

TULARE COUNTY BOARD OF EDUCATION

08/14/2024 [03:00 PM]

REGULAR BOARD MEETING

For the Regular Board Meeting of August 14, 2024, at 3:00 p.m., in the Redwood Conference Center at the Jim Vidak Education Center, 6200 S. Mooney Blvd., Visalia, California.

1. CALL TO ORDER

- a. Pledge of Allegiance
- b. Welcome

2. Board Members and Staff Present

3. ADA ACCOMMODATION REQUIREMENT

Persons who are in need of a disability-related modification or accommodation in order to participate in the board meeting must make a request in writing to the Office of the County Superintendent of Schools, 6200 South Mooney Boulevard, Visalia, California, P.O. Box 5091, 559/733-6301. A request for accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The written request should be made as soon as possible and no later than 2 days before the meeting. The agenda, agenda packet and any written documents distributed to the board during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disabilities Act.

Written documents concerning agenda items are available for public inspection during normal business hours within 72 hours of a regular board meeting at the Tulare County Office of Education, 6200 South Mooney Boulevard, Visalia, California.

4. PUBLIC COMMENTS

Members of the public may address the board on any agenda item, or other item of interest within the subject matter jurisdiction of the board during the public comment period. Agenda items may also be addressed by the public at the time they are taken up by the board. The board is not able to discuss or take action on any item not appearing on the agenda. A five-minute time limit can be imposed on public input for individuals/issues as deemed necessary.

5. ACTION ITEMS

5.a. Routine Matters

5.a.a. Consent Calendar

- a. Approval of Minutes for the Regular Board Meeting of June 12, 2024, Encl. No. 1
- b. Authorization of Countywide Registration of Credentials, Encl. No. 2
- c. Authorization of Temporary County Certificates, Encl. No. 3
- d. Authorization of Countywide Emergency Permit Applications, Encl. No. 4

5.b. Old Business

5.b.a. Consideration and Approval, Second Reading, Board Policy 0410 - Nondiscrimination in County Office Programs and Activities -- **Dedi Somavia**, Encl. No. 5

5.b.b. Second Reading, Board Policy 4030 - Nondiscrimination in Employment Being Converted to Superintendent Policy 4030 and Administrative Regulation 4030 -- **Dedi Somavia**, Encl. No. 6

5.c. New Business

5.c.a. First Reading of Board Policy and Administrative Regulation 5125 - Student Records: Confidentiality -- **Tammy Bradford**, Encl. No. 7

5.c.b. First Reading of Board Policy 5141.21 - Administering Medication and Monitoring Health Conditions -- **Julie Berk**, Encl. No. 8

5.c.c. First Reading of Board Policy and Administrative Regulation 5145.3 Nondiscrimination/Harassment -- **Dedi Somavia**, Encl. No. 9

5.c.d. First Reading of Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures -- **Dedi Somavia**, Encl. No. 10

5.c.e. Presentation of the Williams/Valenzuela Uniform Complaint Report, 2nd Quarter of 2024, Tulare County School Districts -- **Dedi Somavia**, Encl. No. 11

5.c.f. Consideration and Adoption, Resolution No. 24/25-03 Accepting the Cannabis Tax Fund Grant Program (CTFGP) for \$306,265.67 -- **Robert Mayo**, Encl. No. 12

5.c.g. Presentation of the Teacher Assignment Monitoring Outcomes Report for Tulare County Schools (TAMO) for 2022-2023 -- **John Davis and Sarah Hamilton**, Encl. No. 13

5.c.h. Consideration and Approval, Resolution No. 24/25-01, Adopting the Multi-Jurisdictional Local Hazard Mitigation Plan -- **Jeff Ramsay**, Encl. No. 14

5.c.i. Consideration and Approval, Resolution No. 24/25-02 Authorizing a contract for Emergency Repair to the Doe Office Complex HVAC System -- **Jeff Ramsay**, Encl. No. 15

6. Information (Non-Discussion Items)

- a. Letters and Communication/Correspondence
- b. Reports from Superintendent and Staff
- c. Reports from Board, Information and Questions

7. Next Scheduled Board Meeting

September 11, 2024, 3:00 p.m.

8. Adjournment

TULARE COUNTY BOARD OF EDUCATION

06/12/2024 [03:00 PM]

REGULAR BOARD MEETING

For the Regular Board Meeting of June 12 2024, at 3:00 p.m., in the Redwood Conference Center at the Jim Vidak Education Center, 6200 S. Mooney Boulevard, Visalia, California.

1. CALL TO ORDER

- a. Pledge of Allegiance
- b. Welcome

2. 2024 Retirement Reception

Mr. Enea thanked all the retirees and guests for attending the reception and wished them well in the future.

3. Board Members and Staff Present

Board Members present: President Joe Enea, Vice President Debby Holguin, Tom Link, Celia Maldonado-Arroyo, and Ex-Officio Secretary Tim A. Hire. Absent Board Members: Judy Coble and Tony Rodriguez. Staff members present: Joe Andrade, Jody Arriaga, Julie Berk, Tammy Bradford, Linda Corral, John Davis, Nayirah Dosu, Dr. Martin Frolli, Bekah Gomez, Sarah Hamilton, Rebecca Hendrickson, Rob Herman, Kevin Jessee, Dr. Fernie Marroquin, Gene Mendes, Chris Meyer, Tammy Milligan, Dr. Helen Milliorn-Feller, Marlene Moreno, Ron Pekarek, Anthony Paz, Jennifer Reimer, Freddy Reyes, Jill Santivanez, Val Seita, Sarah Smigiera, Sam Tate, Fredna Van Dellen, and Rachel Weaver. Guests present: Kyle Benton, Jany Cox, Andrew Van Dellen, Regina Vasquez, and Josh Whiteside.

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6. ACTION ITEMS

6.a. Routine Matters

6.a.a. Consent Calendar

- a. Approval of Minutes for the Regular Board Meeting of May 8, 2024, Encl. No. 1
- b. Authorization of Countywide Registration of Credentials, Encl. No. 2
- c. Authorization of Temporary County Certificates, Encl. No. 3
- d. Authorization of Countywide Emergency Permit Applications, Encl. No. 4
- e. Donation from Trophy Shoppe (\$1,311.17) to Science Fair Student Event, Encl. No. 5

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Tom Link **Second:** Celia Maldonado-Arroyo

6.b. Old Business

6.b.a. Second Reading, Consideration and Approval, Arts, Music, and Instructional Materials Discretionary Block Grant for TCOE/Special Education -- Kevin Jessee, Encl. No. 6

Kevin Jessee asked for the Board's approval on the second reading of the Arts, Music, and Instructional Materials Discretionary Block Grant for TCOE/Special Education.

Mr. Enea asked the minutes to reflect that board members Judy Coble and Tony Rodriguez were not in attendance of the June 12, 2024 meeting.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Celia Maldonado-Arroyo **Second:** Debby Holguin

6.b.b. Second Reading, Consideration and Approval, Arts, Music, and Instructional Materials Discretionary Block Grant for La Sierra Military Academy -- Jose Bedolla, Encl. No. 7

Jose Bedolla asked for the Board's approval on the Arts, Music, and Instructional Materials Discretionary Block Grant for La Sierra Military Academy.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Debby Holguin **Second:** Tom Link

6.b.c. Second Reading, Consideration and Approval, Arts, Music, and Instructional Materials Discretionary Block Grant for University Preparatory High School (UPHS) -- Dr. Helen Milliorn-Feller, Encl. No. 8

Dr. Helen Milliorn-Feller asked for the Board to approve the second reading of the Arts, Music, and Instructional Materials Discretionary Block Grant for UPHS.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Chris Reed **Second:** Celia Maldonado-Arroyo

6.b.d. Second Reading, Consideration and Approval, Local Control and Accountability Plan (LCAP) for TCOE/Special Services -- Kevin Jessee, Encl. No. 9

Kevin Jessee asked the Board to approve the second reading of the Local Control and Accountability Plan (LCAP) for TCOE/Special Services.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Tom Link **Second:** Debby Holguin

6.b.e. Second Reading, Consideration and Approval, Local Control and Accountability Plan (LCAP) for La Sierra Military Academy (LSMA) -- Jose Bedolla, Encl. No. 10

Jose Bedolla asked the Board to approve the Local Control and Accountability Plan (LCAP) for La Sierra Military Academy.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Celia Maldonado-Arroyo **Second:** Chris Reed

6.b.f. Second Reading, Consideration and Approval, Local Control and Accountability Plan (LCAP) for University Preparatory High School (UPHS) -- Dr. Helen Milliorn-Feller, Encl. No. 11

Dr. Helen Milliorn-Feller asked for the Board's approval on the second reading of the Local Control and Accountability Plan (LCAP) for University Preparatory High School (UPHS).

