the school and district staff supports and respects each family's right to decide whether or not to apply for access. Students are responsible for good behavior on the school computer network just as they are in a classroom or a school hallway. Communications on the network are often public in nature. General school rules for behavior and communications apply. The school computer network is provided for students to conduct research. Access to network services is given to students who agree to act in a considerate and responsible manner. Parent permission is required. Access is a privilege - not a right. Access entails responsibility. Individual users of the school's computer network are responsible for their behavior and communications over the network. It is presumed that users will comply with school standards and will honor this Acceptable Use Policy. Beyond the clarification of such standards, the school is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network. Network storage areas may be treated like school lockers. Network administrators may review files kept on the file servers to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on school district computers will always be private. Within reason, freedom of speech and access to information will be honored. During school, teachers of younger students will guide them toward appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio and other potentially offensive media. "Electronic information resources" include, but are not limited to, any computer use, any information available via the Internet, any information available via the local area network, accessed using RUSD computers, computer software of any kind including CD-ROM and network resources, and video resources. Please read this document carefully. Listed below are the provisions of this Acceptable Use Policy. If any user violates these provisions, access to information services may be denied and you may be subject to disciplinary action.

### **Terms and Conditions of This Contract**

1. **Personal Responsibility:** As a student in the RUSD, I will accept personal responsibility for using electronic resources in accordance with the acceptable use guidelines outlined below. In addition, I will accept personal responsibility for reporting any misuse of electronic resources to the classroom teacher, computer lab instructor or the school principal. Misuse can come in many forms, but it is commonly defined as any information sent or received that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, excessive violence, drug or alcohol use, gang related material, and/or other issues described below. All the rules of conduct described in the District publication entitled "Board Policy 6162.7 - Use of Technology in Instruction" apply when you are using the network to access information services.

2. **Acceptable Use:** The use of any electronic information resource must be in support of education and research and with the educational goals and objectives of the Redlands Unified School District (these may be found in the District document entitled, "Board Policy 6162.7 - Use of Technology in Instruction"). I am personally responsible for this provision at all times when using electronic information services.

a. RUSD provides access to electronic information resources for use in support of education and educational research only.

3. **Privileges:** The use of the District information system is a privilege, not a right, and inappropriate use (as defined above) will result in a cancellation of those privileges. The Redlands Unified School District system administrator(s) (operating under the aegis of the Board of Education and the District Office) will decide what appropriate use is and their decision is final. The system administrator may close an account at any time deemed necessary. The administration, staff, or faculty of the Redlands Unified School District may request that the system administrator deny, revoke, or suspend specific user accounts.

4. **Services:** The Redlands Unified School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Redlands Unified School District will not be responsible for any damages suffered while using this system. These damages include loss of data as a result of delays, non-deliveries, or service interruptions caused by the system or your errors or omissions. Use of any information obtained via the information system is at your own risk. The Redlands Unified School District specifically disclaims any responsibility for the accuracy of information obtained through its services.

5. **Security:** Security on any computer system is a high priority because there are so many users. If you identify a security problem, notify the classroom teacher, computer lab instructor or the school principal at once. Never demonstrate the problem to other users. Never use another individual's account. All use of the system must be under your own account. Never distribute your password to other users. Any user identified as a security risk will be denied access to the information system. Examples of security risk behavior include attempting to access the account of another user, attempting, in any way, to access data or software that the user has not been given privileges to, attempting to modify the configuration of a computer workstation or server in order to gain access to restricted data or software and distributing your password to others.

6. **Vandalism:** Vandalism is defined as any malicious attempt to harm or destroy data of another user or any other agencies or networks that are connected to the system. This includes, but is not limited to, executing, uploading or creating computer viruses, and any attempt to disrupt network services. Vandalism includes any activity that can be described as "hacking," "cracking," and the like. Vandalism also includes the intentional damage of computer hardware, peripherals, and software media. Any vandalism will result in the loss of computer services, disciplinary action, and legal referral.

7. **Updating:** The information service may occasionally require new user registration and account information from you to continue the service. You must notify the classroom teacher, computer lab instructor or the school principal of any changes in your account information.

## **STUDENT AGREEMENT**

I understand and will abide by the provisions and conditions of the RUSD Acceptable Use Policy. I understand that any violations of the above provisions may result in disciplinary action, the revoking of my user account, and appropriate legal action. I also agree to report any misuse of the information system to the Redlands Unified School District system administrator. Misuse can come in many forms, but it is commonly viewed as any information sent or received that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, excessive violence, drug or alcohol use, gang related material, and/or other issues described in the Electronic Information Resource Appropriate Use Policy. All the rules of conduct described in the District publication entitled, "Board Policy 6162.7 Use of Technology in Instruction" apply when I am using the network.

