PROVISION RELATING TO STUDENTS

POLICY – NON-DISCRIMINATION AND HARASSMENT BP 6020

The County Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the academic and other educational support programs, services, and activities of SBCEO. The Board prohibits, at any school or school activity, unlawful discrimination, harassment, intimidation, bullying, causing bodily injury to, or committing hate violence against any student based on, but not limited to, the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; 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.

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, written, or other means of conduct based on one of the categories listed above that is so severe 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.

The County Board of Education and County Superintendent prohibit retaliatory behavior against any complainant, or any participant in the complaint process, who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

Instruction/Information

The Superintendent or designee shall provide age-appropriate training and information to students, information to parents/guardians, and training to employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, this policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

In providing instruction, guidance, supervision, or other services to students, employees and volunteers the Superintendent or designee shall carefully guard against segregating or stereotyping students.

A plan shall be developed, when necessary, to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

The Superintendent or designee shall ensure that the student handbook clearly describes the Non-Discrimination and Harassment 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 Non-Discrimination and Harassment Policy shall also be posted on the SBCEO website or any other location that is easily accessible to students.

Disciplinary Actions

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

Complaint Process

The following position is the designated Coordinator for Non-discrimination and Harassment to handle complaints regarding discrimination, harassment, intimidation, bullying, bodily injury, or hate violence and to answer inquiries regarding the Non-discrimination and Harassment Policy:

Assistant Superintendent, Human Resources
4400 Cathedral Oaks Road, Santa Barbara, CA 93110
Phone: 805-964-4711

Any student who feels that he/she is being or has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact a school staff, any other staff member, or the Coordinator or designee. In addition, any student or school employee who observes any such incident shall report the incident whether or not the victim files a complaint.

In addition, the employee shall immediately take steps to intervene when safe to do so.

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator or designee shall immediately investigate the complaint in accordance with site-level grievances procedures and the uniform complaint procedures.

Within 30 days of receiving the report, the complainant may appeal to the Board if he/she disagrees with the resolution of the complaint. The Board shall review the appeal of the resolution and make a decision at its next regular meeting.

Confidentiality and Recordkeeping

All complaints and allegations of discrimination, harassment, intimidation, and bullying shall be kept confidential except as necessary to carry out the investigation or take other subsequent action.

The Coordinator or designee shall maintain a record of all reported cases of discrimination, harassment, intimidation, and bullying to monitor, address, and prevent repetitive behavior in the program.