



## Title IX Law: Discrimination & Harassment – Know Your Rights

### **Student Rights under Title IX**

Federal Title IX of the Education Amendments of 1972 ("Title IX"), implemented at 34 C.F.R. § 106.31, subd. (a), provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal financial assistance. Relevant here, Title IX requires school districts to take immediate and appropriate action to investigate when it knows or reasonably should know of a possible Title IX violation.

### **Title IX Coordinator**

Noelle DeBortoli, Executive Director of Human Resources, is the Title IX Coordinator for the Tehama County Department of Education and can be reached by email at [ndebortoli@tehamaschools.org](mailto:ndebortoli@tehamaschools.org) or by phone at (530) 528-7388.

### **Student Rights Pursuant to Education Code Section 221.8**

Education Code section 221.8 provides as follows:

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C § 1681 et seq.), may be used by the department for purposes of Section 221.6:

- a. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- b. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- c. You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- d. You have the right to apply for athletic scholarships.
- e. You have the right to receive equitable treatment and benefits in the provision of all of the following:
  1. Equipment and supplies
  2. Scheduling of games and practices
  3. Transportation and daily allowances
  4. Access to tutoring
  5. Coaching
  6. Locker rooms
  7. Practice and competitive facilities
  8. Medical and training facilities and services
  9. Publicity
- f. You have the right to have access to the Title IX coordinator to answer questions regarding gender equity laws.
- g. You have the right to contact the State Department of Education and California Interscholastic Federation to access information on gender equity laws.
- h. You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex/gender.
- i. You have the right to pursue civil remedies if you have been discriminated against.
- j. You have the right to be protected against retaliation if you file a discrimination complaint.

### **Filing a Title IX Complaint with Tehama County Department of Education**

Student complaints shall be submitted in written form in accordance with Superintendent Policy 5145.3 and 5145.7 and Administrative Regulation 1312.3 attached at the conclusion of this document. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. The Department provides a complaint form at the conclusion of this document.



## Tehama County Department of Education

**Richard DuVarney**  
Tehama County  
Superintendent of  
Schools

Complaints must be filed within six months from the date when the alleged unlawful discrimination occurred, or from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying that is based on sex. The time for filing may be extended up to 90 days by the County Superintendent or designee, for good cause, upon written request by the complainant setting forth the reasons for the request for an extension of time to file a written complaint.

The compliance officer may informally discuss with all the parties the possibility of using mediation within three business days after his or her receipt of the complaint. All complaints shall be appropriately investigated in a timely manner. Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint. The investigation shall include an opportunity for the complainant, or the complainant's representative, or both, to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Unless extended by a written agreement with the complainant, the Tehama County Department of Education shall issue a written decision based on the evidence within 60 calendar days from receipt of the complaint by the Tehama County Department of Education.

Any complainant who is dissatisfied with the final written decision may file an appeal in writing with the California Department of Education within 15 calendar days of receiving the decision.

Complaints made by or on behalf of students may also be filed with the U.S. Department of Education, Office of Civil Rights within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the Office of Civil Rights for good cause shown under certain circumstances.

Additional details about procedures for filing a complaint may be found in within the content of Superintendent Policies 5145.3 and 5145.7 and Administrative Regulation 1312.3.

### **Attachments**

- SP/AR 1312.3 Uniform Complaint Procedures
- AR 4119.12 Title IX Sexual Harassment Complaint Procedures
- SP/AR 5145.3 Nondiscrimination/Harassment
- SP/AR 5145.7 Sexual Harassment
- SP 5145.9 Hate-Motivated Behavior

### **Additional Resources**

- United States Department of Education Office for Civil Rights:  
<https://www2.ed.gov/about/offices/list/ocr/index.html>
- United States Department of Education Office for Civil Rights Complaint Form:  
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
- United States Department of Education Office for Civil Rights Contact information:  
By email: [orocr@ed.gov](mailto:orocr@ed.gov) or by Phone: 1-800-421-3481
- California Department of Education Office of Equal Opportunity:  
<https://www.cde.ca.gov/re/di/or/oeo.asp>