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Chris Reed **Second:** Celia Maldonado-Arroyo

6.c. New Business

6.c.a. Consideration and Approval, Consolidated Application for Funding, 2024-2025 School Year -- John Davis, Encl. No. 12

John Davis asked for the Board's approval on the Consolidated Application for Funding for the 2024-2025 school year.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Tom Link **Second:** Debby Holguin

6.c.b. Consideration and Approval, Local Control and Accountability Plan/Every Student Succeeds Act Federal Addendum Update -- John Davis, Encl. No. 13

John Davis asked for the Board's approval on the Local Control and Accountability Plan/Every Student Succeeds Act Federal Addendum Update.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed

Nay: 0

Abstain: 0

Not Cast: 2 Judy Coble, Tony Rodriguez

Motion: Debby Holguin **Second:** Tom Link

6.c.c. Present Update on the Local Indicators for TCOE/Special Education 2024-25 -- Kevin Jessee, Encl. No. 14

Kevin Jessee made a presentation to the Board of the update on the Local Indicators for TCOE/Special Education 2024-2025.

6.c.d. Present Update on the Local Indicators for La Sierra Military Academy (LSMA) 2024-25 -- Jose Bedolla, Enc. No. 15

Jose Bedolla made a presentation to the Board of the update on the Local Indicators for La Sierra Military Academy (LSMA) 2024-2025.

6.c.e. Present Update on the Local Indicators for University Preparatory High School (UPHS) 2024-2025 -- Dr. Helen Milliorn-Feller, Encl. No. 16

Dr. Helen Milliorn-Feller made a presentation to the Board of the update on the Local Indicators for University Preparatory High School (UPHS) 2024-2025.

6.c.f. Consideration and Approval, Mental Health Average Daily Attendance Allocation Grant Award 23-24 (\$17,734) -- Tammy Bradford, Encl. No. 17

Tammy Bradford requested for approval of the Mental Health Average Daily Attendance Allocation Grant Award 2023-2024 (\$17,734).

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Celia Maldonado-Arroyo **Second:** Debby Holguin

6.c.g. Consideration and Approval, Prop 28 Arts and Music Grant (\$285,371) -- Sarah Hamilton, Encl. No. 18

Sarah Hamilton asked for the Board's approval on the Prop 28 Arts and Music Grant (\$285,371).

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Tom Link **Second:** Chris Reed

6.c.h. Presentation of the County Office Summary Report to LEAs with their LCAPs and Differentiated Assistance – Dr. Martin Frolli, Encl. No. 19

Dr. Martin Frolli presented, to the Board, the County Office Summary Report to LEAs with their LCAPs and Differentiated Assistance.

6.c.i. Consideration and Approval, New Materials to ERS Library through CLSD Readership Grant, Quail Art Grant and ERS Library -- Valarie Seita, Encl. No. 20

Val Seita asked for approval on the new materials for the ERS Library through CLSD Readership Grant, Quail Art Grant and ERS Library.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Chris Reed **Second:** Tom Link

6.c.j. Public Hearing for Adoption of the 2024-2025 Annual Service Plan and Annual Budget Plan for Tulare County/District SELPA -- Tammy Bradford, Encl. No. 21

President Enea opened a public hearing at 4:34 p.m. for any public comment on the Annual Budget Plan for Tulare County/District SELPA. No public comments were received. The public hearing was closed at 4:36 p.m.

Mr. Enea opened another public hearing at 4:37 p.m. for any public comment on the 2024-2025 Annual Service Plan. No public comments were received. The public hearing was closed at 4:39 p.m.

6.c.k. Public Hearing for Adoption of the 2024-2027 Tulare County/District Special Education Local Plan -- Tammy Bradford, Encl. No. 22

Tammy Bradford asked for a public hearing to be opened for the adoption of the 2024-2027 Tulare County/District Special Education Local Plan. Mr. Enea opened the public hearing at 4:40 p.m. No public comments were received. The hearing was closed at 4:42 p.m.

6.c.i. Consideration and Approval, Adoption of the 2024-2025 Annual Service Plan and Annual Budget Plan for Tulare County/District SELPA -- Tammy Bradford, Encl. No. 23

Tammy Bradford asked for approval to adopt the 2024-2025 Annual Service Plan and for the Annual Budget Plan for Tulare County/District SELPA.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Chris Reed **Second:** Celia Maldonado-Arroyo

6.c.m. Consideration and Approval, Adoption of the 2024-2027 Tulare County/District Special Education Local Plan -- Tammy Bradford, Encl. No. 24

Tammy Bradford asked for approval to adopt the 2024-2027 Tulare County/District Special Education Local Plan.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Tom Link **Second:** Debby Holguin

6.c.n. Consideration and Approval, School Plan for Student Achievement (SPSA) - Court and Community Schools -- Joe Andrade, Encl. No. 25

Jose Andrade asked for the Board's approval for the School Plan for Student Achievement (SPSA) for court and community schools.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Tom Link **Second:** Celia Maldonado-Arroyo

6.c.o. Consideration and Approval, School Plan for Student Achievement (SPSA) - Special Education -- Sarah Hamilton, Encl. No. 26

Sarah Hamilton asked for the Board's approval on the School Plan for Student Achievement (SPSA) for Special Education.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Celia Maldonado-Arroyo **Second:** Chris Reed

6.c.p. Consideration and Approval, SELPA Policy #2500 - SELPA Special Education Funding Allocations -- Tammy Bradford, Encl. No. 27

Tammy Bradford requested the Board's approval of a revision to current SELPA Policy 2500 regarding Special Education funding allocations.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Debby Holguin **Second:** Tom Link

6.c.q. Consideration and Approval, WorkAbility 1 Program Grant Award 2023-2024 (\$81,540) -- Jennifer Reimer, Encl. No. 28

Jennifer Reimer asked for the Board's approval for the WorkAbility I Program grant award for 2023-2024 (\$81,540).

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Celia Maldonado-Arroyo **Second:** Chris Reed

6.c.r. Consideration and approval, Resolution No. 23/24-26, Spending Determination for Funds Received from the Education Protection Account (EPA) Fiscal Year 2024-2025 -- Jody Arriaga, Encl. No. 29

Jody Arriaga requested the Board's approval on Resolution Number 23/24-26 regarding the spending determination for funds received from the Education Protection Account (EPA).

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Chris Reed **Second:** Debby Holguin

6.c.s. Consideration and Adoption, 2024-2025 Tulare County Office of Education Budget -- Dr. Fernie Marroquin, Encl. No. 30

Dr. Fernie Marroquin asked for approval of the 2024-2025 TCOE budget.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Celia Maldonado-Arroyo **Second:** Tom Link

6.c.t. Consideration and Approval, Temporary Loans to School Districts and Charter Schools, 2024-2025 and 2025-2026 - Resolution No. 23/24-27 and 23/24-28 -- Dr. Fernie Marroquin, Encl. No. 31

Dr. Fernie Marroquin asked for the Board to approve Resolution No. 23/24-27 and Resolution No. 23/24-28 for temporary loans to school districts and charter schools for the 2024-2025 and 2025-2026 school years.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Tom Link **Second:** Debby Holguin

6.c.u. Consideration and Approval, 2023-2024 Forest Reserve Apportionment -- Sarah Smigiera, Encl. No. 32

Sara Smigiera requested the Board to approve the 2023-2024 Forest Reserve Apportionment.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Tom Link **Second:** Chris Reed

6.c.v. Consideration and Approval, Cancel July 10, 2024 Board Meeting -- Tim Hire, Encl. No. 33

Superintendent Hire asked for the Board to consider canceling the July 10, 2024, board meeting since there will be no agenda items for the meeting.

Mr. Hire also asked the Board to consider moving the board meetings to the first Wednesday of the month beginning July 2025. He wants to make sure absent board members Coble and Rodriguez have time to think about it too.

Vote Results

Yea: 5 Joe Enea, Debby Holguin, Tom Link, Celia Maldonado-Arroyo, Chris Reed
Nay: 0
Abstain: 0
Not Cast: 2 Judy Coble, Tony Rodriguez
Motion: Chris Reed **Second:** Celia Maldonado-Arroyo

6.c.w. First Reading, Board Policy 0410, Nondiscrimination in County Office Programs and Activities -- Dedi Somavia, Encl. No. 34

Chris Meyer presented the first reading of BP 4010 to the Board. This is regarding contact information for compliance officers.

