

# ADDENDUM

Addenda to:

District Parent and Student Handbook  
Course Catalogs  
Sexual Harassment Policy Postings  
Nondiscrimination/Harassment/Intimidation/Bullying Posters  
Sexual Harassment Posters  
District Athletics Handbook  
School Handbooks  
Annual Employee Notification of Sexual Harassment Policy and Uniform Complaints Procedures

Date: October 9, 2020

To: Elk Grove Unified School District Students, Parents/Guardians, and Staff

From: Christopher Hoffman, EGUSD Superintendent

Re: Notification to all Elk Grove Unified community members regarding important updates to the annual parent/guardian and employee notifications

Dear Elk Grove Unified community members,

I would like to take this opportunity to inform you of the updates to the non-discrimination statement and contact information for the Equity Compliance and Title IX Officers for all of the items listed. Additionally, we have included the full board policies for “Nondiscrimination/Harassment/Intimidation/Bullying” (BP 5145.3) and “Sexual Harassment (Students)” (BP 5145.7). We encourage you to visit the “Student Rights” page for more information on student rights and resources at <http://www.egusd.net/students-families/student-rights>.

### **Nondiscrimination Statement:**

The Elk Grove Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person’s actual or perceived ancestry, color, disability, race or ethnicity, religion, gender, gender expression, gender identity, immigration status, national origin, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

### **Equity Compliance Officer and Title IX Coordinators’ Contact Information:**

For questions or complaints, contact **Equity Compliance Officer:** Kanitra Lopez, Legal Compliance Specialist, (916) 686-7795 [legalcompliance@egusd.net](mailto:legalcompliance@egusd.net) , 9510 Elk Grove-Florin Road Elk Grove, CA 95624;

**Title IX Coordinator (complaints against employees):** Kanitra Lopez, Legal Compliance Specialist, (916) 686-7795; [TitleIX@egusd.net](mailto:TitleIX@egusd.net). 9510 Elk Grove-Florin Road Elk Grove, CA 95624; **Title IX Coordinator (student against student complaints, grades preK-6):** Dr. Bindy Grewal, Assistant Superintendent, PreK-6 Education

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[Full Nondiscrimination Policy](#) | [Title IX Coordinators](#)

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(916) 686-7704; [TitleIX@egusd.net](mailto:TitleIX@egusd.net), 9510 Elk Grove-Florin Road Elk Grove, CA 95624; **Title IX Coordinator (student against student complaints, grades 7-12)**: Craig Murray, Assistant Superintendent, Secondary Education (916) 686-7706; [TitleIX@egusd.net](mailto:TitleIX@egusd.net), 9510 Elk Grove-Florin Road Elk Grove, CA 95624; or **Title IX Coordinator (student against student complaints, educational services programs)**: Susan Larson, Executive Director, Education Services (916) 831-2041; [TitleIX@egusd.net](mailto:TitleIX@egusd.net), 9510 Elk Grove-Florin Road Elk Grove, CA 95624.

### **Board Policy 5145.3: Nondiscrimination/Harassment/Intimidation/Bullying**

The district strongly encourages any student who feels that he/she is being or has been discriminated against, harassed, intimidated, or bullied on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal (or the principal's designee), or the Legal Compliance Specialist identified in the District's Uniform Complaint Procedures - BP 1312.3. Any employee who receives a report or observes an incident of discrimination, harassment, intimidation or bullying shall notify the principal (or the principal's designee), or the Legal Compliance Specialist identified in BP 1312.3. Complaints of unlawful harassment shall be addressed consistent with the procedures set forth in BP 1312.3.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. 5137 - Positive School Climate)

(cf. [5145.7](#) - Sexual Harassment)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [6142.1](#) - Sexual Health and HIV/AIDS Prevention Instruction)

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

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**[Full Nondiscrimination Policy](#) | [Title IX Coordinators](#)**

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

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. 5137 - Positive School Climate)

(cf. [5145.7](#) - Sexual Harassment)

(cf. [5145.9](#) - Hate-Motivated Behavior)

(cf. [5146](#) - Married/Pregnant/Parenting Students)

(cf. [6164.6](#) - Identification and Education Under Section 504)

District students shall have equal opportunities in admission and access to educational programs, guidance and counseling programs, athletic programs, testing procedures, consideration for selection for awards and honors, and other activities, including extracurricular activities, regardless of a 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, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics. Eligibility for co-curricular or extra-curricular programs, including but not limited to choral and cheerleading, shall be determined on the basis of objective competencies.