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The Tehama County Superintendent of Schools recognizes that the Tehama County Department of Education has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The County Superintendent encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the County Superintendent adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

**Complaints Subject to UCP**

The Department's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging Department violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education; federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; California State Preschool Programs; and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000
1. Any complaint, by a student, employee, or other person participating in a Department program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics
2. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student
3. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code

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- 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements
4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities
  5. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians
  6. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding
  7. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements
  8. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements
  9. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging Department noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country
  10. Any complaint alleging Department noncompliance with the requirements of

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Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions

11. Any complaint alleging Department noncompliance with the physical education instructional minutes requirement
12. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations
13. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
14. Any other complaint as specified in Department policy

The County Superintendent recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may 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 sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The County Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The Department shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the County Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the Department shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the Department's UCP.

The County Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The County Superintendent or designee 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.

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The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures.

*Legal Reference:***EDUCATION CODE**

- 200-262.4 Prohibition of discrimination*
- 8200-8498 Child care and development programs*
- 8500-8538 Adult basic education*
- 18100-18203 School libraries*
- 32280-32289 School safety plan, uniform complaint procedures*
- 35186 Williams uniform complaint procedures*
- 46015 Parental leave for students*
- 48853-48853.5 Foster youth*
- 48985 Notices in language other than English*
- 49010-49014 Student fees*
- 49060-49079 Student records, especially:*
- 49069.5 Records of foster youth*
- 49490-49590 Child nutrition programs*
- 49701 Interstate Compact on Educational Opportunity for Military Children*

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*Legal Reference (continued)*

EDUCATION CODE

- 51210 Courses of study grades 1-6
- 51222 Physical education, secondary schools
- 51223 Physical education, elementary schools
- 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
- 51226-51226.1 Career technical education
- 51228.1-51228.3 Course periods without educational content
- 52060-52077 Local control and accountability plan, especially:
- 52075 Complaint for lack of compliance with local control and accountability plan requirements
- 52300-52462 Career technical education
- 52500-52616.24 Adult schools
- 54400-54425 Compensatory education programs
- 54440-54445 Migrant education
- 54460-54529 Compensatory education programs
- 59000-59300 Special schools and centers
- 64000-64001 Consolidated application process; school plan for student achievement
- 65000-65001 School site councils

GOVERNMENT CODE

- 11135 Nondiscrimination in programs or activities funded by state
- 12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

- 1596.792 California Child Day Care Act; general provisions and definitions
- 1596.7925 California Child Day Care Act; health and safety regulations

PENAL CODE

- 422.55 Hate crime; definition
- 422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

- 11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

- 4600-4670 Uniform complaint procedures
- 4680-4687 Williams uniform complaint procedures
- 4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

- 1221 Application of laws
- 1232g Family Educational Rights and Privacy Act
- 1681-1688 Title IX of the Education Amendments of 1972
- 6301-6576 Title I Improving the Academic Achievement of the Disadvantaged
- 6801-7014 Title III language instruction for limited English proficient and immigrant students

UNITED STATES CODE, TITLE 29

- 794 Section 504 of Rehabilitation Act of 1973

**UNIFORM COMPLAINT PROCEDURES***Legal Reference (continued):*UNITED STATES CODE, TITLE 42*2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended**2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964**6101-6107 Age Discrimination Act of 1975**12101-12213 Title II equal opportunity for individuals with disabilities*CODE OF FEDERAL REGULATIONS, TITLE 28*35.107 Nondiscrimination on basis of disability; complaints*CODE OF FEDERAL REGULATIONS, TITLE 34*99.1-99.67 Family Educational Rights and Privacy Act**100.3 Prohibition of discrimination on basis of race, color or national origin**104.7 Designation of responsible employee for Section 504**106.8 Designation of responsible employee for Title IX**106.9 Notification of nondiscrimination on basis of sex**110.25 Notification of nondiscrimination on the basis of age**Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*Uniform Complaint Procedure 2020-21 Program Instrument**Sample UCP Board Policies and Procedures*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Dear Colleague Letter, September 22, 2017**Dear Colleague Letter: Title IX Coordinators, April 2015**Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014**Dear Colleague Letter: Harassment and Bullying, October 2010**Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001*U.S. DEPARTMENT OF JUSTICE PUBLICATIONS*Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002*WEB SITES*CSBA: <http://www.csba.org>**California Department of Education: <http://www.cde.ca.gov>**Family Policy Compliance Office: <http://www2.ed.gov/policy/gen/guid/fpco>**U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>**U.S. Department of Justice: <http://www.justice.gov>*

