

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get certain release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Decision not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students

17292.5 Program for expelled students
33032.5 Hate violence reduction

35146 Closed sessions (re:suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48660-48666 Community day schools
48900-48926 Suspension and expulsion
48950 Speech and other communication
49073-49079 Privacy of student records

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11525 Contempt

54950-54962 Ralph M. Brown Act (re closed sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

240 Assault defined

242 Battery defined

243.4 Sexual battery

245 Assault with deadly weapon

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

422.6 Interference with civil rights; damaging property

422.7 Aggravating factors for punishment

422.75 Protected classes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

UNITED STATES CODE, TITLE 20

6301 - 8962 Improving America's Schools Act, especially:

8921 - 8922 Gun-Free Schools Act of 1994

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

80 Ops.Cal.Atty.Gen. 85 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 347 (1997)

First Reading (revised): January 9, 2001

Adopted (revised): January 9, 2001

Hate Crimes

See Suspension/Expulsion and Discrimination and Harassment Policies.

DIXIE SCHOOL DISTRICT

POLICY 4302

STUDENT SEXUAL AND GENDER-BASED HARASSMENT

Purpose of Policy

It is the policy of the Governing Board of the Dixie School District to provide an educational environment free of sexual or gender-based harassment. To accomplish this purpose, the policy is designed to secure, at the earliest level possible, an appropriate resolution to an allegation of sexual or gender-based harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

It is the position of this Board that sexual or gender-based harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the District has a cooperative agreement, to engage in sexual or gender-based harassment.

Definitions of Sexual and Gender-Based Harassment

As it pertains to students, Education Code Section 212.5 defines “sexual harassment” as “unwelcome sexual conduct including advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting.

Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, although they are not necessarily sexual in nature. Prohibited conduct includes harassment of a student for exhibiting what is perceived as a stereotypical characteristic for her or his sex, or for nonconformity with stereotypical notions of masculinity and femininity.

Sexual and/or gender-based harassment denies or limits a student’s ability to participate in or benefit from the District’s school’s program under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s academic status or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual’s academic performance, or of creating an intimidating, hostile, or offensive educational environment.

(d) 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 the educational institution.”

Specifically, sexual or gender-based harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands.

Examples of conduct which may constitute sexual harassment include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons, whether conducted in person or through an electronic means.
- (2) Among peers, continuing to show sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction, among peers, is not considered sexual or gender-based harassment.)
- (3) Within the educational environment, implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied as a condition of receiving sexual favors.
- (4) Within the educational environment, engaging in sexual behavior to control influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- (5) Offering favors or education or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Any expression of sexual interest between adults and students, regardless of reciprocity is considered inappropriate and shall be subject to discipline under applicable state law.

Examples of conduct which may constitute gender-based harassment include, but are not limited to:

- (1) Slurs, threats, derogatory comments, unwelcome jokes, or degrading descriptions related to or because of a student's gender or gender identity.
- (2) Harassment of a male student because of his perceived effeminate mannerisms.
- (3) Harassment of a student because of his/her non-traditional choice of extracurricular activities, apparel, and personal grooming choices.
- (4) Disparaging remarks about a student because the student socializes with students of the opposite sex, or is predominately friends with students of the opposite sex;

Definition of Hostile Environment

A hostile environment based on sex or gender has been created where the conduct is sufficiently serious to interfere with or limit a student's ability to participate in or benefit from the school's program. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical.

Remedial and Corrective Actions

Where unlawful sexual or gender-based harassment is found to have occurred, The District will take appropriate remedial and/or corrective action(s), including consideration of the following: providing counseling to a targeted student or for student(s) found to have engaged in harassment; limiting the interaction between the targeted student(s) and the harassing student(s); whether remedial measures are necessary to respond to the impact of the harassing conduct on witnesses or bystanders; and whether other schoolwide actions, such as education and training, are appropriate to respond to the harassing conduct and prevent a recurrence.

Training and Curriculum

To implement this policy, Dixie School District will provide appropriate training programs for staff and students.

Notification

There will be adequate notification of the policy to include permanent posters in public areas, offices, and hallways. The policy will be published in site handbooks and the District Summer Mailing.