No student shall be excluded from any benefit, aid, service, award or honor, or recommendation for an award or honor, or excluded from attendance/participation in an extracurricular activity solely on the basis of that student's having a disability and/or receiving services through a Section 504 plan or Individualized Education Program ("IEP"). Students with disabilities shall be given an equal opportunity to be considered for selection for any awards or honors and be provided an equal opportunity to participate in extracurricular activities, and their parents shall be advised of such awards, honors, and extracurricular activities in the same and equal manner as parents of students without disabilities. When providing or arranging for the provision of nonacademic and extracurricular services and activities, the District shall ensure that a student with a disability participates with nondisabled persons in such activities and services to the maximum extent appropriate to the needs of the student with a disability in question. The District will provide nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities. The District may set uniform standards for measuring academic achievement for such awards or honors/eligibility requirements for educationally sound purposes if the criteria are objective and clearly-defined, related to the purpose of the program, and applied equally to all students without regard to disability. Participation of a student who, even with the benefit of accommodations, could not meet the essential academic or skill requirements necessary for participation or recognition, is not required.

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she 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 district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

The District shall annually notify certificated staff serving District students in grades 7 through 12 of information regarding school site and community resources related to the support of lesbian, gay, bisexual, transgender and gender questioning (LGBTQ) students, and students who may face bias or bullying on the basis of religious affiliation or perceived religious affiliation.

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [1330](#) - Use of Facilities)

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

(cf. [6145](#) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](#) - Athletic Competition)

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(cf. [6164.2](#) - Guidance/Counseling Services)

Complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated as specified in the accompanying Administrative Regulation and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

(cf. [4118](#) - Suspension/Disciplinary Action)

(cf. [4119.21/4219.21/4319.21](#) - Professional Standards)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [5144](#) - Discipline)

(cf. [5144.1](#) - Suspension and Expulsion/Due Process)

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. [5145.2](#) - Freedom of Speech/Expression)

## Reporting Procedures

Any student who feels that he or she or another student in the District is being unlawfully discriminated against, harassed, intimidated or bullied by any student, employee, or other person from or in the District should immediately notify school staff or an administrator such as the principal or a vice principal so that the concern can be investigated and addressed. A student or parent may also file a written complaint in accordance with the District's Uniform Complaint Procedures. [BP & AR 1312.3, BP 5131.2, and BP 5145.3] The District prohibits retaliatory behavior against any person filing a complaint or any participant or witness in the complaint process. Each complaint will be fully investigated in a way that respects the privacy of all parties concerned, and appropriate action will be taken to remedy a finding of discrimination, harassment, intimidation or bullying.

## Additional Information

Additional information about these policies, your rights and responsibilities, or about how to file a complaint regarding alleged discrimination, harassment, intimidation or bullying can be obtained by contacting the Legal Compliance Specialist, [legalcompliance@egusd.net](mailto:legalcompliance@egusd.net), 916-686-7795, Elk Grove Unified School District, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624. For complaints regarding discrimination based on sex, contact the appropriate Title IX and Nondiscrimination Coordinator listed below:

*color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military 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. If you believe you, or your student, have been subjected to discrimination, harassment, intimidation, or bullying you should contact your school site principal and/or the District's Equity Compliance Officer/Title IX Coordinator, Kanitra Lopez, Legal Compliance Specialist by phone at (916) 686-7795, by email at [legalcompliance@egusd.net](mailto:legalcompliance@egusd.net), or in person at 9510 Elk Grove-Florin Road, CA 95624.*

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The District designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with the Title IX of the Education Amendments of 1972 and California Education Code [234.1](#), as well as to investigate and resolve sexual harassment complaints under AR 1312.3- Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at [TitleIX@egusd.net](mailto:TitleIX@egusd.net).

(cf. [1312.3](#)- Uniform Complaint Procedures)

Questions and concerns regarding Title IX compliance at a school site must be directed to the school principal (or the principal's designee), who is the school's Title IX Designee. For questions and concern regarding Title IX compliance in District Level Programs the Title IX Coordinators are as follows:

For student against student complaints:

Dr. Bindy Grewal, Assistant Superintendent, PreK-6 Education

(916) 686-7704; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

Craig Murray, Assistant Superintendent, Secondary Education

(916) 686-7706; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

Susan Larson, Executive Director, Education Services

(916) 831-2041; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

For complaints against employees:

Kanitra Lopez, Legal Compliance Specialist, Human Resources

(916) 686-7795; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

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Elk Grove, CA 95624

## 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 district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. [3580](#) - District Records)

## Legal Reference:

### EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

### CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

### PENAL CODE

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422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

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110.25 Prohibition of discrimination based on age

## COURT DECISIONS

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

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

Management Resources:

## CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

## CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

## FIRST AMENDMENT CENTER PUBLICATIONS

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

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

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

## WEB SITES

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

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

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

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

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

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National School Boards Association: <http://www.nsba.org>

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

## Policy ELK GROVE UNIFIED SCHOOL DISTRICT

adopted: October 29, 1984 Elk Grove, California

revised: June 19, 1995

revised: April 6, 1998

revised: June 7, 1999

revised: July 1, 2002

revised: June 19, 2012

revised: February 3, 2015

revised: March 1, 2016

revised: May 21, 2019

### **Board Policy 5145.7: Sexual Harassment (Students)**

The Board of Education is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal (or the principal's designee), or the Legal Compliance Specialist identified in the District's Uniform Complaint Procedures - BP 1312.3. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal (or the principal's designee), or the Legal Compliance Specialist identified in BP 1312.3. Complaints of unlawful sexual harassment shall be addressed consistent with the procedures set forth in BP 1312.3.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

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(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. 5137 - Positive School Climate)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [6142.1](#) - Sexual Health and HIV/AIDS Prevention Instruction)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

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7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues

8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

### Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in BP 1312.3 - Uniform Complaint Procedures. Principals or their designees are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under BP 1312.3 and where to obtain a copy of the procedures.