6.c.x. First Reading, Superintendent Policy & Administrative Regulation 4030, Nondiscrimination in Employment -- Dedi Somavia, Encl. No. 35

Chris Meyer presented the first reading of the Superintendent Policy and Administrative Regulation 4030, nondiscrimination in employment, to the Board. Board member Maldonado-Arroyo voiced that she would like to keep the word "ethnicity" in the SP/AR 4030.

7. Information (Non-Discussion Items)

- a. Letters and Communication/Correspondence
- b. Reports from Superintendent and Staff
- c. Reports from Board, Information and Questions

Superintendent Hire thanked the Board for attending the recent graduation ceremonies. He advised the Board that we should have more on the state's budget next week.

Joe Enea said he recently attended a CSBA delegate meeting. Joe is part of Region 12 but a new region, 14, is being created to be more evenly proportioned geographically and state wide. they will hold a convention in September in Monterey. They will also meet in December at the CSBA conference in Anaheim.

Chris Reed mentioned that she had attended the Sequoia Union graduation. Several students received a special recognition that had a very impressive criteria that had to be met. Kudos was given to Chris Meyer and his staff for the wonderful TCOE student events.

8. Next Scheduled Board Meeting

August 14, 2024 -- 3:00 p.m.

9. Adjournment

Meeting adjourned at 5:18 p.m.

Enclosure No. 2
Agenda of 8/14/2024

CREDENTIALS REGISTERED

August 14, 2024

240154231	SUBP	EM	ABDOU SAMIA
240166048	TC1	CL	ABEL PAUL
240176067	SC1A	CL	ABRICA GERARDO
240172756	TC2	CL	ABUBAKER NAEILA Y
240131035	SUBP	EM	ACEVEDO SOTO JENNIFER
240171784	TC2	IN	ACOSTA CORINNE
240140668	TC1	CL	ACOSTA KARINA J
240154373	SUBT	EM	ACOSTA YADIRA
240108854	TC2	P5	ACOSTA YAJAIRA
240013346	TC1	CL	ADAMS-WILDING KATIE
240171789	TC2	P5	AGUILAR ALONDRA
240194787	SUBP	EM	AGUILAR CHAVEZ LETICIA
240169240	TC1	IN	AGUILAR GABRIELA
240200017	TC3S	IN	AGUIRRE ROSANA
240200278	SUBP	EM	ALANIZ DESTINIE
240156426	TC1	CL	ALBA STEVEN
240177247	P12E	CD	ALBERS CHERYL S
240143769	TC1	CL	ALBERT EVELYN M
240154447	SUBP	EM	ALCANTAR-TORRES ULYSSES
240161949	TC2	P5	ALCARAZ-MORILLON BRENDA
240149723	TC2	IN	ALCAZAR ESTEFANY
240155031	TC3S	IN	ALFARO EMMA C
240136415	SUBP	EM	ALI ALHAM
240158159	CTE	P3	ALLEN CHRISTOPHER
240147277	TC2	CL	ALLEN ELLIOT N
240128887	SUBP	EM	ALLINGTON ALYSSA
240179871	SUBP	EM	ALLISON ALEXANDRA N
240177647	SUBP	EM	ALONZO IVANGELINA
W24001151	SC1A	WV	ALVARADO ANNALY
240141659	TC2	CL	ALVARADO ELVIA
240077264	TC2	CL	ALVARADO JOSHUA
240139772	SUBP	EM	ALVARADO KAYLA
240076933	TC2	CL	ALVARADO KRYSTA
240042235	TC2	CL	ALVARADO ORILIA
240042236	TC1	CL	ALVARADO ORILIA

Enclosure No.
Agenda of 8/14/2024

CREDENTIALS REGISTERED

August 14, 2024

240162697	TC2	P5	ALVAREZ CAMERON N
240122297	TC2	CL	ALVAREZ NATALIE
240183485	SUBP	EM	ALVAREZ-BENITEZ BLANCA
240144401	SUBP	EM	ALVAREZ-HERNANDEZ YARELY
240158591	TC2	CL	ALVES ALCANTAR RACHEL
240136319	TC2	CL	ALVES JOHNNY C
240175310	TC2	P5	AMBRIZ JAQUELINE C
240156382	TC3S	CL	AMODO STEPHANIE
240131633	TC2	CL	AMUNDSON STEPHEN M
240178031	SUBP	EM	ANDERSEN SYDNEY M
240176158	SUBP	EM	ANDRADE ARIANA
240169722	SUBP	EM	ANDRADE JOSE A
240157914	TC2	IN	ANDRADE LOURDES
240142480	TC2	CL	ANDRADE MARIBEL
240156585	TC1	CL	ANDRADE RODRIGO
240177710	CTE	P3	ANDRADE SUZANNA K
240184759	CTE	CL	ANDRADE SUZANNA K
240183838	TC2	P5	ANDRADE-LOPEZ GLORIA S
240200421	SUBP	EM	ARANZAZU GARCIA KARLA
230072537	SC5	CL	ARELLANO-NAVARRO MARLENE
240199117	SUBP	EM	AREND CHRISTOPHER
240195903	TC2	CL	ARGUELLES SAYLA
240161997	SUBP	EM	ARGUELLO VASQUEZ NORMA D
240192214	TC1	CL	AUDELO-SHARP VERONICA
240175223	TC3S	CL	AVILA KIMBERLY
240183743	SUBP	EM	AVILA LOPEZ ALICIA
240196916	TC1	P5	AVILA RICARDO
240148531	TC1	CL	AVILA SARAH
240197571	SUBP	EM	AVILA URIBE KAREN
240141965	TC1	CL	AVINA ASHLEY
240162251	TC2	CL	AWBREY AMY E
240132355	SUBT	EM	AYALA VICTORIA
240189564	SUBP	EM	AYON ZENAIDA
240154301	SUBP	EM	AZEVEDO JONATHAN
240186852	SC1A	CL	BACA MARIA D

Enclosure No.
Agenda of 8/14/2024

CREDENTIALS REGISTERED

August 14, 2024

240175025	TC3S	P5	BACON JAIME
240140317	P12C	CD	BAEZ FABIOLA
240181640	TC2	CL	BAEZA JAIME L
240048178	TC2	CL	BALDERAS LUIS
240190297	TC2	CL	BALLOR DEVANI
240140990	TC3S	P5	BALTAZAR CHAVEZ CARMEN
240191284	P12E	CD	BALTO RAMIREZ ALYSSA R
240089965	SUBP	EM	BANDA ROSIO
240196648	SUBP	EM	BARAJAS ALEXA
240177634	SUBP	EM	BARAJAS AMBERLY
240192541	SC1A	CL	BARAJAS CHRISTINA
240192540	TC2	CL	BARAJAS CHRISTINA
240157956	TC2	CL	BARAJAS IBARRA CRISOL
240157251	TC2	CL	BARAJAS MARIA
240165325	SUBP	EM	BARCENAS ALEJANDRO J
240130140	SC5	CL	BARRON KRISTEN
240150252	P12C	CD	BARRON NUBIA L
240179943	SUBP	EM	BARRON-PONCE JESSICA
240165675	TC2	CL	BATTLES BLAKE E
240165676	TC3S	CL	BATTLES BLAKE E
240177368	SUBP	EM	BAUTISTA-LUNA BRISEIDA A
24156449	TC1	CL	BAZA ANDREW
240156449	TC1	CL	BAZA ANDREW J
240167953	TC1	CL	BECK CONNOR D
240172178	TC2	CL	BEJAR KARI
240172180	SC1A	CL	BEJAR KARI T
240156600	TC2	CL	BELMAN BEVERLY
240172411	TC1	CL	BELMAN CANO LUIS F
240190298	TC1	CL	BELTRAN JOSEPH
240141668	TC3S	CL	BENNETT DARREN J
240191418	TC2	P5	BENNETT JACOB
240180727	TC1	P5	BERNAL ALMA I
240196328	SUBP	EM	BERRONES ANGELICA J
240157513	SUBP	EM	BERRY DEENA L
240190994	TC2	CL	BERTUSSI ABEL M

