

**UNIVERSITY HIGH SCHOOL
NON-DISCRIMINATION/HARASSMENT POLICY AND STATEMENT**

NON-DISCRIMINATION/HARASSMENT STATEMENT

University High School prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means. For questions or complaints, contact University High School administration, 2611 E. Matoian Way, M/S UH134, (559) 278-8263.

NON-DISCRIMINATION/HARASSMENT POLICY

The University High School Board desires to provide a safe school environment that allows all students equal access and opportunities in the school's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any school activity, program, or practice, unlawful discrimination, including discriminatory harassment (including sexual harassment), intimidation, and bullying targeted at any student by anyone, based on the student's actual or perceived sex, sexual orientation, gender, gender identity, gender expression, genetic information, race, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religious creed, religion, political belief or affiliation, color, marital status, pregnancy, parental status, childbirth, breastfeeding/lactation status, medical condition, physical or mental disability, or the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within the 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. (Education Code 234.1)

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 includes the creation of a hostile environment through prohibited conduct that 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 school programs or activities or the provision or receipt of educational benefits or services.

The Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, academic 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 also prohibits any form of retaliation against any student 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, harassment, intimidation, or bullying. 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. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The school shall ensure that all complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate. (Education Code Section 234.1(g))

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the school's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. Staff shall provide training and 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 Superintendent or designee shall regularly review the implementation of the school's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the school's educational program. They shall report their findings and recommendations to the Board after each review.

The school has provided, incident to the publicizing of policies against discrimination, harassment, intimidation and bullying described in EC Section 234.1(c), to certificated school site employees who serve pupils in any of grades 9 to 12, inclusive, who are employed by the district, information on existing school site and community resources related to the support of LGBTQ pupils, or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.

(a) School site resources may include, but are not limited to, peer support or affinity clubs and organizations, safe spaces for LGBTQ, or other at-promise pupils, counseling services, staff who have received anti-bias or other training aimed at supporting these pupils or who serve as designated support to these pupils, health and other curriculum materials that are inclusive of,

and relevant to, these pupils, online training developed pursuant to EC Section 32283.5, and other policies adopted pursuant to this article, including related complaint procedures.

(b) Community resources may include, but are not limited to, community-based organizations that provide support to LGBTQ, or other at-risk pupils and their families, and physical and mental health providers with experience or training in treating or supporting these pupils. (EC Section 234.1(d))

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

GRIEVANCE PROCEDURES

The Board hereby designates the Superintendent and Vice Principal as Coordinator(s) for Nondiscrimination to ensure compliance with nondiscrimination in educational equity, to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the school's nondiscrimination policies.

Any student who feels that they have been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator for Nondiscrimination, the principal, or any other staff member. Any student who observes an incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints brought to the attention of staff, 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.

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Any complaints of discrimination or any behavior prohibited by this policy, shall be addressed in accordance with the Sexual Harassment Policy.

If dissatisfied with the school's decision, the complainant may submit their appeal in writing to the Superintendent within 15 calendar days of receiving the school's decision. The written concerns shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The school shall investigate in accordance with the Uniform Complaint Procedures. Employees who observe an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall immediately

report the incident to any of the designated Coordinators for Nondiscrimination, whether or not the victim files a complaint. Upon receiving a complaint of discrimination or harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the school's Uniform Complaint Procedures. Where the Coordinator finds that harassment has occurred, they shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Superintendent or designee shall ensure that the student handbook clearly describes the school's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The school's nondiscrimination, harassment, intimidation, and bullying policies shall be readily accessible in a prominent location on the school's existing internet website in a manner that is easily accessible to parents/guardians and pupils. (EC Section 234.6(b)(8))

The school must post the established policies prohibiting discrimination, harassment, intimidation, and bullying in all schools and offices, which include staff lounges and pupil government meeting rooms. (EC Section 234.1(e); 5 CCR Section 4960(b))

The school must publicize adopted policies that prohibit discrimination, harassment, intimidation, and bullying, including information about the manner in which to file a complaint, to pupils, parents/guardians, employees, the governing board, and the general public. The information shall be translated pursuant to EC section 48985. The school shall also include a notice of nondiscrimination policies in any publications used in connection with the recruitment of pupils or employees. The school must identify the officer responsible for nondiscrimination and education equity compliance in such publicity. (EC Section 234.1(c); 5 CCR Sections 4960(b) and 4961; 34 CFR Section and 106.8)

The school shall post a link to statewide resources, including community-based organizations, which shall be readily accessible in a prominent location on the school's existing internet website in a manner that is easily accessible to parents/guardians and pupils. The school shall also include any additional information deemed important for preventing bullying and harassment. (EC Section 234.6(b)(11-12))

If 15 percent or more of the pupils enrolled in a public school that provides instruction in grades 9 to 12, inclusive, speak a single primary language other than English, all notices, reports, statements, and records sent to the parent/guardian of any such pupil by the school shall, in addition to being written in English, be written in the primary language, and may be responded to in either English or primary language. (EC Section 48985(a))

RECORD-KEEPING

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

maintain documentation of complaints and their resolution must be maintained for a minimum of one review cycle. (EC Section 234.1(f))