(cf. [1312.3](#) - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. [5144](#) - Discipline)

(cf. [5144.1](#) - Suspension and Expulsion/Due Process)

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7 - Employment Status Report)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

### Reporting Procedures

Any student who feels that he or she or another student in the District is being sexually harassed by any student, employee, or other person from or in the District should immediately notify school staff or an administrator

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such as the principal or a vice principal so that the concern can be investigated and addressed. A student or parent may also file a written complaint in accordance with the District's Uniform Complaint Procedures. [BP & AR 1312.3, BP 5131.2, and BP 5145.3] The District prohibits retaliatory behavior against any person filing a complaint or any participant or witness in the complaint process. Each complaint will be fully investigated in a way that respects the privacy of all parties concerned, and appropriate action will be taken to remedy a finding of sexual harassment.

### Additional Information

Additional information about these policies, your rights and responsibilities, or about how to file a complaint regarding alleged sexual harassment can be obtained by contacting the Legal Compliance Specialist, [legalcompliance@egusd.net](mailto:legalcompliance@egusd.net), 916-686-7795, Elk Grove Unified School District, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624. For complaints regarding discrimination based on sex, contact the appropriate Title IX and Nondiscrimination Coordinator listed below:

The District designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with the Title IX of the Education Amendments of 1972 and California Education Code [234.1](#), as well as to investigate and resolve sexual harassment complaints under AR 1312.3- Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at [TitleIX@egusd.net](mailto:TitleIX@egusd.net).

(cf. [1312.3](#)- Uniform Complaint Procedures)

Questions and concerns regarding Title IX compliance at a school site must be directed to the school principal (or the principal's designee), who is the school's Title IX Designee. For questions and concern regarding Title IX compliance in District Level Programs the Title IX Coordinators are as follows:

For student against student complaints:

Dr. Bindy Grewal, Assistant Superintendent, PreK-6 Education

(916) 686-7704; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

Craig Murray, Assistant Superintendent, Secondary Education

(916) 686-7706; [TitleIX@egusd.net](mailto:TitleIX@egusd.net)

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

Susan Larson, Executive Director, Education Services

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(916) 831-2041; TitleIX@egusd.net

9510 Elk Grove-Florin Road

Elk Grove, CA 95624; or

For complaints against employees:

Kanitra Lopez, Legal Compliance Specialist, Human Resources

(916) 686-7795; TitleIX@egusd.net

9510 Elk Grove-Florin Road

Elk Grove, CA 95624

Record-Keeping

The Superintendent or designee shall maintain a record of all written complaints of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. [3580](#) - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

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12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

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

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

*color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military 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. If you believe you, or your student, have been subjected to discrimination, harassment, intimidation, or bullying you should contact your school site principal and/or the District's Equity Compliance Officer/Title IX Coordinator, Kanitra Lopez, Legal Compliance Specialist by phone at (916) 686-7795, by email at [legalcompliance@equsd.net](mailto:legalcompliance@equsd.net), or in person at 9510 Elk Grove- Florin Road, CA 95624.*

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Management Resources:

## CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Boards of Education to Ensure Student Success, 2011

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

Dear Colleague Letter: Transgender Students, May 2016

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

## WEB SITES

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

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

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

## Policy ELK GROVE UNIFIED SCHOOL DISTRICT

adopted: October 29, 1984 Elk Grove, California

revised: June 21, 1993

revised: April 6, 1998

revised: July 10, 2002

revised: May 21, 2019

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## ANNUAL NOTIFICATION OF STUDENT DIRECTORY

### General Information Policy

Elk Grove Unified School District provides:

1. Assurances that the district will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
2. Student record is any item of information other than directory information, gathered within or outside the district, that is directly related to an identifiable student and maintained by the district or required to be maintained by an employee in the performance of his/her duties. Any information maintained for the purpose of second-party review is considered a student record. A student record may be recorded in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche or by other means. Student records include the student's health record. Please refer to AR 5125 for explanation of all student records. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)
3. For a list of the circumstances or conditions under which the district might release student information to outside people or entities please refer to AR 5125.
4. A statement that, unless the district is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the district shall notify parents or guardians and eligible students – and receive their written consent – before it releases a student’s personally identifiable information. For further clarification please refer to AR 5125.

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