

NONDISCRIMINATION/HARASSMENT/ANTI-BULLYING

District programs and activities shall be free from discrimination, including harassment/bullying with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.

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

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

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

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Assistant Superintendent of Human Resources
San Ramon Valley Unified School District
699 Old Orchard Drive
Danville, CA 94526
(925) 552-2923

Any student who feels that he/she is being harassed or bullied should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.

Employees who become aware of an act of harassment shall immediately report the incident to the Coordinator for Nondiscrimination or the site designee. The designee for each site will be identified with the Annual Notice of this policy to each employee. Upon receiving a complaint of discrimination or harassment, the Coordinator and/or site designee shall immediately investigate the complaint in accordance with site/level grievance procedures specified in AR 5145.7 – Sexual Harassment. Where it is found that harassment/bullying has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

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The Coordinator and/or designee shall also advise the victim of any other remedies that may be available. The Coordinator and/or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.

The Coordinator and/or designee shall distribute this policy annually to all families and staff and provide training to all staff regarding Nondiscrimination/Harassment/Anti-Bullying.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

221.5 Prohibited sex discrimination

221.7 School-sponsored athletic programs; prohibited sex discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

49020-49023 Athletic programs

51006-51007 Equitable access to technological education programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4621 District policies and procedures

4622 Notice requirements

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 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

COURT DECISIONS

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

Student

BP 5145.3c

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Management Resources:

OFFICE OF CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, January, 1999

Racial Incidents and Harassment Against Students at Educational Institutions; Investigative
Guidance, 59 FR 47, March, 1994

**SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
Danville, California**

Policy Adopted: December 14, 2010