

**Regulation 5145.3: Nondiscrimination/Harassment**

**Status:** DRAFT

**Original Adopted Date:** Pending

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district'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: (Education Code 234.1; 5 CCR 4621)

Director of Student Services  
855 Lenzen Avenue  
(408) 535-6000  
UniformComplaint@sjusd.org

**Measures to Prevent Discrimination**

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

1. Publicize, annually, the district'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 district-supported communications
2. Annually, post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
3. Annually, 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 district's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Annually, post in a prominent location on the district website in a manner that is easily accessible to parents/guardians and students, information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
  - a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address
  - b. The rights of students and the public and the responsibilities of the district 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 websites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
  - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
    - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
    - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website
    - iii. A web link to the OCR complaint 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) website

- e. Annually, 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 district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
- f. Annually, provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
- g. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.
- h. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

- i. At the beginning of each school year, provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students.
- j. 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 immediately if it is safe to do so, or immediately notify the site administrator. (Education Code 234.1)
- k. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

### **Enforcement of District Policy**

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

1. Removing vulgar or offending graffiti
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 district'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 district policy.

### **Process for Initiating and Responding to Complaints**

#### Students

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. If the student believes they are being harassed by the nondiscrimination coordinator, principal, or designee, the student has the right to make an initial complaint with the Superintendent or designee Board Policy and Administrative Regulation 1312.3: Uniform Complaint Procedures provide details on the filing and investigation of complaints.

In addition, students who observe any incidents of unlawful discrimination described above are strongly encouraged to report the incident to the compliance officer or principal immediately, whether or not the alleged victim files a complaint.

### **Employees**

Any school employee must notify the compliance officer or principal within a school day, whether or not the alleged victim files a complaint, if:

- They observe an incident of unlawful discrimination
- An incident of unlawful discrimination is reported to them
- They have information about a student being subjected to unlawful discrimination
- Unlawful discrimination is defined in Board Policy 5145.3

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

### **Responding to Complaints**

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal 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 as soon as possible. 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 principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

### **Nondiscrimination/Harassment - Intersex, Nonbinary, Transgender and Gender-Nonconforming Students**

This section is meant to advise school site staff and administration regarding intersex, nonbinary, transgender, and gender-non-conforming student concerns to create a safe learning environment for all students, and to ensure that every student has equal access to all components of their educational program under Board Policy 5145.3 and this Administrative Regulation. Intersex, transgender, gender-nonconforming and nonbinary students must be protected from discrimination and harassment in the public school system.

Complaints alleging discrimination, harassment or bullying based on a student's actual or perceived gender identity, gender expression, or sexual orientation, are to be handled in the same manner as other discrimination/harassment/bullying complaints.

School employees are strongly encouraged to contact the principal or compliance officer immediately with questions on the implementation of this Administrative Regulation as it relates to intersex, nonbinary, transgender, and/or gender-nonconforming students.

### **California Law**

The California Education Code states that "all pupils have the right to participate fully in the educational process, free from discrimination and harassment." Cal. Ed. Code Section 201(a). Section 220 of the Education Code provides that no person shall be subject to discrimination on the basis of gender in any program or activity conducted by an educational institution that receives or benefits from state financial assistance. The Code further provides that public

schools have an affirmative obligation to combat sexism and other forms of bias, and a responsibility to provide equal educational opportunity to all pupils. Cal. Ed. Code Section 201(b).

California Education Code Section 221.5(f) specifically requires that "A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with [their] gender identity, irrespective of the gender listed on the pupil's records."

The California Code of Regulations similarly provides that "No person shall be excluded from participation in or denied the benefits of any local agency's program or activity on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity conducted by an 'educational institution' or any other 'local agency'. . .that receives or benefits from any state financial assistance." (5 CCR Section 4900(a))

## **Definitions**

*Gender*: Gender is defined as "a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth." (5 CCR Section 4910(k))

*Gender identity of a student* means 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* means 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* refers to 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* means a student whose gender expression differs from stereotypical expectations.

*Intersex student* means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

*Nonbinary student* means a student whose gender identity falls outside the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender-nonconforming, gender variant, or such other more specific term to describe their gender.

