

ANNUAL STUDENT RIGHTS NOTIFICATION

Key to Legal References

B & PC – Business and Professions Code, CCR – California Code of Regulations, CFR – Code of Federal Regulations, EC -Education Code, H&SC-Health & Safety Code, IDEA-Individuals with Disabilities Education Act, LC-Labor Code, NCLB-No Child Left Behind Act, USC-United States Code, W&IC-Welfare & Institutions Code.

Free Public Education

Section 5 of Article IX of the State of California Constitution guarantees students a “free public education.”

Visitors to the School

Parents/guardians and other patrons of the district are welcome and encouraged to visit the schools. Visitors to the schools must respect the learning environment and maintain proper behavior and decorum. (EC §51512)

1. All visitors shall report to the office and “sign-in” to notify staff they are in the building or on school grounds.
2. The principal or designee shall provide a visible means of identification for all individuals who are not students or staff members while on school premises.
3. Visitors shall return to the office and “sign-out” before leaving the campus.

Disruption of the orderly process of the school is prohibited. In accordance with Penal Code § 626.7, the principal or his/her designee is authorized to deny access, ban or bar future access, remove or request the removal of any visitor whose behavior is disruptive to the educational/ working environment of the school.

Any visitor to the schools who has been denied access or who has been asked to leave may appeal to the Director of Student Services.

Rights and Responsibilities

Rights of Students: to attend school unless removed under due process as specified in the Education Code; to attend school in a secure academic and social climate, free of fear and violence; to enjoy the full benefit of their teacher’s efforts, undiluted by the disruptive student; to have ready access to a designated teacher/advisor; to examine personal records upon reaching age sixteen (16); and to be fully informed of school rules and regulations.

- Responsibilities of the Students: to attend school and classes regularly and on time; to be prepared for class with appropriate materials and work; to know and obey school rules and regulations; to respect the rights of school personnel, fellow students, and the public in general; and to demonstrate pride in the appearance of school buildings and grounds.
- Rights of Teachers: to expect and receive the attention, effort, and participation of the students attending their classes; to have parental and administrative backing when enforcing rules designed to provide an optimum learning climate; to teach with interruptions held to an absolute minimum regardless of the cause or source; and to enjoy the same level of respect and courteous treatment

- accorded members of the class individually and collectively.
- Rights of Administrators: to initiate such control measures
- as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail; to make decisions on all issues confronting schools, primarily on the basis of what is best for the students; to hold students accountable for their conduct, and to take prompt and appropriate action toward those guilty of violations; and to expect that all school employees recognize and fulfill their roles and terms of campus control.
- Responsibilities of Administrators: to provide leadership that will establish, encourage, and promote good teaching and effective learning; to establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes had habits of good citizenship among the students; to request assistance from the District’s support services, and community agencies and resources in all cases indicating such action; and to make a determined effort to stay attuned to expressions of student, staff, parent/guardian, community concerns and to react with sensitivity toward them.

I. ATTENDANCE

Legal Name

All students shall be recorded and referred to by their legal surname, as documented in a legally acceptable birth record or in a court order change of name with the exception of transgender students who shall have their legal name officially recorded and confidential while being referred to by the gender affiliated name or preferred name.

II. NON DISCRIMINATION

Statement of Non-Discrimination (Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, § 504 of the Rehabilitation Act of 1973)

The Turlock Unified School District is committed to providing a working and learning environment free from discrimination, harassment, intimidation and bullying. The District prohibits discrimination, harassment, intimidation and bullying based on the actual or perceived characteristics set forth in Penal Code § 422.5, Education Code § 220 and actual or perceived sex, sexual orientation, gender, gender identity, gender expression race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics, in any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment on the basis of a protected category in the context of an educational program or activity without a legitimate nondiscriminatory reason and interferes with or limits the individual’s ability to participate in or benefit from the services, activities, or privileges provided by the District.

Harassment occurs when: (1) the target is subjected to unwelcome conduct related to a protected category ; (2) the harassment is both subjectively offensive to the target and would be offensive to a reasonable person of the same age and characteristics under the same circumstances; and (3) the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit an individual's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action.

This nondiscrimination policy applies to all acts related to school activity, employment or school attendance within any school or office under the jurisdiction of the Superintendent of the Turlock Unified School District.