## **PARENT OR GUARDIAN AGREEMENT**

As the parent or guardian of this student, I have read the RUSD Acceptable Use Policy and understand that the information system and the network is designed for educational purposes. I understand that it is impossible for the Redlands Unified School District to restrict access to all controversial materials, and I will not hold the District responsible for materials acquired on the network. I also agree to report any misuse of the information system to the Redlands Unified School District system administrator. Misuse can come in many forms, but it is commonly viewed as any information sent or received that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, excessive violence, drug or alcohol use, gang related material, and/or other issues described in the Electronic Information Resource Appropriate Use Policy. I accept full responsibility for

# **Board Policies**

## **Statement of the Board of Education**

BP 5144

### **Philosophy Statement:**

It is the philosophy of the Redlands Unified School District that each and every student in the district is entitled to an equal opportunity to participate in the educational program. In order to provide this, it is essential that adequate control be maintained in the classroom and educational setting.

No person or student has the right to interrupt, restrict, or prevent other students from being provided with an education which is rightfully theirs. Thus, every pupil shall have an opportunity to receive an education without fear of intimidation, threats, coercion, disruptions, etc. Any activity which abrogates this right, by whomsoever, shall be vigorously prevented by any and all legal means.

The Board of Education of the Redlands Unified School District in support of the aims of public education, believes that the behavior of students attending public schools shall reflect the good citizenship demanded of members in a democratic society. Self-discipline (responsibility for one's actions) is one of the important goals of education. The Board of Education believes also, that while education is qualified by, first, eligibility requirements and by, second, performance requirements, the courts speak of education as a limited right or privilege. Should the pupil fail to perform those duties required of him upon attendance in public schools, he may then be excluded from the school.

This position has been stated by the California courts as follows: "to the end that the public school system may in full measure function according to its purposes, there must, of course, be rules and regulations for the government thereof and these the legislature has either directly provided or has vested the school authorities with the right and power to prescribe the course of study to be followed in the various grades of the system, and to maintain at all times the discipline indispensably necessary to the successful prosecution of the high purposes thereof. To all such regulations if they be reasonable or not violative of their fundamental rights or of those of their parents or guardians, the pupils are bound to conform or suffer a denial of the right to attend the public schools" (Hardwich vs. Board of Trustees 54 C.A. 696)

In conformity with the State Code of Education, court decisions, and others, the Board of Education establishes the following policy regarding student behavior and the management thereof:

### **General Policy Statement:**

A. Students shall respect all constituted authorities. Agents of this constituted authority are all teachers, counselors, principals, or other certificated or classified personnel who are given authority over pupils. This shall include conformity to school rules and regulations, and those provisions of the law which apply to the conduct of juveniles or minors.

B. No student shall deprive any other student or group of students an opportunity to gain an education. Thus, any action, behavior, or practice which interferes with this right shall not be tolerated. If, in the judgment of a principal, teacher, or counselor, a student is causing others to lose their right to an education within the total educational setting, he/she may be suspended. Habitual violations of board policy regulation student conduct shall be grounds for exclusion or expulsion. Non-students who cause similar disruptions shall be given over to



the police authorities.

C. High personal standards of courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be maintained. Respect for real and personal property will be shown by all.

D. Every student who gives evidence of a sincere desire to remain in school, to be diligent in studies, and to profit from the educational experiences provided will be given every opportunity to do so and will be assisted in every way possible to achieve scholastic success to the limit of individual ability.

E. Recognizing the privilege of representing one's school, the Board of Education feels that students who commit the following offenses should lose their privilege to represent their respective school or district for a period of no less than one quarter and not more than one year. This is to be determined by the principal and administrative staff.

1. Providing, possessing, or using dangerous drugs, alcohol, narcotics, or other injurious substances.
2. Habitual truancy
3. Extortion of money, food, etc. from other students
4. Theft
5. Forging passes, attendance slips, or changing the marks on a report card
6. Misbehavior in the educational setting which the principal and his administrative staff may feel brings discredit on the school and district.

F. All school personnel have the responsibility to bring knowledge of any infraction of the above to the proper authorities.

G. No student, regardless of his social status, race, creed, or color, shall receive preferential treatment in any matter outlined in this policy of discipline.

H. At intervals, upon the request of the Board of Education, Superintendent, or the Redlands Teachers Association, meetings will be held to modify, revise, change or update any part of this general policy. CVHS students are expected to maintain academic integrity.

### **Lunchtime Boundaries/Hallway Expectations**

During the regular lunch period each day, students are expected to remain in our Bistro and Main Quad area, unless they are meeting inside a classroom for club activity, academic tutoring, or make-up work. Students are not permitted to loiter outside of the Main Quad area, inside building hallways, or in parking lots during the lunch period. App based food deliveries are prohibited during school hours. Lunch is provided daily in the Bistro at no cost. Lunches **may not be** dropped off for students.

### **Skateboards / Bicycles**

Skateboards / Bicycles / Roller Blades / Scooters / Razors are not allowed to be ridden or seen on campus during

the instructional day. State helmet law will be enforced. Please place these items in the bike and skateboard racks with a secure lock.

### **Personal Electronic Devices** (Education Code 48901.5)

Electronic signaling device; possession or use prohibited; exception

(a) The governing board of each school district, or its designee, may regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school district while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees.