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Except as the Tehama County Superintendent of Schools may otherwise specifically provide in other Department policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in SP 1312.3.

**Compliance Officers**

The Department designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the Department's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure Department compliance with law.

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

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the County Superintendent or designee who shall determine how the complaint will be investigated.

The County 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 complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory 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 County Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult

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with the County Superintendent, the County Superintendent's designee, or, if appropriate, an designated Administrator to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the Department issues its final written decision, whichever occurs first.

**Notifications**

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

In addition, the County Superintendent or designee shall annually provide written notification of the Department's UCP to students, employees, parents/guardians of Department students, Department advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

The notice shall include:

1. A statement that the Department is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Superintendent policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the Department's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the Department will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the Department, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints
7. A statement that complaints will be investigated in accordance with the Department's UCP and a written decision will be sent to the complainant within 60 days from the

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receipt of the complaint, unless this time period is extended by written agreement of the complainant

8. A statement that the complainant has a right to appeal the Department's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. A statement that copies of the Department's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the Department web site and may be provided through Department-supported social media, if available.

The County 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 Department's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular Department school speak a single primary language other than English, the Department'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.

**Step 1: 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 writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Department staff shall assist in the filing of the complaint.

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization.

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2. Any complaint alleging noncompliance with law regarding the prohibition against 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 or with the County Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred.
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that 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 County Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
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 of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the Department's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the Department shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

**Step 2: 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

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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 an investigation of the complaint.

The use of mediation shall not extend the Department'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 Department shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the Department shall then continue with subsequent steps specified in this administrative regulation.

**Step 3: Investigation of Complaint**

Within 10 business days after the compliance officer receives 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 the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or 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.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the Department'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. Similarly, a respondent's refusal to provide the Department'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 a finding, based on evidence collected, that

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a violation has occurred and in the imposition of a remedy in favor of the complainant.

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.

**Timeline for Final Decision**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the Department's final written decision at the same time it is provided to the complainant.

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

**Final Written Decision**

For all complaints, the Department's final written decision shall include:

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct
  - e. Past instances of similar conduct by any alleged offenders
  - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint

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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. The manner in which 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 site or program, location of the incidents, and context in which they occurred
  - f. Other incidents involving different individuals
5. Corrective action(s), 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 respondent
  - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
  - c. Systemic measures the Department has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the Department's decision to CDE within 15 calendar days, 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.

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

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in 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 pursuant to Education Code 48985. In all other instances, the Department shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

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. The complainant 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 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 Department policies; training for faculty, staff, and students; updates to Department policies; or Department/site/program climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support



**UNIFORM COMPLAINT PROCEDURES**

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

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 cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Department shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The Department may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the Department does not tolerate it, and how to report and respond to it.

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When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, or any requirement related to the LCAP is found to have merit, the Department shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.

For complaints alleging noncompliance with the laws regarding student fees, the Department 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.

**Appeals to the California Department of Education (CDE)**

Any complainant who is dissatisfied with the Department's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision.

The complainant shall specify the basis for the appeal of the decision and how the facts of the Department's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the Department's decision in that complaint.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the Department's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by CDE that the Department's decision has been appealed, the County Superintendent or designee shall forward the following documents to CDE:

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 UCP

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7. Other relevant information requested by CDE

**Health and Safety Complaints in California State Preschool Program**

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint and shall contain a space to indicate whether the complainant desires a response to the complaint. If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the County Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution.

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint.