Complaint Process:

1. Take your verbal or written complaint to the school administrator within six months from the date the incident occurred or from the date you first obtained knowledge of the facts of the alleged discrimination. You have a right to timely and informal resolution at the school site and a right to file a complaint so that identity remains confidential.
2. If you are not satisfied with the school site resolution, you may file a written complaint appeal directly with the Director of Student Services within 15 day of receiving the school-site decision. This will begin a formal investigation process that must be completed within 60 days.
3. If you are not satisfied with the TUSD response, you may appeal the decision to the California Department of Education by filling a written appeal within 15 days of receiving the TUSD decision.

A Uniform Complaint Procedure form may be obtained at the school office, district office or downloaded from the TUSD website. Complaints must be filed in writing with the following compliance officer:

Director of Student Services
1574 East Canal Drive, Room WW1
Turlock, CA 95380
(209) 667-0632 Option #3

Equal Opportunity: Equal Access

The District allows equal opportunity and equal access insofar as participation in programs and activities is concerned, with a few exceptions, such as contact sports. The right to reasonable accommodations is provided to students with disabilities. In accordance with federal law, complaints alleging noncompliance

with this policy and requests for complaint procedures should be directed to the school principal. "That no person in the United States shall, on the grounds of race, color, national origin, handicap, religion, or sex, be excluded from participation in, be denied the benefits of or be subject to discrimination under any program or activity receiving Federal financial assistance." (U.S.C., Title 42, Chap. 21, Sub Chap. V, Sec. 2000d Parts 1-7; Title IX of the Education Amendments of 1972, U.S.C. Title 20, Sec. 1681 et seq.; Section 504 or Rehabilitation Act of 1973; U.S.C., Title 29, Sec. 794; Age Discrimination Act of 1975, U.S.C. Title 42, Sec. 6101 et seq.; Title VI of the Civil Rights Act of 1964, U.S.C., Title 42, Sec. 2000d et seq.)

Employment

TUSD is an equal opportunity employer.

Title IX and Students Equal Access

Federal law, Title IX, State law, and District policy prohibit anyone from discriminating against any student on the basis of actual or perceived sex, sexual orientation, and gender including but not limited to gender identify, gender expression, marital status, pregnancy, childbirth or related medical condition. (C.F.R., Title 34, Sec. 106.9; U.S.C., Title 20, Chap 38, Sec. 1681-1688) Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972)

Male and female students have the right to equal learning opportunities in their schools and must be treated the same in all activities and programs, including:

- Athletics
- The classes they can take
- The way they are treated in the classroom
- The kind of counseling they are given
- The extracurricular activities in which they can participate
- The honors, special awards, scholarships and graduation activities in which they can participate.

Students who feel that their rights are being violated have the right to take action and should not be afraid of trying to correct a situation by speaking to a school administrator, trusted adult at the school or filing a complaint (see Uniform Complaint Procedures). Students are encouraged whenever possible to try to resolve their complaints directly at the school site. Any student who believes he or she is being discriminated against in violation of Title IX has the right to file a complaint.

Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Director of Student Services
1574 East Canal Drive, Room WW1
Turlock, CA 95380
(209) 667-0632 Option #3

AB 1266

Under AB 1266, transgender and gender non-conforming youth must be permitted to participate in school extracurricular, sex-segregated school programs and activities, including athletic teams

and competitions.

Prohibition of Gender Bias in Classes, Course of Study, Guidance, Counseling and Physical Education

All classes and courses must be open to enroll pupils regardless of their gender, and all classes and courses must be conducted without regard to the gender of the pupils enrolled. Vocational and school guidance may not differ on the basis of gender. All pupils, regardless of gender, must be offered counseling that does not differentiate career, vocational, or higher educational opportunities on the basis of sex of the pupil counseled. School personnel acting in a career counseling or course selection capacity shall affirmatively explore with the pupil the possibility of careers, or courses leading to careers, that are nontraditional for that pupil's gender. Physical education activities/sports, which are required for pupils of one sex, shall be available to pupils of each sex. (EC §221.5)

Uniform Complaint Procedures

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:

State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620)

- a. Written complaints may be made regarding:
 - (1) Adult Education
 - (2) Consolidated Categorical Aid Programs
 - (3) No Child Left Behind Programs, including improving academic achievement, compensatory education, limited English proficiency and Migrant Education
 - (4) Career Technical Education
 - (5) Child Care and Development
 - (6) Child Nutrition
 - (7) Special Education
 - (8) "Williams Complaints"
 - (9) Pupil Fees
 - (10) Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
 - (11) Student Parent Lactation Accommodations
 - (12) Course Assignments
 - (13) Physical Education Instructional Minutes
 - (14) Foster Youth, Homeless Youth, and former Juvenile Court School Student Services
 - (15) Regional Occupational Centers and Programs
 - (16) Continued Education Options for Former Juvenile Court School Students

(Cal. Code Regs., tit. 5, §§ 4610(b), 4630, Ed. Code, §§ 222, 35186, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 51210, 51223, 51225.1, 51225.2, 51228.1, 51228.2, 51228.3, 52060-52075, and 52334.7.)

Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed in items 1-16 above. (Cal. Code Regs., tit. 5, § 4630[b][1]) Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622) Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630[b])

Within 60 days from the date of receipt of the complaint, the

District's responsible officer or his/her designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to 5 CCR § 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties.

Williams Complaints

- a. Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code, § 35186)
 - 1. Insufficient textbooks and instructional materials;
 - 2. Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; or
 - 3. Teacher vacancy or miss assignment.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

- Pupil Fees Complaints: A complaint of noncompliance with Education Code § 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsible Official: The District Official responsible for processing complaints is listed below at the following address:

Director of Student Services
1574 East Canal Drive, Rm WW1
Turlock, CA 95380

Complaints Made Directly to the State Superintendent

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

- Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.
- Complaints regarding Child Development and Child Nutrition programs not administered by the District.
- Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
- Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
- Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
- Complaints alleging immediate and irreparable harm as a result of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile.
- Complaints relating to Special Education, but only if:

- District unlawfully refuses to provide a free appropriate public education to handicapped students; or
- District refuses to comply with due process procedures or fails to implement due process hearing order; or
- Children may be in immediate physical danger, or their health, safety or welfare is threatened; or
- A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or
- The complaint involves a violation of federal law.
- The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District. (Cal. Code Regs., tit. 5, §§ 4630, 4650)

Appeals:

Except for Williams Complaints, a complainant may appeal the District's decision to the California Department of Education.

(Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, § 4632)

1. Appeals must be filed within fifteen (15) days of receiving the District decision.
2. Appeals must be in writing.
3. Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.
4. Appeals must include a copy of the original complaint and a copy of the District decision.
5. Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.
6. If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District must provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)

Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.

The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

PUPIL FEES

A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)

(a) The following requirements apply to prohibited pupil fees:

- (1) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
- (2) A fee waiver policy shall not make a pupil fee permissible.
- (3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational

standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.

- (4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

- (b) Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 49013)

CIVIL LAW REMEDIES

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs., tit. 5, § 4622)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

(Education Code § 35186 requires that the following notice be posted in ALL classrooms.)

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a standards aligned textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that assures that it is clean, safe and functional.
3. There should be no teacher vacancies or miss-assignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course,

a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Miss-assignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by a statute to hold.

4. A complaint form can be obtained at the school office, the Office of Student Services, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following website: <http://www.cde.ca.gov/re/cp/uc>.

Students in Homeless/Foster Care Situations and Former Juvenile Court School Students

A district serving a homeless student must allow the student to continue his/her education in the school of origin through the duration of homelessness.

The district shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, or a former juvenile court school student and who transfers between schools under certain circumstances. (Ed. Code, §51225.1)

Civil Rights

The U.S. Department of Education, Office for Civil Rights, enforces compliance with Section 504, the ADA, Title IX, and may be contacted for assistance with complaints relating to these laws and their regulations. The (state) Department of Fair Employment Opportunity Commission enforces compliance with state and federal laws and regulations protecting individuals from employment discrimination and may be contacted for assistance with complaints of employment discrimination.

Continued Education Options for Juvenile Court School Students

A Juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from juvenile detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding the right to make educational decisions for the student, and the student's social worker or probation officer of all of the following:

- a) The student's right to a diploma;
- b) How taking coursework and meeting other educational requirements will affect the student's ability to gain admission to a post-secondary educational institution.

Sexual Harassment Policy

The District recognizes that harassment on the basis of sex is a violation of both federal and state employment discrimination laws as well as District Policy. The District is committed to providing all students with a school environment free from sexual harassment. (EC

§§ 212.5; 231.5; 48900.2) (5 Section 4917) The District will promptly and thoroughly investigate any complaints of sexual harassment and will take expeditious action to resolve such complaints. No individual will suffer reprisals for reporting any incidents of sexual harassment or making any complaints. (EC § 48980.g) (B.P. 5145.5)

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and verbal, visual, or physical conduct of a sexual nature, made by someone in the school setting. Sexual harassment may be considered to occur under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual's school progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of school decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's school performance, or of creating an intimidating, hostile, or offensive school environment.
- Submission to, or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through Turlock Unified School District.