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240155539	SUBP	EM	BESS CHRISTINE K
220141474	TC2	CL	BESS RYAN
240182000	TC1	CL	BETTENCOURT ELIZABETH M
240198357	SC5	CL	BHAURLA TANVEER
240016329	TC2	CL	BIELLO RIVERA DOMINIQUE
240139841	SC5	CL	BILVADO-ALANIZ ANA
240167175	SUBP	EM	BIRD TIMOTHY
240186454	TC2	P5	BIVONA DAVID
240157169	TC2	CL	BLACK PRESTON
240160659	SUBP	EM	BLANKENSHIP CRISTINA A
240154943	TC1	CL	BOND ABIGAYLE L
240159024	SUBP	EM	BOND BARBARA L
240166558	SC5	CL	BONDS CHRISTY S
230320309	TC2	CL	BONNEMA SUMMER
240191473	SUBP	EM	BONTRAGER CASSANDRA M
240181277	TC2	CL	BOURN MELISSA A
240177895	SUBP	EM	BOWEN MINJAHMIN D
240170818	SUBP	EM	BOYCE DEVON A
240132410	SUBT	EM	BOYD FANISHA
240168477	SC1A	CL	BRADLEY ROSA
240156413	TC1	CL	BRAVO JUAN D
W24001225	SC8	WV	BRAVO MONICA M
240196484	SC1A	P5	BRAVO STEPHANIE A
240179057	TC2	CL	BRAY JENEAN
220254261	TC1	CL	BRAY JENEAN
240179058	SC1A	CL	BRAY JENEAN L
240177380	SUBP	EM	BROADUS STEPHEN P
240194918	TC1	CL	BROWN GARION D
240157644	TC1	CL	BROWN RUSSELL M
240157828	TC1	CL	BROWN WILLIAM A
240181630	TC1	CL	BRUNS MARIA E
240100318	SUBP	EM	BRYANT AMBRA
240171250	SUBP	EM	BUNGCAYAO JESSICA M
240147954	TC1	P5	BURGARA CHRISTIAN
240188831	SUBP	EM	BURGARA CHRISTIAN

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240191402	TC2	P5	BURRIS JACQUILLA
240191212	SUBP	EM	BUSTOS CELINA
240098863	SC5	CL	BUTLER ALYSSA
240136972	P12E	CD	BUZANI ANA I
240176089	SUBP	EM	CABANILLAS IRENE
240186167	TC2	P5	CABEZAS ALEXIA
190224230	P12C	CD	CABRERA JANET
240192952	TC3S	P5	CAIN ADAM E
240188587	SUBP	EM	CAIN CLINTON I
240169422	TC2	CL	CALDERON MICHAEL A
240166907	SUBP	EM	CALENDER JOEL
240174717	TC3S	P5	CALLANAN JOSHUA C
240188676	TC2	CL	CALVILLO ANTHONY
240142656	SUBP	EM	CAMACHO MARTINEZ LIVIA
240191441	TC1	P5	CAMPBELL IV JERALD
220052453	TC2	CL	CAMPOS BREANNA
240140255	SUBP	EM	CAMPOS FARFAN SORAYA
240163958	TC2	P5	CAMPOS MARGARITA C
240156423	TC1	CL	CAMPOS ROSALINDA
240182953	SUBP	EM	CANALES SANDRA A
240156961	TC2	CL	CANTERBURY TODD F
240093063	TC3S	CL	CANTIERI TIFFANY
240146082	SUBP	EM	CANTU RALPH E
240166213	SC3A	CL	CARDENAS ANGIE K
240158592	TC2	CL	CARDIEL ALMA
240193355	SC1A	CL	CARDOZA DEANNA
240178788	SUBP	EM	CARDOZA SKYLER
240083455	TC1	CL	CARR KATHLEEN
240139305	TC2	CL	CARRANZA GABRIEL
240158051	TC1	P5	CARRANZA LISANDRO U
240163058	SUBP	EM	CARRASCO NICKOLES E
240163097	SC1A	CL	CARRERA FERNANDO M
240105056	SUBP	EM	CARRERA REYNA
240192430	TC2	CL	CARRILLO CASEY
220135673	TC2	P5	CARRILLO GINA

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240195164	SUBP	EM	CASTANEDA HUERTA CLAUDIA
240164025	TC3S	P5	CASTANEDA LOURDES
240139552	TC3S	IN	CASTANEDA LOURDES I
240190920	P12C	CD	CASTILLO GALVEZ LILIANA
230298943	TC2	CL	CASTILLO JESSICA
240191432	TC1	P5	CASTILLO KARISSA M
240186082	TC1	P5	CASTRO CHRISTINA
220113818	TC1	P5	CASTRO KELSEY
220113819	TC3A	CL	CASTRO KELSEY
240146703	SUBP	EM	CASTRO MADISYN
240170591	TC2	P5	CAVAZOS MARIA D
240163990	SC5	CL	CAVAZOS ROSA
240083915	TC2	CL	CAZAREZ PHILLIP
240147948	TC1	P5	CEBALLOS GUTIERREZ GAVRIEL
240197368	TC1	CL	CEBALLOS MADRIGAL JORGE
240104620	TC3S	CL	CEBALLOS TORRES FLORA
240065687	TC2	CL	CEBALLOS YULIANA
240100508	TC2	P5	CERDA NANCY D
240148297	TC2	P5	CERVANTES ALCARAZ MARIBEL
240193424	SUBP	EM	CERVANTES ARIANA
230123186	TC1	CL	CERVANTES JONATHAN
230206987	SC1A	P5	CERVANTES JONATHAN
240168458	SC1A	CL	CERVANTES JONATHAN
240156664	TC2	CL	CHACON EVA
240196936	TC2	P5	CHANG FOUA
240156832	SC1A	CL	CHAPMAN RACHEL L
240156824	TC1	CL	CHAPMAN RACHEL L
240181462	TC2	CL	CHASE DERINDA I
240151570	TC2	CL	CHASTEEN DEBORAH D
240163036	SUBP	EM	CHAVEZ DAISY
240169458	SUBP	EM	CHAVEZ GARCIA AZUCENA
240078181	TC2	CL	CHAVEZ SANDRA
240135096	SUBT	EM	CHAVEZ-BLANCO YESENIA
240173655	TC2	CL	CHAVEZ-VALDEZ DEBORA C
240194269	TC1	P5	CHEDOTTE SERENA N

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240196223	SUBP	EM	CHILDRESS HEATHER J
240133874	TC2	CL	CHIRRICK TRACY N
240138439	TC2	CL	CHRISTIAN JR. MARK D
240029253	TC2	CL	CISNEROS KARLI
240178520	TC2	P5	CISNEROS-HERNANDEZ MONICA S
240196036	TC2	CL	CLARK MELISSA J
220166160	SC1A	CL	CLEM RANDY
240150084	SC1A	P5	CLEMONS KIM L
240098808	TC1	CL	CLYBURNE KENNETH
240141675	SC1A	CL	COLLINWOOD RORY
240141674	TC1	CL	COLLINWOOD RORY
240156399	TC1	CL	COLUNGA NAYELI
200003805	TC2	CL	CONETTA-LEE LISA
210114440	SC1A	P5	CONETTA-LEE LISA
240193367	SC1A	CL	CONETTA-LEE LISA
240146540	SUBP	EM	CONNELLY JULIE N
230247045	SC1A	P5	CONTENTE ERIC
220156095	TC1	CL	CONTENTE ERIC
240155367	SC1A	CL	CONTRERAS ANGELINA M
240162248	TC2	CL	CONTRERAS GABRIELA
240147014	TC2	CL	CONTRERAS REBECCA R
240134463	TC2	CL	CONTRERAS STEPHANIE C
240191013	SUBP	EM	COOK GARY L
240133694	TC2	CL	COOK RUSSELL J
240150059	SC1A	P5	COOPER AMANDA M
240013789	PPS	CL	CORRALEZ ESMERALDA
240155353	TC2	CL	CORREIA JORDYN
240152535	SUBP	EM	CORTES CAROLINA E
240170141	SUBP	EM	CORTEZ REBECCA
240158119	CTE	CL	COSTA JASEN M
24087457	SC5	CL	COSTA LISA
240157295	TC2	CL	COTA NICOLE
240154928	TC2	CL	COX DAWSON
240181204	SUBP	EM	COX RACHEL
240133059	SC1A	CL	CRABTREE DENISE A

