

Students

Nondiscrimination/Gender Equity/Harassment

District programs and activities shall be free from discrimination, including harassment, with respect to the actual or perceived ethnic group, religion, gender, color, race, ancestry, national origin, and physical or mental disability, age or sexual orientation.

The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by an employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed should immediately contact either the nondiscrimination coordinator or the principal or designee. If a situation involving harassment is not promptly remedied by the nondiscrimination coordinator, principal or designee, a complaint may be filed with the Superintendent or designee who shall determine which complaint procedure is appropriate. The Board prohibits retaliation against any student who complains, testifies, or in any way participates in the district's complaint procedures pursuant to this policy.

StudentsNondiscrimination/Gender Equity/Harassment (continued)

Legal Reference:	Education Code	
	200-262.4	Prohibition of discrimination on the basis of sex, especially:
	221.5	Prohibited sex discrimination
	221.7	School-sponsored athletic programs; prohibited sex 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
	49020-49023	Athletic programs
	51006-51007	Equitable access to technological education 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
	Code of Regulations, Title 5	
	4621	District policies and procedures
	4622	Notice requirements
	Penal Code	
	422.6	Interference with constitutional right or privilege
	United States Code, Title 42	
	2000d-2000e-17	Title VI & VII Civil Rights Act of 1964 as amended
	2000h-2-2000h-6	Title IX, 1972 Education Act Amendments
	Code of Federal Regulations, Title 34	
	100.3a	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

Adopted: September 11, 2003

Students

Non-Discrimination/Gender Equity/Harassment

Procedures

1. The principal or designee shall promptly investigate all complaints of discrimination/harassment. In so doing, he/she shall talk individually with:
 - a. The student who is complaining.
 - b. The person accused of discrimination/harassment.
 - c. Anyone who saw the discrimination/harassment take place.
 - d. Anyone mentioned as having related information.
2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the discrimination/harassment, and put his/her complaint in writing.
3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
 - a. The Superintendent or designee.
 - b. The parent/guardian of the student who complained.
 - c. The parent/guardian of the person accused of discriminating/harassing someone.
 - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth.
 - e. Child protective agencies responsible for investigating child abuse reports.
 - f. Legal counsel for the district.
(cf. 5141.41 – Child Abuse Prevention)
4. When the student who complained and the person accused of discrimination/harassment so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.

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Non-Discrimination/Gender Equity/Harassment (continued)

Procedures (continued)

5. The principal or designee shall tell the student who complained that he/she has the right to file a formal complaint at any time in accordance with the district's uniform complaint procedures. If the student wishes to file a formal complaint, the principal or designee shall assist the student in doing this.

Revised: July 2003