Forms of sexual harassment include, but are not limited to: (EC §48900(k)) (EC §48900.2) (EC § 48915(e))

- Deliberate written or oral comments, gestures, or physical contacts of a sexual nature or demeaning to one's gender which are unwelcome and/or interfere with school productivity.
- Implicit or explicit sexual behavior by a fellow student or District employee which has the effect of controlling, influencing, or otherwise affecting the school environment.

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Reporting such conduct to an administrator or Title IX/Bullying Complaint Director can be an appropriate intervention. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred. School personnel are to take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one had been created, and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action. This policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of the Superintendent of the Turlock Unified School District.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment should bring the problem to the attention of the school site administrator or the school's Title IX/Bullying Complaint Director so that appropriate action may be taken to resolve the problem. The

District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Complaints must be promptly investigated in a way that respects the privacy of the parties concerned.

For inquiries about District policies and procedures related to sexual harassment including how to file a sexual harassment complaint, contact:

Director of Human Resources
1574 E. Canal Drive
Turlock, CA 95380

For inquiries or complaints related to employee-to-employee, student-to-employee, or Work/employment related discrimination or harassment, contact:

Director of Student Services
1574 E. Canal Drive
Turlock, CA 95380

III. Student Discipline

Positive School Climate

Turlock Unified School District believes every student has the right to be educated in a safe, supportive and positive school climate. Every educator has the right to teach in an atmosphere free from disruption and obstacles that impede learning. Empowering students to develop positive relationships with all stakeholders is central to building and sustaining a positive school climate.

Rules Pertaining to Pupil Discipline (EC §§35291, 48980)

The District Governing Board has prescribed rules for the government and discipline of the schools under the Board's jurisdiction. Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, § 48900(r))

Duties of Pupils (EC §48908, 5 CCR §300)

Every pupil must attend punctually and regularly, conform to the regulations of the school, obey promptly all the directions of his/her teacher and others in authority, observe good order and propriety of deportment, be diligent in study, be respectful to his/her teacher and others in authority, be kind and courteous to schoolmates, and refrain entirely from the use of profane and vulgar language.

Notice of Non-Discrimination

The Turlock Unified School District is committed to equal opportunity for all individuals. The District prohibits discrimination, harassment, intimidation, and bullying based actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation or association with a person or a group with one or more of these perceived or actual characteristics. TUSD shall promote programs which ensure that discriminatory practices are eliminated in all acts related to school activity or school attendance within a school under the jurisdiction of the superintendent of the school district.

The District requires that school personnel take immediate steps to intervene when it is safe to do so and when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

Responsibility/Liability

The District assumes no responsibility or liability for loss or damage to personal property or for the unauthorized use of any personal property on school grounds; including, but not limited to personal property (e.g., cell phones, laptop computers, iPads, jewelry, backpacks, watches, etc.) and/or items left in storage facilities such as lockers, shelves, bike racks, classrooms, and automobiles. The District does not maintain constant surveillance of these facilities and students use storage facilities and bring personal property onto the campus at their own risk. Therefore, students are advised not to bring expensive clothing, electronics, cell phones, computers, bicycles, equipment, and other valuables to school unless absolutely necessary.

Legal Immunity Before and After School

Education Code section § 44808 gives districts legal immunity from liability for the safety of students after school hours and off school property. The District is not liable for injuries off campus and after school unless they were the result of the District's negligence occurring on school grounds or were the result of some specific undertaking by the District, which was performed in a negligent manner. Parents or guardians who order ridesharing services to transport their children to or from school do so at their own risk. Ridesharing services are prohibited from picking up students from campus or entering a school's pick-up lane. The school pick-up lane is for use only by parents/guardians and authorized individuals (identified on the student's emergency card) who pick up students from school.

Title IX Sex-Based Nondiscrimination Statute

Each student and employee has a right to learn and work in an environment that is free from unlawful discrimination. No district student or employee shall be excluded from participation in, be denied the benefits of, or be subject to discrimination on the basis of actual or perceived sex, sexual orientation, gender, or gender identity or expression.

Title IX of the Educational Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in education. Title IX prohibits discrimination, harassment, exclusion, denial, limitation, or separation based on sex or gender. Title IX applies to both male and female students in any educational institution receiving federal funding.