Administrative Regulation

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy. Such further procedures may include the following: posting and other means of distributing the policy; a process under which complaints will be handled, formally or informally, an explanation of possible civil proceedings and potential legal consequences of sexual or gender-based harassment. The Superintendent will initiate training and education programs to enable all persons, and in particular, supervisors, to better understand the problem of sexual or gender-based harassment. In addition, the Superintendent shall designate appropriate employees to enforce or administer this policy within the District and shall provide for appropriate training for Principals on an annual basis.

Special Assistance

It is expected that questions may arise concerning the interpretation of the prohibition against sexual or gender-based harassment, the methods and procedures to be following in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, individuals may contact the Superintendent or designee.

Current Legal references barring sexual or gender-based harassment in education:

Title VII of the Civil Rights Act – 42 USC Section 2000-e-2(a)(1)

California Fair Employment & Housing Act – Government Code Section 12940
Title IX of the Education Amendments of 1972 29 USC Section 1681 et. seq.
California Education Code, Section 200 et seq.

First Reading: January 15, 2013
Second Reading and Adoption: February 12, 2013
(Replaces 4302 adopted 2/8/11)

DIXIE SCHOOL DISTRICT

POLICY 4301

ADULT SEXUAL AND GENDER-BASED HARASSMENT

Purpose

It is the position of this Board that sexual or gender-based harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the district has a cooperative agreement, to engage in sexual or gender-based harassment.

It is the policy of the Governing Board of the Dixie School District to provide an employment environment free of sexual or gender-based harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

Definitions of Sexual and Gender-Based Harassment

For the purposes of this policy, sexual harassment is defined by Education Code Section 212.5, “Sexual harassment means unwelcome sexual conduct including, advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting.

Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, although they are not necessarily sexual in nature. Prohibited conduct includes harassment of a student for exhibiting what is perceived as a stereotypical characteristic for her or his sex, or for nonconformity with stereotypical notions of masculinity and femininity.

Sexual and/or gender-based harassment denies or limits a student’s ability to participate in or benefit from the District’s school’s program under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

(d) 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 the educational institution.”

Specifically, sexual or gender-based harassment may occur as a pattern of degrading sexual and gender-based speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands.

Examples of conduct which may constitute sexual harassment include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons, whether conducted in person or through an electronic means.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Examples of conduct which may constitute gender-based harassment include, but are not limited to:

- (1) Slurs, threats, derogatory comments, unwelcome jokes, or degrading descriptions related to or because of a student's gender or gender identity.
- (2) Harassment of a male student because of his perceived effeminate mannerisms.
- (3) Harassment of a student because of his/her non-traditional choice of extracurricular activities, apparel, and personal grooming choices.
- (4) Disparaging remarks about a student because the student socializes with students of the opposite sex, or is predominately friends with students of the opposite sex.

Remedial and Corrective Actions

Where unlawful sexual or gender-based harassment is found to have occurred, the District will take appropriate remedial and/or corrective action(s), including consideration of the following: providing counseling to a targeted individual or individual(s) found to have engaged in harassment; limiting the interaction between the targeted student(s) and the individual(s) found to have engaged in the harassment; whether remedial measures are necessary to respond to the impact of the harassing conduct on witnesses or bystanders; and whether other schoolwide actions, such as education and training, are appropriate to respond to the harassing conduct and prevent a recurrence.

Administrative Regulations

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy.

Training and Curriculum

To implement this policy, Dixie School District will provide appropriate training programs for staff (and students.) Employees in a supervisory capacity will be trained, as required by law, at least every two (2) years beginning January 1, 2006. Teachers are not considered to be supervisory.

Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Personnel Handbook.

Special Assistance

It is expected that questions may arise concerning this policy. For assistance in these matters, individuals may contact the Superintendent or designee.