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or County Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the preschool administrator makes this report, the information shall be reported at the same time to the County Superintendent or designee. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to appeal the decision to the County Superintendent at a mutually agreeable time.

A complainant may file a written appeal of the Department's decision to CDE in accordance with 5 CCR 4632.

Any such appeal shall be filed within 30 days of receiving the decision.

On a quarterly basis, the County Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting.

**NONDISCRIMINATION/HARASSMENT**

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Tehama County Superintendent of Schools desires to provide a safe environment that allows all students equal access to and opportunities in the Department's academic, extracurricular, and other educational support programs, services, and activities. The County Superintendent prohibits, at any Department school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in Department programs or activities or the provision or receipt of educational benefits or services.

The County Superintendent also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The County Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the County Superintendent or designee shall post the Department's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the Department's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The County Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The County

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Superintendent or designee shall regularly review the implementation of the Department's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The County Superintendent or designee shall report the findings and recommendations to the County Superintendent after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, County Superintendent policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

**Record-Keeping**

The County Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

*Legal Reference:*EDUCATION CODE

- 200-262.4 Prohibition of discrimination*
- 48900.3 Suspension or expulsion for act of hate violence*
- 48900.4 Suspension or expulsion for threats or harassment*
- 48904 Liability of parent/guardian for willful student misconduct*
- 48907 Student exercise of free expression*
- 48950 Freedom of speech*
- 48985 Translation of notices*
- 49020-49023 Athletic programs*
- 49060-49079 Student records*
- 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*

GOVERNMENT CODE

- 11135 Nondiscrimination in programs or activities funded by state*

PENAL CODE

- 422.55 Definition of hate crime*

**NONDISCRIMINATION/HARASSMENT**

*Legal Reference (continued):*

PENAL CODE

422.6 *Crimes, harassment*

CODE OF REGULATIONS, TITLE 5

432 *Student record*

4600-4670 *Uniform complaint procedures*

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

UNITED STATES CODE, TITLE 20

1681-1688 *Title IX of the Education Amendments of 1972*

UNITED STATES CODE, TITLE 29

794 *Section 504 of Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*

6101-6107 *Age Discrimination Act of 1975*

12101-12213 *Title II equal opportunity for individuals with disabilities*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 *Nondiscrimination on basis of disability; complaints*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 *Disclosure of personally identifiable information*

100.3 *Prohibition of discrimination on basis of race, color or national origin*

104.7 *Designation of responsible employee for Section 504*

104.8 *Notice*

106.8 *Designation of responsible employee for Title IX*

106.9 *Notification of nondiscrimination on basis of sex*

110.25 *Prohibition of discrimination based on age*

COURT DECISIONS

*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*

*Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130*

*Management Resources:*

CSBA PUBLICATIONS

*Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017*

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

*Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018*

FIRST AMENDMENT CENTER PUBLICATIONS

*Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016*

*Dear Colleague Letter: Title IX Coordinators, April 2015*

*Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division,*

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*Management Resources (continued):*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*(2013) OCR 09-12-1020, DOJ 169-12C-70*

*Dear Colleague Letter: Harassment and Bullying, October 2010*

*Notice of Non-Discrimination, Fact Sheet, August 2010*

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

*Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003*

WEB SITES

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*California Office of the Attorney General: <http://oag.ca.gov>*

*California Safe Schools Coalition: <http://www.casafeschools.org>*

*First Amendment Center: <http://www.firstamendmentcenter.org>*

*U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*

**NONDISCRIMINATION/HARASSMENT**

The Tehama County Superintendent of Schools designates the individual(s) identified below as the employee(s) responsible for coordinating the Department's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the Department'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, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, 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:

Executive Director, Human Resources  
1135 Lincoln Street  
Red Bluff, CA 96080  
530-527-5811  
ndebortoli@tehamaschools.org

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at Department schools or in school activities and to ensure equal access of all students to the educational program, the County Superintendent or designee shall implement the following measures:

1. Publicize the Department's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through Department-supported communications
2. Post the Department's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the Department's web site in a manner that is easily accessible to parents/guardians and students
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the Department's web site in a manner that is easily accessible to parents/guardians and students