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240162237	SUBP	EM	CREECH COLETTE M
240165684	TC13	SE	CREECH FAITH M
240135515	TC2	P5	CRUM MARTIN
240184351	SUBP	EM	CRUZ MONTANO FRANCISCO M
240158226	TC1	CL	CUEVAS OMAR M
240140768	TC1	CL	CUSTODIO NICCO RAY Y
240152560	SUBP	EM	DABNEY ALICIA L
240149497	P12C	CD	DAMICO HALEY S
240161995	SUBP	EM	DANIEL ELIZABETH C
240170775	TC2	CL	DAVIDSON JENNIFER M
240193476	SUBP	EM	DAVIS HUNTER N
240146537	SUBP	EM	DAVIS JOSEPH A
240189987	TC2	CL	DAVIS LAQUESTE A
240142038	SC5	CL	DE JONGE VANESSA B
240195761	TC3S	P5	DEAN SIERRA M
240174318	TC3S	CL	DEFEVERE CHARLES A
240183802	TC3S	CL	DEGRAW REBEKAH L
240130526	TC2	CL	DEL RIO CHELSEA
240153926	SC1A	CL	DEL RIO CHELSEA L
240166874	TC2	P5	DEL RIO MARTINEZ JOSE J
240195869	TC1	CL	DELLIBOVI NOLAN
240160260	TC1	CL	DENTON AMY M
240200142	TC2	CL	DEORTA CITLALLI
240188154	SC1A	CL	DERINGTON RYANN R
240171475	SUBP	EM	DIAZ ALEXIS
240168584	SUBP	EM	DIAZ ALEXIS M
240187213	SUBP	EM	DIAZ CATHERINE
240198150	TC1	P5	DIAZ HERNANDEZ CLAUDIA
240171242	TC1	CL	DIAZ JOSHUA M
240137325	P12E	CD	DIAZ MORENO MARIA DEL
240197753	SUBP	EM	DIAZ VALERIE
240153780	P12C	CD	DIAZ-ESTRADA MARIBEL
240076807	TC2	CL	DIGGLE MATTHEW
240076809	SC1A	CL	DIGGLE MATTHEW
240137489	TC2	IN	DILEO JESSICA

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240145839	TC2	CL	DOMINGUEZ LUCY F
240190281	TC1	P5	DOS SANTOS DUSTIN
240159853	SUBP	EM	DOUGHERTY SAVANNAH
240141757	TC2	CL	DOUGLASS KIMBERLY
240198138	TC2	P5	DOW SIERRA
240152949	TC3S	L2	DOWLEN JULIE A
240143936	SUBP	EM	DRAKE SARA
240133192	SUBP	EM	DRESSER DEBRA J
240154656	TC1	CL	DRIVER AMANDA J
240134472	TC2	CL	DUBY RACHEL E
240135039	TC1	CL	DUERRE NATALIE C
240156708	TC1	CL	DUFFEK ANDREW
240151692	TC1	CL	DUKE SHANA M
240170031	SUBP	EM	DURAN ETHAN
240195023	TC1	CL	EDWARDS VICKY
240195022	TC2	CL	EDWARDS VICKY L
240158860	TC2	CL	EFSEAFF EYOSEPH E
240176395	TC2	CL	EMERSON SHELBY D
240176396	SC1A	CL	EMERSON SHELBY D
240157092	SUBP	EM	EMPLEO JEREMY
240118620	TC2	CL	ENCINAS PRISCILLA
240083588	TC2	CL	ERWIN AMBER
240172656	TC2	P5	ESCOBEDO-PEREZ JERRY
240167161	TC1	CL	ESCUDERO NUNO ROBERTO C
240136798	SUBP	EM	ESPARZA ALEJANDRO
240135073	SUBT	EM	ESPARZA ALEJANDRO
240162794	TC2	P5	ESPINOSA LEILA JOY T
240177531	TC2	CL	ESPINOZA ADAM M
240171232	SUBP	EM	ESPINOZA AUDRA
240148530	TC1	CL	ESPINOZA MARINA
240153683	SUBP	EM	ESPITIA LESLIE
240165035	TC1	CL	ESQUIBEL VANESSA
240163906	TC2	CL	ESQUIVEL KEVIN
240162121	TC2	CL	ESTERMANN GEORGETTE D
240169497	SUBT	EM	ESTRADA DAVILA RICARDO L

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240132356	SUBT	EM	ESTRADA FRANCO JUANITA K
240144095	SC1A	P5	EVERETT JACKIE L
240160056	TC2	CL	FAGUNDES KATHLEEN A
240150235	TC2	CL	FARIA-PERCIVAL VERONICA M
240165238	TC3S	L2	FEIJO SUSAN G
240169693	TC2	CL	FELIX SANDRA
240159369	TC1	CL	FERNANDEZ FERNANDO
240151883	SUBP	EM	FERNANDEZ HERNANDEZ MELISSA
240142448	SUBP	EM	FERNANDEZ PAUL C
240162131	SUBT	EM	FERNANDEZ ZEPEDA JAZLYN
240142702	TC2	CL	FESPERMAN LISA
240184794	SUBP	EM	FIERRO ERICA N
240156713	TC2	CL	FIGUEROA ELIZABETH
240127090	TC2	CL	FIGUEROA-TORRES FABIOLA
240158039	TC1	CL	FLAMING ERIN
240177273	TC2	CL	FLEISCHMAN STACIE A
240177274	SC1A	CL	FLEISCHMAN STACIE A
240185120	TC2	CL	FLORES CLARISA
240177485	SUBP	EM	FLORES GLORIA
240158100	TC1	CL	FLORES ISAAC
240131079	SUBP	EM	FLORES JESSICA
240192656	TC2	P5	FLORES MARIA
240141842	SC5	CL	FLORES SANDRA
240156015	TC2	CL	FLORES SELENE S
240157651	TC3H	CL	FLORES SELENE S
240135098	SUBT	EM	FLORES STEPHANIE E
240049973	TC1	CL	FORD ALIZA
240155510	TC3S	CL	FORREST KACIE A
220055575	TC2	CL	FOX COURTNIIE
240189368	TC1	CL	FRALEY KYLE J
240169770	SUBP	EM	FRANCO ITZEEL
220052458	TC2	CL	FREEMAN SUMMER
240186210	TC2	CL	FRIAS ANYSSA Y
240164765	TC2	CL	FURR KATHLEEN M
240169556	SUBP	EM	GAITAN-VELASQUEZ ESMERALDA

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240196917	TC1	P5	GALAFATE MATTHEW J
240167922	TC2	CL	GALVAN-DE DIOS AILEEN
240167086	SUBP	EM	GALVEZ IVAN
240173275	TC1	CL	GAMBOA ALONZO
240194869	SUBP	EM	GARCIA ANA M
240165318	SUBP	EM	GARCIA CELESTE
240175491	TC3S	P5	GARCIA CONSUELO
240169150	TC1	CL	GARCIA EDUARDO
240153137	SUBP	EM	GARCIA GONZALEZ DANIEL
240172893	TC2	CL	GARCIA HUGO
240131559	TC2	P5	GARCIA JENNIFER
240170151	P12C	CD	GARCIA JESSICA
240057928	SC5	CL	GARCIA KARINA
240070788	TC3S	P5	GARCIA KATRINA
240136078	SUBP	EM	GARCIA KLARISSA
240184203	P12E	CD	GARCIA LUISA
240174099	TC2	CL	GARCIA MARICELA
240177886	SUBP	EM	GARCIA MARINA R
240180529	TC2	CL	GARCIA MARLENE
240132301	P12B	CD	GARCIA MICHELLE
240189338	SC5	CL	GARCIA RICHARD
240150306	SUBP	EM	GARCIA SULEYMA J
240189430	TC2	IN	GARCIA-AMBRIZ CESSY
240180947	SUBP	EM	GARCIA-CARREON SINOEL
240157274	TC2	CL	GARCIA-CORTEZ SERGIO
240178715	TC2	CL	GARZA KATIE
240167955	TC1	P5	GAVELLO AMY
240143619	TC2	CL	GEARY ASHLEY N
240178851	SUBP	EM	GENTRY RODNEY E
240148316	SC1A	CL	GIANNETTO MELISSA S
240148315	SC2B	CL	GIANNETTO MELISSA S
240148314	TC1	CL	GIANNETTO MELISSA S
240176292	SUBP	EM	GIBSON CHRISTINA L
240161137	TC1	CL	GILBERT-COSSEY COLLEN
240160683	SUBP	EM	GILL NAVDEEP