*Transgender student* means a student whose gender identity is different from the gender assigned at birth.

## **Discrimination and Harassment**

Federal and State law, as well as Board Policy, require the District to provide students with a learning environment that is free from discrimination or harassment on the basis of sex, gender identity, or gender expression. Staff are required to respond appropriately to harassing and discriminatory conduct. Conduct is discriminatory, even if it is not sexual in nature, where 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. Discriminatory conduct includes verbal and nonverbal conduct, physical aggression, intimidation or hostility.

Examples of the types of conduct which are prohibited in the district 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 gender identity without the student's consent
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

### **How to File a Complaint**

The district'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 intersex, nonbinary, 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 district 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 gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

### **Guidelines**

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

1. Right to privacy: All students have a right to privacy: the right to decide when, with whom, and how much personal information to share about oneself to others. A student's intersex, nonbinary, transgender, or gender-nonconforming status is the student's private information. Such private information shall be shared only if necessary. Students have the right to openly discuss and express their sexual orientation, gender identity, gender expression, and intersex variation, and to decide when, with whom, and how much information to share. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

The district 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 district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's intersex, nonbinary, 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 district 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 district's ability to meet the student's needs related to the student's status as an intersex, nonbinary, 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 intersex, nonbinary, 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. Staff shall privately ask student how they want to be addressed in communication to the parent(s)/legal guardian(s). Staff informed on the student's identity should take guidance from and work collaboratively with the student to ensure that the student remains safe, both at school and at home. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their identity and desire assistance in doing so.

2. Determining a Student's Gender Identity: Determining a student's gender identity rests with the student. A school shall accept a student's asserted gender identity. A school may not question or disregard the student's assertion of their gender identity unless school personnel have a credible basis for believing that the student is asserting a particular gender identity for some improper purpose.

3. Addressing a Student's Transition Needs: The term "gender transition" describes the experience by which a

transgender or gender-expansive individual goes from living as one gender to living and identifying as another. For most transgender and gender-expansive youth, the experience of gender transition involves no medical intervention. Rather, most transgender and gender-expansive youth will undergo gender transition through a process commonly referred to as “social transition,” whereby they begin to live and identify as the gender consistent with their gender identity. To support a transgender or gender-expansive student’s transition, the Superintendent or designee shall establish and regularly evaluate policies and procedures for meeting the needs and ensuring the rights of the student.

Additionally, to support a transgender or gender-expansive student’s transition, the compliance officer shall offer 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 intersex, nonbinary, 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.

Additionally, to support a transgender or gender-expansive student’s transition, a Gender Support Plan may be developed to identify the student’s needs. The Gender Support Plan can address issues related to facilities (restrooms, locker rooms, etc.), academic or educational support programs, names and pronouns, educational records, extracurricular events such as field trips, and/or co-curricular activities such as sports. 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.

Additionally, to support a transgender or gender-expansive student’s transition, the student and compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student’s status as an intersex, nonbinary, transgender, or gender-nonconforming individual, so that prompt action can be taken to address it.

4. School Activities and Classes: Transgender and gender-expansive students shall be permitted to participate in all activities in a manner consistent with their gender identity. To the extent possible, schools shall reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, students shall be included in the group that corresponds to their gender identity. It is noted that gender segregation is a source of undue stress for transgender, non-binary, agender and gender-expansive students. Segregating by gender also draws attention to the gender identity of these students, which can lead to harassment. Gender-inclusive language shall also be adopted to the extent possible to avoid stigmatizing students. Instead of using terms such as “boys and girls” teachers should strive to use gender-inclusive terms such as “individuals”, “people” or “class.”. When the district offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to participate in programs and activities consistent with their gender identity. 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. As a general rule, in any other circumstances where students are separated by gender in school activities or programs (i.e., class discussions, field trips), students shall be permitted to participate in accordance with their gender identity as expressed by the student and asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis. In such circumstances, staff shall make a reasonable effort to provide available accommodations that can address any such concerns.

5. Accessibility to Sex-Segregated Facilities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, students shall be permitted to access facilities consistent with their gender identity. To address any student’s privacy concerns in using sex-segregated facilities, the district 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 district shall not require a student to utilize these options because the student is intersex, nonbinary, transgender, or gender-nonconforming.