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4. Post in a prominent location on the Department 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:
  - a. The name and contact information of the Department's Title IX Coordinator, including the phone number and email address
  - b. The rights of students and the public and the responsibilities of the Department 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:
    - (1) 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
    - (2) 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
    - (3) 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
  - d. A link to the Title IX information included on the California Department of Education's (CDE) web site
5. 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 the Department's web site in a manner that is easily accessible to parents/guardians and students
6. Provide to students a handbook that contains age-appropriate information that clearly describes the Department'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.
7. Annually notify all students and parents/guardians of the Department's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and

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gender-nonconforming 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 the Department's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the Department will address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the Department'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 Department school speak a single primary language other than English, the Department's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the Department shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the Department'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 the Department may use to provide a discrimination-free environment for all Department students, including transgender and gender-nonconforming students.
10. 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)
11. At the beginning of each school year, inform each Administrator or designee of the Department's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

**Enforcement of Department Policy**

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

1. Removing vulgar or offending graffiti

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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 Department's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of Department policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

**Process for Initiating and Responding to Complaints**

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

Any Department 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.

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the Administrator or compliance officer, the Administrator or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the 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 Administrator, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall

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instead be made to or filed with the County Superintendent or designee who shall determine how the complaint will be investigated.

**Transgender and Gender-Nonconforming Students**

*Gender identity of a student*

The student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

*Gender expression*

A student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

*Gender transition*

The process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

*Gender-nonconforming student*

A student whose gender expression differs from stereotypical expectations.

*Transgender student*

A student whose gender identity is different from the gender assigned at birth.

The Department 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. Examples of the types of conduct which are prohibited in the Department and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent

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6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The Department's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the Department of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Superintendent policy, the Department shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's transgender or gender-nonconforming status is the student's private information and the Department shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the Department has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the Department shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the Department pursuant to 34 CFR 99.31. Any Department employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a Department employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the Department's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The Department shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

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2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless Department personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the Department maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the Department shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the Department shall not require a student to utilize these options because the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the Department shall update the student's records.

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6. **Names and Pronouns:** If a student so chooses, Department personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official Department record. However, inadvertent slips or honest mistakes by Department personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying Department policy.
  
7. **Uniforms/Dress Code:** A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

**SEXUAL HARASSMENT**

The Tehama County Superintendent of Schools is committed to maintaining a safe educational environment that is free from harassment and discrimination. The County Superintendent prohibits, at any program, school site or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The County Superintendent 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 Tehama County Department of Education strongly encourages students who feel that they are being or have been sexually harassed on in a Department program, on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the Department's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

The County Superintendent or designee shall inform students and parents/guardians of the Department's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the Department's web site, and including it in student and staff handbooks. All Department staff shall be trained regarding the policy.

**Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same 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 when the alleged victim of the harassment has not complained
4. A clear message that student safety is the Department'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



**SEXUAL HARASSMENT**

involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students

6. Information about the Department's procedures 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 Department investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the Department will implement supportive measures to ensure a safe educational environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

**Disciplinary Actions**

Upon completion of an 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 be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

**Record-Keeping**

In accordance with law, the County 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 Department programs.

*Legal Reference:*EDUCATION CODE

*200-262.4 Prohibition of discrimination on the basis of sex*

*48900 Grounds for suspension or expulsion*

*48900.2 Additional grounds for suspension or expulsion; sexual harassment*

*48904 Liability of parent/guardian for willful student misconduct*

*48980 Notice at beginning of term*

*48985 Notices, report, statements and records in primary language*

CIVIL CODE

*51.9 Liability for sexual harassment; business, service and professional relationships*