Legal Reference:

Title VII of the Civil Rights Act

42 USC Section 2000-e-2(a)(1)

California Fair Employment and Housing act

Government Code section 12940

Education Code section 212.5

Government Code section 12950.1

First Reading: January 15, 2013

Second Reading and Adoption: February 12, 2013

(Replaces 4301 adopted 2/8/11)

BULLYING

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

- (cf. 5131 -Conduct)
- (cf. 5136 -Gangs)
- (cf. 5145.3 -Nondiscrimination/Harassment)
- (cf. 5145.7 -Sexual Harassment)
- (cf. 5145.9 -Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

- (cf. 5145.2 -Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

- (cf. 0420 -School Plans/Site Councils)
- (cf. 0450 -Comprehensive Safety Plan)
- (cf. 1220 -Citizen Advisory Committees)
- (cf. 1400 -Relations Between Other Governmental Agencies and the Schools)
- (cf. 6020 -Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

- (cf. 5137 -Positive School Climate)
- (cf. 6164.2 -Guidance/Counseling Services)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 -Student Use of Technology)
(cf. 6142.8 -Comprehensive Health Education)
(cf. 6142.94 -History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 -Staff Development)
(cf. 4231 -Staff Development)
(cf. 4331 -Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 -Sexual Harassment.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 -Conflict Resolution/Peer Mediation)

(cf. 5144 -Discipline)

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

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

(cf. 6159.4 -Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten through Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

National School Safety Center: <http://www.schoolsafety.us>

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

**First Reading and Adoption: June 26, 2012
(replaces Policy 5130 adopted 12/11/07)**

DIXIE SCHOOL DISTRICT

BULLYING AND SEXUAL AND GENDER-BASED HARASSMENT REPORT FORM

It is the intent of the Board of Trustees to provide a process for students, parents, and members of the community to address complaints of harassment to appropriate district personnel and to receive a prompt response to this complaint without fear of retaliation.

It is also the intent of the Board of Trustees to conduct a prompt and reasonable investigation, and to resolve any complaints in accordance with school and district policies and procedures. Complaints shall be investigated in a manner that protects the confidentiality of the parties. If a student who reported being bullied or harassed (or parent on behalf of the student) believes the situation has not been remedied, he/she may file a complaint in accordance with District Uniform Complaint policy and procedure. Student and Parent are to be informed annually of the process by which they may make a report of harassment or file a subsequent complaint.

Submission of this report form is encouraged; however oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Any student who feels she/he is a victim of harassment should immediately contact a teacher, counselor, principal, or staff person. Staff shall assist students and/or parents in completing this complaint form, as requested. When harassing behavior does escalate to the level of violating other District policies, District personnel are obligated to adhere to appropriate District reporting guidelines and protocols and may be required to report to one or more offices or outside agencies, as appropriate.

Step 1

Obtain a written statement from the student reporting alleged harassment. If the student is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the student. The school personnel will also obtain statements from any witnesses, if necessary.

Step 2

Assure the student reporting the alleged harassment that steps will be taken to investigate the incident. Provide the individual with the names of school personnel who can help if the situation continues, escalates, or arises during the investigation.

Step 3

Obtain a written statement from the student alleged to have committed the harassment. If the student is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the student. The school personnel will also obtain statements from any witnesses, if necessary.

Step 4

Based on the investigate determine if the incident meets the criteria of harassment and if it has accelerated into level of violating other District policies, District personnel are obligated to adhere to appropriate District reporting guidelines and protocols and may be required to report to one or more offices or outside agencies, as appropriate.

Step 5

Determine what type of action or consequences will resolve the situation. Consequences for a student who commits an act of harassment shall be appropriate according to:

- The nature of the behavior
- The developmental age of the student
- The student's history of problem behaviors and performance
- Consistent with related Board Policies and Ed Code

Step 6

Inform the parents of both the victim and the child who committed the harassment:

- The nature of the incident
- The result of the investigation
- Type of action(s)
- Consequence
- Follow up steps that will be taken to resolve the situation

DIXIE SCHOOL DISTRICT

ADMINISTRATIVE PROCEDURES HARASSMENT REPORT FORM

Name of Student	
Date of Incident	Report Date
Incident: Victim	
Incident: Person who is alleged Harassment	
Incident: Witnesses	
Investigation Findings:	

Steps that will be taken to stop harassment:

One:

Two:

Three:

Four:

Determine what type of action or consequences will resolve the situation. Consequences for a student who commits an act of harassment shall be appropriate according to:

- The nature of the behavior
- The developmental age of the student
- The student's history of problem behaviors and performance
- Consistent with related Board Policies and Ed Code
- Other

Inform the parents of both the victim and the child who committed the harassment:

- The nature of the incident
- The result of the investigation
- Type of action(s)
- Consequence
- Follow up steps that will be taken to resolve the situation

POLICY ON INTERNET SAFETY

It is the policy of the Dixie School District to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act.