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240158969	TC2	P5	GILLIT MICHELLE L
240156699	TC2	CL	GIUNTOLI MARTIN
240166636	TC2	CL	GLISPEY ERIC E
240167319	TC2	CL	GLISPEY SYLVIA F
240170937	TC2	CL	GOATS JONATHAN
240170972	TC2	CL	GODFREY NANDINA L
240191417	TC2	P5	GOLDSWORTHY CARA M
240141538	TC1	CL	GOMES ANICA M
240148840	SUBP	EM	GOMEZ ARMIDA
240196923	TC2	P5	GOMEZ CORTEZ MARIA I
240175998	P12C	CD	GOMEZ DE MUNIZ MARIA I
240172939	TC1	CL	GOMEZ ISAAK J
240175128	TC3S	P5	GOMEZ NATALIE M
240130935	SUBP	EM	GOMEZ YESENIA
210103733	TC2	CL	GONZALES BETHANY
240144551	SC1A	CL	GONZALES DENISE
240193502	P12F	CD	GONZALES HOPE
240157034	TC2	CL	GONZALES MEGAN
240163410	SUBP	EM	GONZALES STEPHANIE A
240061582	TC3S	CL	GONZALES WHITNEY
240153903	SC1A	IN	GONZALES WHITNEY B
240063442	TC3S	CL	GONZALEZ AGUSTIN
240163512	SUBT	EM	GONZALEZ ARMANDO
240135313	TC2	CL	GONZALEZ CHRISTIAN
240196476	P12B	CD	GONZALEZ DE VAZQUEZ OLGA L
240135940	TC1	P5	GONZALEZ DEZIRAE L
240192210	SUBP	EM	GONZALEZ EVA T
240159914	SUBP	EM	GONZALEZ FERNANDO G
240152842	TC2	CL	GONZALEZ JOSHUA G
240113342	TC2	CL	GONZALEZ JUAN
240193979	SUBP	EM	GONZALEZ KARINA
240156714	TC1	CL	GONZALEZ KARINA
240178260	TC2	P5	GONZALEZ LOPEZ SIERRA
240084779	SUBP	EM	GONZALEZ LUNA CESAR
210161773	TC1	CL	GONZALEZ MARIA

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240166108	TC2	P5	GONZALEZ MIRIAM
240163727	SUBP	EM	GONZALEZ STEPHANIE
240191408	TC1	P5	GONZALEZ YASMIN
240162835	TC2	CL	GONZALEZ YASMIN M
240193964	SUBP	EM	GONZALEZ-BRAVO DAISY
240131923	SC1A	CL	GONZALEZ-DELACRUZ ERIKA I
240135068	SUBT	EM	GOULD KAE LIN
240133082	TC1	CL	GRANATH KYLIE
240154729	TC2	IN	GRAVITT KRISTINA L
240134508	SUBT	EM	GRAY BRITTANY
240007365	SC1A	P5	GREEN MATTHEW
240195092	TC2	CL	GREEN THOMAS
240154759	SUBP	EM	GRESSMAN CODY
240140494	TC1	CL	GUERRA ROGELIO
240164354	TC2	CL	GUERRERO JESSICA M
240191424	TC2	P5	GUERRERO MONICA
240188342	TC1	P5	GUERRERO NATALIE
240161994	SC5	CL	GUERRERO ROQUE
240156628	TC1	P5	GUERRERO-CASTILLO ASTRID
240137770	SUBP	EM	GUNNING CAYLA M
240175669	TC2	CL	GUTIERREZ AIMME M
240156567	TC2	CL	GUTIERREZ EVELINA E
240141558	SC5	CL	GUTIERREZ LIZETTE
240015806	TC2	CL	GUTIERREZ SANDRA
240111873	TC2	CL	GUTIERREZ VIRGINIA
240135070	SUBT	EM	GUTIERREZ YASMINE
240196619	SUBP	EM	GUTIERREZ-SANCHEZ MARINA
240169159	TC3S	CL	GUZMAN CELESTE
240173461	SUBP	EM	GUZMAN- ROCHA ALONDRA
240175398	TC2	P5	GUZMAN-CONTRERAS PAULINA
240144152	SUBE	EM	HACHEE JANICE
240170075	TC1	P5	HAINA KAIMI
240020925	TC3S	CL	HAMBY SHELBY
240020926	TC2	CL	HAMBY SHELBY
240140358	SUBP	EM	HANDBUR III GERALD

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240191409	TC2	P5	HANEY JEWLIE
240190300	TC1	P5	HARDER RENEE
240194758	SUBP	EM	HARDWICK JASPER R
240131748	SUBP	EM	HARO JACQUELINE B
240134590	SC3A	P5	HARPER JENNIFER D
240169715	SUBP	EM	HARRELL BROCK
240196121	TC2	CL	HARRINGTON TINA M
240139626	SUBP	EM	HARRIS MORRIS
240192631	TC2	P5	HART SHANNON D
240177606	SA13	EM	HASKILL JENNIFER
240177605	SUBP	EM	HATHAWAY CIERA
240146232	SC5	CL	HAYTER SARAH
240114087	TC1	CL	HEDGES CAROL
240011070	TC2	CL	HEDRICK JENNIFER
240086601	TC2	CL	HELM MICHELE
240057608	TC2	CL	HENDERSHOT TAYLOR
240177132	SUBP	EM	HERNANDEZ ALEJANDRO
240171239	SUBP	EM	HERNANDEZ CLARISSA A
240157939	C8	C8	HERNANDEZ DANIELA
240172810	SUBP	EM	HERNANDEZ JESUS
240083407	TC3S	CL	HERNANDEZ MARIA T
240192652	TC1	P5	HERNANDEZ MARY KATHERINE
240145061	P12C	CD	HERNANDEZ PARRA JANETH
240177334	SUBP	EM	HERNANDEZ RICHARD
240195114	TC2	CL	HERNANDEZ RIOS THALIA P
240172039	SUBP	EM	HERNANDEZ RODRIGUEZ MIRIAM
240017183	TC1	CL	HERNANDEZ SERGIO
240188458	SC1A	IN	HERNANDEZ WAYNE
240151673	TC1	CL	HERNDRICKSON SNIDER
240134758	SUBP	EM	HEUSDENS DOUGALS
240108151	TC2	CL	HICKS LAURA
240131479	TC2	P5	HICKS TABITHA
240131910	TC2	CL	HILLAN MIRANDA
240179051	TC2	CL	HINDMAN CARA L
240151568	TC1	CL	HINKLE MELISSA R

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240160162	TC2	CL	HIPPELY JESSICA A
240160184	TC3G	CL	HIPPELY JESSICA A
240195505	SUBP	EM	HIRSCHLER MAGGIE
240013385	TC2	CL	HITT ALYSSA
240155174	TC3S	CL	HOEHN SARA
240157151	TC2	CL	HOGG JOHN W
240192637	TC1	P5	HOLLAND BREANNE
240164375	SUBP	EM	HOLLAND KALYSTA
240188142	SUBP	EM	HOLMES CHLOE A
240171841	TC2	P5	HONESTO GONZALEZ NANCY P
240165404	SUBP	EM	HOOTON PARKER
240160806	SUBP	EM	HOPPER CORINNE
240166623	SUBP	EM	HORTA JUDICE
240166506	TC2	CL	HORTON MELINDA
240142533	TC1	CL	HOUSER II LEONARD F
240140152	TC2	P5	HOYT CHRISTINA A
240190027	SUBP	EM	HUDSON KATRINA
240193571	TC2	CL	HUDSON TAMMY S
240182826	SUBP	EM	HUFFAKER MYCHAL
240177066	TC2	CL	HUNSAKER MELISSA R
240192625	TC2	P5	HUNT JEFFREY
240056842	TC2	CL	HURICK MCKENZI
240144049	TC2	CL	IBARRA ILEENE A
240196815	SUBP	EM	IBARRA JUAN P
240192990	C8	C8	IBARRA ROSAMARIA
240127147	SUBP	EM	ILDEFONSO ROSARIO
240160258	SC1A	P5	ISLAS DIANA C
240133978	SUBP	EM	JACKSON LEANNE E
240146839	SUBP	EM	JACOBO-GONZALEZ CAROLINA
240169197	CTE	CL	JACUINDE JR FERNANDO
240083219	TC3S	CL	JAMES MARSHA
240196623	SC1A	CE	JANSSON DAVID J
240196889	TC1	P5	JARRETT TREVOR J
240188005	SUBP	EM	JAVIER FABIOLA RUBI
240179669	TC2	CL	JEFFERIS AMANDA N