*1714.1 Liability of parents/guardians for willful misconduct of minor*

GOVERNMENT CODE

*12950.1 Sexual harassment training*

**SEXUAL HARASSMENT***Legal Reference (continued):*CODE OF REGULATIONS, TITLE 54600-4670 *Uniform complaint procedures*4900-4965 *Nondiscrimination in elementary and secondary education programs*UNITED STATES CODE, TITLE 201092 *Definition of sexual assault*1221 *Application of laws*1232g *Family Educational Rights and Privacy Act*1681-1688 *Title IX of the Education Amendments of 1972*UNITED STATES CODE, TITLE 3412291 *Definition of dating violence, domestic violence, and stalking*UNITED STATES CODE, TITLE 421983 *Civil action for deprivation of rights*2000d-2000d-7 *Title VI, Civil Rights Act of 1964*2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*CODE OF FEDERAL REGULATIONS, TITLE 3499.1-99.67 *Family Educational Rights and Privacy*106.1-106.82 *Nondiscrimination on the basis of sex in education programs*COURT DECISIONS*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567**Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130**Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736**Davis v. Monroe County Board of Education, (1999) 526 U.S. 629**Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274**Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473**Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447**Management Resources:*CSBA PUBLICATIONS*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014**Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Q&A on Campus Sexual Misconduct, September 2017**Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016**Dear Colleague Letter: Title IX Coordinators, April 2015**Sexual Harassment: It's Not Academic, September 2008**Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001*WEB SITESCSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

**SEXUAL HARASSMENT****Title IX Coordinator**

The Tehama County Department of Education designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

Executive Director, Human Resources  
1135 Lincoln Street  
Red Bluff, CA 96080  
530-527-5811  
ndebortoli@tehamaschools.org

The Department shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the Department's Title IX Coordinator.

**Prohibited Conduct**

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:

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 Department program or activity.

Examples of types of conduct which are prohibited in the Department 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

**SEXUAL HARASSMENT**

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 Department policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

**Notifications**

A copy of the Department'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
2. Be displayed in a prominent location in the main administrative building or other area where notices of Department rules, regulations, procedures, and standards of conduct are posted
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school.

**SEXUAL HARASSMENT**

4. Be posted in a prominent location on the Department's web site in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the Department's Title IX Coordinator.
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session
6. Appear in any school or Department publication that sets forth the school's or Department's comprehensive rules, regulations, procedures, and standards of conduct
7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations

**Reporting Complaints**

A student or parent/guardian who believes that the student 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 a teacher, the Administrator, the Department's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the Department's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the Administrator or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator 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 Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable Department complaint procedures.

**Complaint Procedures**

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and Department procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures.

**HATE-MOTIVATED BEHAVIOR**

The Tehama County Superintendent of Schools is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The County Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

The County Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of Department and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

The Department shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

As necessary, the Department shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

The County Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The County Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

**Complaint Process**

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the Administrator, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the Administrator or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the Department's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation,

**HATE-MOTIVATED BEHAVIOR**

it is determined that a complaint is about nondiscriminatory behavior, the Administrator or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

*Legal Reference:*EDUCATION CODE

- 200-262.4 *Prohibition of discrimination*
- 32282 *School safety plans*
- 48900.3 *Suspension for hate violence*
- 48900.4 *Suspension or expulsion for threats or harassment*

PENAL CODE

- 422.55 *Definition of hate crime*
- 422.6 *Crimes, harassment*

CODE OF REGULATIONS, TITLE 5

- 4600-4670 *Uniform complaint procedures*
- 4900-4965 *Nondiscrimination in elementary and secondary education programs*

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.107 *Nondiscrimination on basis of disability; complaints*

CODE OF FEDERAL REGULATIONS, TITLE 34

- 100.3 *Prohibition of discrimination on basis of race, color or national origin*
- 104.7 *Designation of responsible employee for Section 504*
- 106.8 *Designation of responsible employee for Title IX*
- 110.25 *Prohibition of discrimination based on age*

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Bullying at School, 2003*

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

*Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Dear Colleague Letter: Harassment and Bullying, October 2010*

*Dear Colleague Letter: Prohibited Disability Harassment, July 2000*

WEB SITES

CSBA: <http://www.csba.org>

California Association of Human Relations Organizations: <http://www.cahro.org>

California Department of Education: <http://www.cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <http://www.justice.gov>