

Series 5000 – Students

Nondiscrimination/Harassment Students

The Sutter County Superintendent of Schools designates the individual(s) identified below as the employee(s) responsible for coordinating efforts to comply with applicable state and federal civil rights laws, and to answer inquiries regarding SCSOS's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Assistant Superintendent of Educational Services
970 Klamath Lane
Yuba City, CA 95993
530-822-2900

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at 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 schools nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public, posting them in prominent locations and providing easy access to them through SCSOS-supported communications.
2. Post SCSOS's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying in a prominent location on SCSOS's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)
3. Post a section on social media bullying that includes references to possible forums for social media bullying, including Internet websites with free registration and

ease of registration and Internet websites offering peer-to-peer instant messaging, comment forums or sections, and image or video posting platforms, in a prominent location on SCSOS's web site in a manner that is easily accessible to parents/guardians and students.

4. Post the definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on SCSOS's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

5. Post in a prominent location on SCSOS's web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

- a. The name and contact information of SCSOS's Title IX Coordinator, including the phone number and email address.
- b. The rights of students and the public and the responsibilities of SCSOS under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations.
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site.
 - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office.

A link to the Title IX information included on the California Department of Education's (CDE) web site.

6. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on SCSOS's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
 7. Provide to students a handbook that contains age-appropriate information that clearly describes SCSOS's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
 8. Annually notify all students and parents/guardians of SCSOS's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from SCSOS's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, SCSOS will address any individual student's interests and concerns in private.
 9. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in SCSOS'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 school speak a single primary language other than English, SCSOS'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, SCSOS shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.
10. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding SCSOS'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 details of guidelines SCSOS may use to provide a discrimination-free environment for all students.
 11. 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. (Education Code 234.1)

12. At the beginning of each school year, inform each principal or designee of SCSOS's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of Policy

Appropriate actions shall be taken to reinforce SCSOS policy regarding Nondiscrimination/Harassment. As needed, these actions may include, but are not limited to the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the 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
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

Process for Initiating and Responding to Complaints

Students who feel they have been subjected to unlawful discrimination described above or in policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim 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 report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall notify the student or parent/guardian of the right to file a formal complaint, in accordance with SCSOS's Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, the Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

SCSOS prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. SCSOS's uniform complaint procedures or Title IX sexual harassment procedures, as applicable, shall be used to report and resolve complaints alleging discrimination against all students.

SCSOS shall only disclose a student's private information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when SCSOS has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, SCSOS may allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by SCSOS pursuant to 34 CFR 99.31.