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240189805	SUBP	EM	JETER ELENOR M
240167857	TC1	IN	JIMENEZ CORTEZ KAREN
240191396	SUBP	EM	JIMENEZ JULIA M
230159607	TC2	P5	JIMENEZ LINDA
240178224	TC2	P5	JIMENEZ MAGALLON ALEJANDRA
240187275	TC2	CL	JIMENEZ NICHOLE E
230074940	TC2	CL	JIMENEZ REYNALDO
240135438	CTE	CL	JIMENEZ-ANDRADE MARIA
240147159	TC2	P5	JIMENEZ-LEPE JENNIFER M
210146545	TC2	CL	JOHNSON BREANNA
240166722	SUBP	EM	JOHNSON ERIK C
240103552	TC2	CL	JOHNSTON MARELLEN
200190514	TC2	CL	JOHNSTONE KORBIN
240157182	TC2	CL	JONES KIMBERLY
240108066	TC2	CL	JOST LISETTE
240190992	SUBP	EM	JUANDIEGO SALEH ELIZDEN M
240156556	TC2	CL	JUAREZ LILIANA S
240136369	TC2	CL	KAIN EVELYN
240172573	TC1	P5	KAVADAS NICHOLAS G
240036984	TC4F	CL	KELLENBERGER TAMMI
240180826	RLLS	CL	KELLY RENAE L
240180825	TC2	CL	KELLY RENAE L
240110539	TC1	CL	KENYON TAMARA
240178769	SUBP	EM	KHAL SYLVIE A
240172785	TC2	CL	KING BRONWEN
240176879	TC1	P5	KING NICOLE D
240141999	TC2	CL	KING TRISTANNE
240158070	TC2	CL	KNUTSON-HERNANDEZ MARISSA C
240175400	TC2	IN	KONIG CARRIE
240172205	SC5	CL	KOTOIAN EDWARD
240172204	TC2	CL	KOTOIAN EDWARD
240172206	SC1A	CL	KOTOIAN EDWARD C
240002417	TC1	CL	KURZ BROOKE
240192797	TC3S	CL	LACKEY SARAH K
240191444	TC1	P5	LAGUNA CLAUDIA R

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240155979	TC2	CL	LAMB JOSEPH A
240155998	SC1A	CL	LAMB JOSEPH A
240170420	TC2	P5	LAMB KEIRA R
240155333	TC2	CL	LANCASTER SHANI D
240133339	SUBT	EM	LANDRY CALEB S
240108343	TC1	CL	LARA ALEJANDRO X
240134772	SUBP	EM	LARA BLADIMIR
240132354	SUBT	EM	LARA MARTINEZ DANIELA L
240156645	TC2	CL	LARA SALINA M
240179680	TC2	CL	LARDNER AMY ROSE M
240191263	SUBP	EM	LARSEN COLIN M
240175013	TC2	P5	LAWRENCE AUDRA
240148311	TC2	CL	LEDESMA MARIA E
240183280	SUBP	EM	LEE JORDAN
240163549	SUBT	EM	LEMUS BERENISE
240183630	C8	C8	LEMUS JOCYLEN
240051046	TC2	CL	LEMUS JOCYLEN
210122204	TC2	CL	LEMUS LEMUS JACQUELINE
240059540	SC1A	CL	LEMUS LISA M
240183105	SUBP	EM	LEMUS REYES YISSEL
240139720	TC2	CL	LEON MARIE D
240158484	SUBP	EM	LEON TIODORA
240160030	SC1A	P5	LEWIS ALISHA J
240036306	SUBT	EM	LICKEY SHAELYN
240141440	SUBP	EM	LIEBAU-NELSEN CATHERINE A
240182228	TC2	P5	LIRA CYNTHIA
240186193	TC2	CL	LIRA IBARRA MARICRUZ
240147054	SUBP	EM	LOCKRIDGE HANNAH R
240040956	TC2	CL	LOHSE SARAH L
240176955	SUBP	EM	LONGINO MENDOZA JAQUELINE P
240176148	SUBP	EM	LONGORIA SIERRA
240143299	TC2	CL	LOPES-ARRUDA MARISSA N
240181463	SUBP	EM	LOPEZ CESAR U
240142358	TC2	CL	LOPEZ ENEDINA L
240188205	SUBP	EM	LOPEZ ESTELA R

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240125761	TC1	CL	LOPEZ FABIAN
240161217	TC2	IN	LOPEZ FABIOLA
240190303	TC2	P5	LOPEZ FERRER MARTHA
240119382	TC3S	CL	LOPEZ LUZ D
240183847	TC2	P5	LOPEZ MARIANA
240151647	P12A	CD	LOPEZ MARINA
240190962	P12C	CD	LOPEZ MARTHA P
240174218	TC2	CL	LOPEZ MICHELLE L
240168279	TC2	CL	LOPEZ NATALIE T
240162766	TC2	CL	LOPEZ PRISCILA V
240138427	TC2	CL	LOPEZ ZUNIGA SIRELY G
240170018	SUBP	EM	LOPEZ-JUAREZ JACQUELINE
240187258	SC8	P2	LOPEZ-PRADO JACQUELYNN
240133058	TC2	P5	LUNA ALEXIS
240190882	SUBP	EM	LUNA SUNDEEP K
240165229	SUBP	EM	LUNDE AUGIE O
240150766	TC1	CL	LYNCH JAMES P
240191906	TC2	P5	MACAULEY SHAELYN J
240144062	TC2	CL	MACHADO MADISON L
240163827	P12E	CD	MADRIGAL AIDE
240176065	SUBP	EM	MADRIGAL AIDE
240089940	SC5	CL	MADRONA KIM
240133063	TC2	CL	MAFFIA RALPH J
240144030	SC1A	P5	MAGALLANES AIDA
240159835	TC2	CL	MAGALLON GRACIELA E
240098214	TC2	P5	MAGANA AMELIA
240193733	SUBP	EM	MAGANA FRANK A
240192624	TC2	CL	MAGANA NORA
240169158	TC2	P5	MAGANA ZOE D
240194766	SUBP	EM	MAGDALENO ALVARO
240104526	RLLS	CL	MAGDALENO PATRICIA
240090888	TC2	CL	MAGDALENO PATRICIA
240178349	TC1	IN	MAHURIEN JOSHUA
240196779	SUBP	EM	MAJARIAN REBECCA E
240157936	TC3S	P5	MALDONADO JASMINE

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240154285	TC2	CL	MAMARIL BEVERLY J
240199926	TC3S	P5	MANRIQUEZ ELIAS
240157626	TC3S	P5	MANRIQUEZ KRISTINA M
240113344	SUBP	EM	MANSELL JOHN
240155533	SUBP	EM	MANZO-AGUILAR ESTEFANIA
240154229	TC3S	CL	MARGOLIT KAREN L
240184229	SUBP	EM	MARQUEZ XIMENA
240194962	SUBP	EM	MARQUEZ- RUELAS ROSELYN
240177310	TC2	CL	MARROQUIN JOHN P
240156400	TC1	CL	MARTIN BLAKE G
240171892	TC2	P5	MARTIN DANIELA I
240140996	TC3S	CL	MARTINEZ ANA R
240170349	CTE	CL	MARTINEZ ANDRE K
240184514	P12C	CD	MARTINEZ ELIA
240196723	SUBP	EM	MARTINEZ HAZEL
240150943	SUBP	EM	MARTINEZ HILLARY M
240130977	SUBP	EM	MARTINEZ KAYLA
240166218	SC3A	CL	MARTINEZ LETICIA
240158266	TC2	CL	MARTINEZ LISA
240190392	SUBP	EM	MARTINEZ MARICARMEN
240182895	TC2	CL	MARTINEZ MATTHEW R
240184955	SUBP	EM	MARTINEZ MONICA I
240138672	TC13	SL	MARTINEZ NATALIE
240060340	TC13	SE	MARTINEZ NOELIA
230319172	SUBP	EM	MARTINEZ PATRICIA
240122625	SC5	CL	MARTINEZ YULIANA
240164199	TC2	P5	MARTINEZ-AMBRIZ KASSIDY J
240195519	SUBP	EM	MARTINEZ-ENRIQUEZ JEANETTE
240139697	SUBP	EM	MASON SAMANTHA E
240180616	TC2	CL	MATTHIES BREANNA M
240168490	TC2	CL	MC CASKILL DEBORAH
240168489	SC1A	CL	MC CASKILL DEBORAH
240142107	TC2	CL	MC INTIRE JOSEPH M
240132588	TC3S	L2	MCCLUNG LINDA L
240081889	TC1	CL	MCCOY CHAD