Internet access is to be used as an educational and/or work-related resource and such access shall be made available subject to such rules and regulations as may be established.

Legal Reference: (Public Law 106-554)
47 USC 254(h)

First Reading: July 13, 2010

Second Reading and Adoption: August 24, 2010

ADMINISTRATIVE REGULATIONS AND PROCEDURES

INTERNET SAFETY

The following regulations and procedures are intended to implement the legal requirements of the Dixie School District under The Children's Internet Protection Act, (CIPA) (Public Law 106-554). Such regulations and procedures shall be applied to all students having computers with Internet access to certify on or before October 28, 2001, that they have in place certain Internet safety policies and technology to block or filter certain material from being accessed through the Internet. *The Protecting Children in the 21st Century Act, enacted October 10, 2008, added an additional Internet Safety Policy requirement covering the education of minors about appropriate online behavior.*

Definitions

1. Access to the Internet—A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected to a computer network which has access to the Internet.
2. Minor shall mean an individual who has not attained the age of 19.
3. Obscene shall have the meaning given such term in section 1460 of title 18, United States Code.
4. Child pornography shall have the meaning given such term in section 2256 of title 18, United States Code.
5. Harmful to minors shall mean any picture, image, graphic image file, or other visual depiction that:

- a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
6. Hacking shall mean attempting to gain unauthorized access to computer and network systems connected to the Internet.
7. Technology protection measure shall refer to a proxy server managed by Marin County Office of Education that blocks and/or filters Internet access.

Access to Internet by Minors

Minors accessing Internet services provided by the Dixie School District when working as an employee or volunteer of the Dixie School District; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District or at a facility of which the Dixie School District has otherwise been granted primary custody; or when accessing Dixie School District Internet services with remote access connections shall be subject to the following rules and regulations:

1. Minors shall not access material that is obscene, child pornography, harmful to minors, or otherwise inappropriate for educational or work-related uses.
2. Minors shall not use Dixie School District technology or Internet resources to engage in hacking or attempts to otherwise compromise any computer or network system's security.
3. Minors shall not engage in any illegal activities on the Internet.
4. Minors should only use electronic mail, and other forms of direct electronic communications for purposes related to education within the context of a school-related assignment activity or for purposes related to work, including volunteer, at the Dixie School District.
5. Minors shall not disclose personal identification information on the Internet.
6. The online activities of minors shall be monitored.
7. Minors will be educated, supervised and monitored on appropriate online behavior.
8. Parents/Guardians of minors may choose to opt their child out of internet access at school by signing and returning the last page of this policy.

Access to Internet by Adults

Adults accessing Internet services provided by the Dixie School District when working as an employee or volunteer of the Dixie School District; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District or at a facility of which the Dixie School District has otherwise been granted primary custody; or when accessing the Dixie School District Internet services with remote access connections shall be subject to the following rules and regulations:

1. Adults shall not access material that is obscene, child pornography, or otherwise inappropriate for training or work-related uses.
2. Adults shall not use the Dixie School District technology resources to engage in unauthorized hacking or attempts to otherwise compromise any computer or network system's security.
3. Adults shall not engage in illegal activities on the Internet.

Technology Protection Measure

The Dixie School District shall use a technology protection measure that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with the policies of the Dixie School District.

1. The technology protection measure that blocks and/or filters Internet access may be disabled by an authorized staff member for bona fide research purposes with permission of the immediate supervisor of the staff member requesting said disabling or with the permission of the administrator of the Dixie School District.

Policy Violations

Any violation of this policy may result in the loss of access to the Internet by the Dixie School District. Additional disciplinary action may be determined in accordance with existing procedures and practices, both administrative and as stipulated in the Dixie School District board policy, and including applicable law enforcement agencies when necessary.