(b) No pupil shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the pupil and use of which is limited to purposes related to the health of the pupil.

## **Academic Integrity**

In an effort to encourage students to establish lifelong skills of honesty and integrity, it is the policy at Citrus Valley High School to promote academic integrity. Any kind of work submitted as your own that you did not produce in its entirety is academic dishonesty. Assisting others in academic dishonesty makes a student equally responsible. Examples include:

- Homework (copying from another student)
- Getting/Giving answers to a test
- Copying from the Internet without quoting as a source or paraphrasing
- Copying or sharing answers/work between students
- Making up sources
- Allowing another student to copy from you
- Plagiarizing from the Internet, written text or other source
- Sharing work via Email

### **Consequences:**

- First offense – zero on assignment – logged into Aeries – call to parent by teacher
- Second offense – zero on assignment – logged into Aeries – class suspension
- Third offense – subsequent offense(s) will result in disciplinary action by administrator

## **Conduct**

BP 5131

### **Students**

The Governing Board 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 site 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 firearm or other weapon, and terrorist threats.
2. Discrimination, harassment, intimidation, or bullying of students or staff based on their actual or perceived characteristics of sex, sexual orientation, gender, gender identity or gender expression, genetic information, ethnic group identification, race or ethnicity, ancestry, nationality, national origin, religion, marital or parental status, color, mental or physical disability, or age; or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on his/her association with a person or group with one or more of these actual or perceived characteristics, including 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.

3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to the district, staff or other students

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.

6. Obscene acts or use of profane, vulgar, or abusive language
7. Possession, use or being under the influence of alcohol, tobacco or other prohibited drugs
8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

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

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

10. Plagiarism or dishonesty in school work or on tests
11. Inappropriate attire
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

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

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

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

appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion or 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.

## **Sexual Harassment**

AR 5145.7

### **Students**

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Assistant Superintendent, Educational Services Division  
20 W. Lugonia Avenue  
Redlands, CA 92373  
(909) 307-5300, ext. 6761

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, 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.
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.

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. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

#### Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days,

forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

### Confidentiality

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

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her 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 or victim of sexual harassment 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.

### Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

### 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)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

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

## **Sexual Harassment**

BP 5145.7

### **Students**

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of any student by anyone at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint, or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender, or sex, and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment, even where the alleged victim of the harassment has not complained.
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed

separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints, 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 civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

#### Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence 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.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

#### **Uniform Complaint Procedures**

AR 1312.3

#### **Community Relations**

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in Board policy 1312.3.



The Board recognizes that school personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying.

### Compliance Officers

The Governing Board designates the individuals identified below as the employees responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The Assistant Superintendent, Educational Services serves as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination. The individuals shall receive and coordinate the investigation of complaints and shall ensure district compliance with law:

Lead Compliance Officer: Assistant Superintendent, Educational Services

Special Services: Executive Director, Special Services

Adult Basic Education: Director, Curriculum & Instruction

Vocational Education: Director, Curriculum & Instruction

Consolidated Categorical Programs: Director, School Improvement & Professional Development

Address: Redlands Unified School District

20 West Lugonia

Redlands, CA 92373-1508

Phone: (909) 307-5300

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is assigned to investigate the complaint.

In no instance shall a compliance officer be assigned a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaint to which they are assigned. Training provided to such employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those involving alleged unlawful discrimination (such as discrimination, harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

### Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written 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. (Education Code 262.3, 49013; 52075; 5 CCR 4622)

The annual notification and complete contact information of the compliance officer(s) may be posted on the district web site and, if available, provided through district-supported social media.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

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 the UCP 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 UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the 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, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
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 from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging retaliation, unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) must 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 of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
  - d. 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.
  - e. The Board is required to adopt and annually update the Local Control and Accountability Plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
  - f. 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.
  - g. A foster youth or homeless student who transfers into a district high school or between district high schools 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

- h. The 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.
- i. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- j. Copies of the district's uniform complaint procedures are available free of charge.

#### District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed, and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

#### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

- 1. A written 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 may be filed by any individual, public agency, or organization. (5 CCR 4630)
- 2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP 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. 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)
- 3. A complaint alleging unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination, or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
- 4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as

appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.
6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

## Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

## Investigation of Complaint

Within 10 business days after receiving the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide an opportunity for the complainant and/or his/her representative to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

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 other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

## Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

## Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

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 that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

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

1. The findings of fact based on the evidence gathered.
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The relationship between the alleged victim(s) and offender(s)
  - d. The number of persons engaged in the conduct and at whom the conduct was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different individuals
5. Corrective actions, including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education

## Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
  - b. Individual remedies offered or provided to the complainant<sup>5</sup> or another person who was the subject of the complaint
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant'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.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE.  
(Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. 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 at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

## Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
  
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

If a complaint alleging noncompliance with 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; 5 CCR 4600)

#### Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

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)

Upon notification by the CDE that the complainant 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 written 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