Pregnant students and teen parents have a right to equal education, full participation, and to enroll in any school or program for which they would otherwise qualify at any stage of the pregnancy. They have the right to remain in their regular or current school program, including elementary or secondary schools, honors and magnet programs, special education and non-public school placements, alternative/options programs, migrant education, free and reduced lunch programs, and services for English learners, and any others for which they are otherwise qualified. This would also include participation in the following: graduation, awards, ceremonies; field trips; student clubs, councils, after-school activities, and any other school-related programs. Students cannot legally be expelled, suspended, or otherwise excluded from, or required to participate in, school programs solely on the basis of their pregnancy-related conditions, or marital or parental status.

California Education Code Sections 200 through 282 and Turlock Unified School District Board Policy prohibit discrimination on the basis of sex, sexual orientation, or gender.

Complaint Process

Students or parents/guardians should report their verbal or written Title IX complaint to the school principal within six months from the date the alleged incident occurred or first obtained knowledge. Complainants have a right to a timely and informal resolution at the school site.

If the complainant is dissatisfied with the school-site decision, the complainant may file a written uniform complaint with our district office. This will begin the investigation process, which must be complete within 60 days. An appeal of the district compliance officer's findings may be made to the California Department of Education - Office of Equal Opportunity.

Complaint Form (<https://www.turlock.k12.ca.us/titlenine>)

Where Can Students/Parents Obtain Further Information or Assistance?

- School: Speak to the site administrator.
- District: Speak to Turlock Unified School District Title IX Compliance Officer.
- California Department of Education
(<https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>)
- Office of Civil Rights
(<https://www2.ed.gov/about/offices/list/ocr/docs/shguide.html>)

Who is the Title IX Compliance Officer for the Turlock Unified School District?

Director of Student Services

1574 Canal Drive, WW1

(209) 667-0632 (option 3)

Is There a Statute of Limitations for Filing An Alleged Incident of Harassment or Discrimination?

Any parent, guardian, individual, or organization has the right to file a written complaint of discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic within six months from the date the alleged incident occurred or the complainant first obtained knowledge of the facts of the alleged incident.

How May a Discrimination Complaint be Filed beyond the Statute of Limitations?

The timeline for filing a complaint of discrimination, harassment, intimidation, and/or bullying is extended by the superintendent or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the superintendent or designee shall be in writing. The superintendent or designee may extend the period for filing for good cause for a period not to exceed 90 days following the expiration of the six month time period. The superintendent shall respond immediately upon a receipt of a request for extension.

How Are Discrimination Complaints Investigated?

The district's compliance officer, timestamps new complaints of discrimination, harassment, intimidation, and/or bullying when received and provides an acknowledgment letter framing the allegations under the jurisdiction of the Uniform Complaint Procedures (UCP) and referring a complainant to appropriate offices and resources for issues not under UCP jurisdiction. The investigator has 60 calendar days from office receipt to investigate the complaint and to send a letter with findings to relevant parties. The 60-day timeline may be extended only by mutual agreement of the complainant and the district. During the investigative process, the investigator contacts

the complainant and other applicable parties requesting data and responses. The district includes an opportunity for the complainant to present evidence or information to support the allegations. The district will ensure that, within 60 days of receipt of the written complaint, the complaint has been resolved and/or investigated, and that a written report of findings is issued to the complainant. The written report of the investigative findings contains the allegations, method of investigation, policy, findings, conclusions, appeal options, and corrective actions, if applicable.

How to File a Discrimination Complaint?

Any individual, public agency, or organization may file a written complaint alleging a violation by the district of federal or state laws or regulations governing the programs and activities, as well as allegations of discrimination, harassment, intimidation, and/or bullying, under the district's Uniform Complaint Procedures (UCP) by sending the complaint to:

Student Services
1574 Canal Drive (WW1)
Turlock, CA 95382
Phone: (209) 667-0632 ext. 3
Fax: (209) 667-6441

A complaint may be filed anonymously if it provides evidence or information leading to evidence to support an allegation of noncompliance. Complainants making a verbal complaint shall be referred to an administrator/designee who will assist any person with a disability or unable to prepare a written complaint. Otherwise, a discrimination complaint may be filed with the Office for Civil Rights:

San Francisco Office for Civil Rights
U.S. Department of Education
Phone: (415) 486-5555

United States Department of Education Office for Civil Rights Complaint Form

(<https://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>)



Safety Tip Line

(209) 667-0632

Dial 0

Dial 0 to reach our Safety Tip Line.

Messages can be left any time and will be checked from 8 AM-4 PM during regular school days.

All tips are immediately communicated to school administrators based on the information provided.

If a concern is urgent and may result in danger to yourself or another individual, please call 911.



Turlock Unified School District