Policy Challenge Procedure

An individual who has been granted access to the Internet by the Dixie School District and desires to access an Internet site that is not compliant with this policy may challenge the enforcement of the policy according to the following provisions:

1. Internet site review requests should be directed to the Dixie School District's Director of Business and Information Services in writing for consideration.
2. The Dixie School District will review the site within seven working days of submission of the request and, if deemed appropriate for educational or work-related purposes, may unblock the site.

3. The Dixie School District shall regulate enforcement of the policy, including disciplinary actions.

Request to Opt Student Out of School Internet Access

As the parent or legal guardian of _____, a minor, I wish to opt _____ out of accessing the Internet at school. I understand that in doing so, I may prevent my child from accessing the Internet-based instructional materials and activities that will be available to his classmates. Dixie School District Schools will provide alternative activities for children whose parents do not wish them to access the Internet; however, we cannot ensure that these activities will provide the same richness and depth of experience that access to the Internet can provide.

Signature

Name (please print)

Date

Please return this form to your child's school.

**References: Public Law 106-554
47 USC 254(h)**

DIXIE SCHOOL DISTRICT INTERNET USE AGREEMENT

The Internet is a global computer network of schools, businesses, governments, organizations, and millions of individuals. All of them are exchanging or publishing ideas and information on thousands of topics. The Internet resources are constantly changing (and not always authoritative), and include government and scientific information, as well as material on business, current events, the arts and popular culture.

The Internet is largely unregulated, and not all of the information it carries is suitable for children. Therefore, the Dixie School District asks that parents read the following responsibilities carefully before giving permission for their child to use the Internet. We ask that students also read this document carefully before they agree to the responsibilities that accompany the privilege of Internet access. If parents tell a child that certain topics are not acceptable, it is the student's responsibility not to access these areas.

Responsibilities of Internet Use:

Every user of the Internet in the Dixie School District accepts the responsibility of respecting the rights of all other network users, and of acting in a responsible, ethical and legal manner at all times. Because in-school access to the Internet is a privilege, and because each student is personally responsible for his or her actions on the Internet, unacceptable behavior will result in the suspension or revocation of a student's personal Internet access. Some behaviors may even cause the school to lose its access rights.

All Internet users will be expected to abide by the generally accepted rules of network etiquette, or netiquette. These include, but are not limited to, the following:

1. Be polite. Do not be abusive in messages to others. Do not “yell” by using capital letters and an exclamation point.
2. Use appropriate language. Do not use profanity, vulgarities, or inappropriate language.
3. Do not become involved in any illegal activities, including copyright violations.
4. Never reveal your personal address or phone number or those of others.
5. Respect the rights of others. Do not do anything that degrades or disrupts the use of the network, either to the software or hardware. Do not vandalize or destroy the data of another user. Do not try to gain unauthorized access to resources or entities.
6. Note that electronic mail (e-mail) is not guaranteed to be private. Messages relating to or in support of illegal activities may be reported to authorities.
7. All communications and information accessible via the network should be assumed to be subject to copyright law.
8. Do not use the school's Internet connection to access any kind of chat groups, games, or any inappropriate subjects without the permission of the supervising teacher.

Dixie School District and its network provider, the Marin County Office of Education, make no guarantees of any kind for the service we are providing. We will not be responsible for any damages you suffer, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions.

Dixie District Suggested Guidelines and Expectations for Effective Use of E-mail

Know and Observe E-mail Laws

- Employees' e-mail is the property of the District, including the use of personal e-mail accounts on company computers. All Dixie District employees are required to use their assigned G-mail account.
- E-mail is like a postcard –anyone can read it.
- E-mail can be subpoenaed.
 - Not only yours but anyone you communicate with
 - E-mail has an indefinite shelf life. The MCOE archives all e-mails sent on the network.

Employee Technology Use California School Board Policy 4040

- Employees are responsible for the appropriate use of technology.
- Employees should be aware that computer files and communications over electronic networks, are not private.
- Confidential information should only be transmitted with approval.
- All employees should have read and signed the District's Acceptable Use Policy (AUP).

What is Your Message?

- Use good judgment as to when to use an e-mail.
- Use a good descriptive subject title.
- Does the message require a formal attachment?
- Be clear in your writing, using standard conventions.
- E-mail should not be treated as a parent conference.
- Extra care is required when composing a message about a student with disabilities (504 & IEP). If the content of your message identifies the student as a student with disabilities, you must only use the student's first and last initial to maintain confidentiality.