6. Student Records: Upon each student’s enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student’s gender and legal name.

A student’s legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be

changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

7. Names and Pronouns: Should a student or parent/legal guardian request to have the student addressed by a name and pronoun different from those associated with the student's sex assigned at birth, the school shall honor that request and set expectations for their consistent use. District and school officials may not require proof of a court-ordered name or gender change before honoring such a request. Districts and schools shall also endeavor to adapt student information systems to accommodate student names and pronouns to prevent inadvertently revealing information that would violate the student's privacy. However, inadvertent slips or honest mistakes by district 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 district policy.

8. 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.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

	<b>Description</b>
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	<a href="#">Liability of parent or guardian for act of willful misconduct by a minor</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 48900.3	<a href="#">Suspension or expulsion for act of hate violence</a>
Ed. Code 48900.4	<a href="#">Suspension or expulsion for harassment, threats, or intimidation</a>
Ed. Code 48904	<a href="#">Liability of parent/guardian for willful student misconduct</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49020-49023	<a href="#">Athletic programs</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51500	<a href="#">Prohibited instruction or activity</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>

#### Federal References

	<b>Description</b>
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex

## Federal References

	Description
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 104.8	Notice of Nondiscrimination on the Basis of Handicap
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Prohibition of discrimination based on age
34 CFR 99.31	Disclosure of personally identifiable information
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

## Management Resources References

	Description
34 CFR 106.30	Discrimination on the basis of sex; definitions
CA Office of the Attorney General Publication	<a href="#">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</a>
California Department of Education Publication	California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	<a href="#">Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, &amp; the US DOJ, CRD (2013) OCR 09-12-1020, DOJ 169-12C-70</a>
U.S. Department of Education Publication	<a href="#">Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</a>
U.S. Dept. of Health & Human Services Publication	<a href="#">Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013</a>
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<a href="#">Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County, June 2021</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022</a>

**Management Resources References**

U.S. DOE, Office for Civil Rights Publication  
U.S. DOE, Office for Civil Rights Publication  
U.S. DOE, Office for Civil Rights Publication  
Website  
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**Description**

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#)  
[Dear Colleague Letter: Race and School Programming, August 2023](#)  
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016  
[CSBA District and County Office of Education Legal Services](#)  
[First Amendment Center](#)  
[California Office of the Attorney General](#)  
[California Safe Schools Coalition](#)  
[CSBA](#)  
[California Department of Education](#)  
[U.S. Department of Education, Office for Civil Rights](#)

**Cross References**

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**Description**

[Nondiscrimination In District Programs And Activities](#)  
[Equity](#)  
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[Comprehensive Safety Plan](#)  
[Comprehensive Safety Plan](#)  
[Volunteer Assistance](#)  
[Volunteer Assistance](#)  
[Complaints Concerning District Employees](#)  
[Complaints Concerning District Employees](#)  
[Complaints Concerning District Employees - Cde Legal Advisory Lo: 4-93 Procedures For Parents Or Guardians Of Students To Identify And Report Child Abuse Committed At A School Site By A School District Employee Or Other Person](#)  
[Complaints Concerning Instructional Materials](#)  
[Complaints Concerning Instructional Materials](#)  
[Complaints Concerning Instructional Materials](#)  
[Uniform Complaint Procedures](#)  
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[Free And Reduced Price Meals](#)  
[Free And Reduced Price Meals](#)

**Cross References****Description**

3580	<a href="#">District Records</a>
3580	<a href="#">District Records</a>
4112.6	<a href="#">Personnel Files</a>
4112.6	<a href="#">Personnel Files</a>
4112.9	<a href="#">Employee Notifications</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4119.21	<a href="#">Professional Standards</a>
4119.21-E PDF(1)	<a href="#">Professional Standards - Code Of Ethics</a>
4119.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4131	<a href="#">Staff Development</a>
4131	<a href="#">Staff Development</a>
4212.6	<a href="#">Personnel Files</a>
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4212.9	<a href="#">Employee Notifications</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4219.21	<a href="#">Professional Standards</a>
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