E-mail Etiquette for Building Relationships

- Don't e-mail or respond when angry or upset.
- Don't send an urgent e-mail and expect everyone to act on it immediately.
- Keep editorial comments to yourself: just state the facts; be confidential

Sending E-mail to a Group

- Is this message appropriate to the group?
- Should every member of the group receive this e-mail?
- Does this message apply to the members of this group?
- You do not always need to respond to group e-mails.
- Will you use "Reply" or "Reply-All"?

Managing your E-mail

- E-mail should be viewed and responded to within 24 hours, during regular Monday through Friday school days. You are not expected to check or respond to e-mails sent during weekends, holidays or school breaks.
- Set e-mail to auto-reply if you are gone for an extended period of time or on vacation
- CC only when you wish to inform others and you don't expect them to respond.
- Don't print every e-mail. Organize your e-mails into folders.

- Organize, or delete ALL e-mails and empty your trash routinely.
- Special Education staff must maintain all email records for the previous two years.

Top E-mail Etiquette Tips

- Identify yourself at the beginning of the e-mail.
- Keep the message simple and clear, appropriate for the recipient
- Keep harassment and discrimination policies in mind.
- Humor and sarcasm can backfire.
- Don't use e-mail to let off steam or flame a conversation.
- Copy with care. Reply to all with care.
- Don't use an on-going email for a new subject.
- Be cautious sending attachments.
- Edit your e-mail before you hit send.
- Always delete spam right away

**Adapted from Gabe Soumakian Ed.D. Assistant Superintendent, HR. Burbank Unified School District, 2007 Santa Cruz County Office of Education, TICAL
(<http://www.portical.org/Presentations/soumakian/email/notes.pdf>)**

**DIXIE SCHOOL DISTRICT
Internet Use Agreement**

STUDENT:

I have read and understand the Dixie School District Internet Use Policy and agree to abide by its terms and conditions. I understand that if I violate this use policy, my network/Internet privilege will be revoked and I will be subject to disciplinary action. I also understand that violating this use policy may subject me to criminal and/or civil liability.

Name (please print): _____

Grade: _____

Signature: _____

Date: _____

PARENT OR GUARDIAN:

As the parent or guardian of this student, I have read *and discussed with my child* the terms and conditions. I understand that this access is designed for educational purposes. I recognize it is impossible for Dixie School District to restrict access to all controversial materials, and I will not hold the school, district or Marin County Office of Education responsible for materials acquired by my child on the network. I hereby give my permission for my child to have access to the school's Internet account and certify that the information contained on this form is correct.

- Yes, I give my child permission to have access to the Internet.
- No, I do not give my child permission to have access to the Internet.

Name (please print): _____

Signature: _____

Date: _____

Phone number: _____

<p>Dixie School Comprehensive School Safety Plan</p>
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Verification Form

On _____ I met with my staff(s), reviewed the components of the
Date

Dixie School District Comprehensive School Safety Plan and updated the school safety plan binder with any policies and procedures specific to the programs I supervise.

Thomas Lohwasser
Superintendent (Print Name)

Signature

Annual Update/Evaluation

School Site: **DIXIE ELEMENTARY SCHOOL**

1. *Describe the changes needed to the implementation of the plan to enhance school safety.*

2. *Describe any support needed from MCOE to further implement school safety at your site(s).*

3. *List any specific modifications to the school safety plan needed for your site in any of the following areas:*
 - a. *Child Abuse Reporting Procedures*
 - b. *Disaster Procedures*
 - c. *Policies/Actions Leading to Suspension and/or Expulsion*
 - d. *Procedures to Notify Teachers of Dangerous Pupils*
 - e. *Sexual Harassment Policy*
 - f. *School-wide Dress Code*
 - g. *Procedures for Safe Ingress and Egress of Pupils*
 - h. *Rules and Procedures on School Discipline.*
 - i. *Other*

Completed by:

Principal (Print Name)

Signature

Date

Principal
Title

School Site Council met and approved this annual update of the Comprehensive School Safety Plan on the following date:

Date

School Site Council Chair

Please complete and return this form to the Superintendent's Office by March 1st.