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240171927	TC2	P5	MCCUSKER RACHEL
240137007	P12C	CD	MCELHINNY TRACY
240185438	SA13	EM	MCINTOSH DAGNY S
240151681	TC2	CL	MCLAIN RONETTE A
240163516	SC1A	CL	MCPHETRIDGE MICHELLE L
240163515	TC2	CL	MCPHETRIDGE MICHELLE L
240177296	TC1	P5	MEDEIROS MATTHEW
240177297	TC3A	CL	MEDEIROS MATTHEW
240175806	TC2	CL	MEDINA JESUS
240141786	SUBP	EM	MEDINA MENDEZ MARTIN
240154876	C8	C8	MEDINA-REYES ROCIO
240185834	TC2	CL	MEDRANO ANALLELICA
240144769	SC3A	CL	MEFFORD KRISTI L
240146867	SUBP	EM	MEJIA CASSIDY
240179141	SUBP	EM	MEJIA MARIBEL G
240155554	SC1A	CL	MELKONIAN GINA
240155556	TC1	CL	MELKONIAN GINA
240155555	TC2	CL	MELKONIAN GINA
240189190	TC2	P5	MELLO JANESEA
240130519	TC2	CL	MENDEZ RACHEL J
240155848	SC1A	CL	MENDEZ RACHEL J
240135206	SUBT	EM	MENDEZ VANESSA M
240132357	SUBT	EM	MENDOZA JASMINE
240157946	TC1	CL	MENDOZA NANCY L
240170483	TC2	P5	MENDOZA SAMANTHA
240188000	TC2	P5	MENDOZA SEBASTIAN
240162559	SUBT	EM	MENDOZA TREYEZ FABIAN
240190285	TC2	P5	MERCADO CRUZ LUCINA
240162754	TC1	CL	MERZOIAN EMILY E
240080474	TC1	CL	MILAN-MARISCAL ROSA
240042014	TC1	CL	MILANESIO LINDSEY
240163088	SUBP	EM	MILLER BEN H
240179088	SUBP	EM	MILLER CRAIG D
240163556	SUBP	EM	MILLER CYNTHIA
240136335	TC2	CL	MILLER KAITLYN G

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240142495	TC2	CL	MILLIGAN KARINA
240195423	SUBP	EM	MIRANDA DEBBIE J
240144974	TC2	CL	MIRANDA ISRAEL
240142523	SUBP	EM	MIRANDA LISA D
240164169	TC2	P5	MIRANDA SHANNEL K
240190299	TC1	P5	MOHAMED AMIN ADNAN
240201083	SC1A	CE	MOLINA DAISY
240199048	SC5	CL	MOLINA DAISY
240151690	TC2	CL	MONTANO CRISTIAN
240184587	TC2	CL	MONTANO MICHELLE E
240192640	TC1	P5	MONTEJANO BRIAN A
240151634	TC2	CL	MONTEMAYOR JOSE L
240151105	P12C	CD	MONTES MIRNA
240177090	SUBP	EM	MONTOYA RAMIREZ BRENNAC
240154393	SUBT	EM	MORA MELANIE A
240181114	SC1A	IN	MORA NANCY F
240180725	TC1	P5	MORA RIK
240194860	SUBP	EM	MORALES DAISEY
240194819	SUBP	EM	MORALES KARINA
240170273	SUBP	EM	MORALES LAURA
240191430	TC1	P5	MORALES LUZMAYRA J
240193976	SUBP	EM	MORALES ZAVALA DIANA C
240141363	TC2	CL	MORAN SABRINA
240144682	SUBP	EM	MORENO ALCANTAR ANA G
240186977	TC2	CL	MORENO CAITLYN X
240165744	TC2	CL	MORENO JONATHAN E
240156624	TC2	CL	MORENO LAURA
240174039	TC2	CL	MORENO SONIA R
240169410	SUBP	EM	MORI MEGAN S
240188292	SUBP	EM	MORON GUZMAN ANA C
240177314	TC1	CL	MORRISON BRYAN V
240132076	SC1A	CL	MOSCONI LEIGH E
240179573	TC2	CL	MOSLEY SUZANNE E
240165479	SUBP	EM	MOSQUEDA ESTRADA LILIANA
240138531	TC2	P5	MOTA LIDUVINA

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240134437	TC2	CL	MUIR LAURA J
240149846	TC1	IN	MUNIZ RUBY V
240176026	RLLS	CL	MUNYON KELLY S
240138654	TC4S	P5	MURATALLA SEBASTIAN X
240127242	SUBP	EM	MURILLO ANDREA
240188503	SUBP	EM	MURILLO ARIANA
240130571	TC13	SL	MURILLO-SALAS NANCY
240140169	TC3S	CL	MURRELL REBECCA M
240177664	SUBP	EM	MUSE SAMANTHA
240177195	TC2	CL	NAJERA YESSICA S
240192519	TC3S	CL	NAVA JONATHAN D
240183353	SUBP	EM	NAVARRO JR. MIGUEL A
240175665	TC1	CL	NAVARRO LEISA D
240191314	P12E	CD	NAVARRO NORMA G
240132407	SUBT	EM	NAVARRO SAMANTHA M
240180709	TC2	CL	NAYLOR SARAH J
230204089	SC1A	IN	NELSON LISA D
240158585	TC2	CL	NELSON ROBYN E
240158586	TC3S	CL	NELSON ROBYN E
240185900	TC2	P5	NEWMAN-ALSUP SARA E
240000062	SUBP	EM	NGUYEN JOHN
240196984	SUBP	EM	NICHOLSON KELLEY
240175946	SUBP	EM	NIETO - ROSALES LISSETTE
240184991	SUBP	EM	NIX BRIAN
240194359	TC3S	IN	NORIEGA SUSANNA G
240150959	TC2	CL	NOVIELLI CHRISTINA R
240151899	TC2	CL	NUCKOLS MICHELLE A
240158614	SUBP	EM	NUNEZ ALYSSA
240193383	SUBP	EM	NUNEZ MARGIL
240155037	TC1	CL	NUNEZ-ORNELAS KAYLEE
240135224	P12B	CD	O'NEAL GLENDA M
240195171	SUBP	EM	OCHOA DAVID
240170892	TC2	CL	OCHOA JOSE A
240143129	TC1	IN	OLACIO ANDREA
240144421	SUBP	EM	OLEA ARACELI

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240133139	SUBP	EM	OLEA CECELIA
240140314	TC1	CL	OLIVEIRA JONATHAN A
240194779	SC1A	CL	OLIVEIRA LINDSEY L
240194778	TC2	CL	OLIVEIRA LINDSEY L
240179628	SUBP	EM	OLIVER IRYNA
240138605	P12B	CD	OLMEDO ANGELICA
240156550	TC1	CL	OLSEN CHAUNDRA L
240189397	TC2	CL	OLVERA ABIGAIL
240130540	SUBP	EM	ONTIVEROS LESLIE
240153276	TC2	CL	ORDONEZ ROSANNA
240145886	TC2	CL	ORMONDE MICHELLE L
240158482	P12E	CD	OROZCO DAZYA
240191316	P12B	CD	OROZCO GARCIA MARIA D
240184926	TC2	CL	OROZCO-LEMUS LILIANA
240161487	TC3S	CL	ORTEGA-SEGOVIANO MELINA
240163457	SUBP	EM	ORTIZ DESTINY
240178023	SUBP	EM	ORTIZ LILIANA
240157391	P12E	CD	ORTIZ NANCY M
240176962	TC1	CL	OSTREA VENISE JOY
240192068	SUBP	EM	PADILLA ENRIQUE
240192455	TC2	CL	PAGE KATHY E
240177372	P12C	CD	PALAFOX ITZEL
240159404	AETC	CL	PALERMO JOSEPH C
240187383	AETC	CL	PALERMO JOSEPH C
240187925	SUBP	EM	PALMA ANGELICA
240161051	TC3S	IN	PALOMINO PAULA
240138728	SUBT	EM	PAREDES ALIYA
240184769	CTE	CL	PARKER MISTY L
240173674	TC3A	CL	PARKER STEVE A
240155950	SUBP	EM	PARSLEY ANDREW
240177246	SUBP	EM	PATTY JESSICA Y
240162106	SUBP	EM	PAYNE TIMOTHY W
240190301	TC2	P5	PENA ERICA
240194935	TC2	P5	PENA KAYLA M
240184997	TC2	CL	PENNER CAROLYN G

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240164197	TC1	P5	PEREZ CORONA DAVID
240162677	CTE	CL	PEREZ FERNANDO JR
240178899	SUBP	EM	PEREZ ISAIAH
240152550	TC2	CL	PEREZ ISELA G
240172569	TC1	CL	PEREZ NANCY
240188234	TC2	CL	PEREZ SUSIE S
240188580	SUBP	EM	PEREZ-LOPEZ STEPHANIE
240184989	SC1A	CL	PERROTTA TIMOTHY M
240184988	TC1	CL	PERROTTA TIMOTHY M
240167274	TC2	CL	PERRY JORDAN E
240144389	SUBP	EM	PETERS LYNN S
240168552	TC1	CL	PETERSON KRISTINA
240136286	SC1A	P5	PEZZI MEGAN E
240034392	SC5	CL	PHAN TUANH THAI
240159999	TC1	CL	PHILLIPS MICHAEL E
240148344	SUBP	EM	PHILLIPS SETH M
240109680	TC3S	CL	PICOS ROXANNA
240131822	SC1A	CL	PIERCE EDWARD S
240131821	TC1	CL	PIERCE EDWARD S
240150907	TC1	CL	PIEROTTE BRETT R
240150330	SUBP	EM	PIKE BREANNA
240189846	TC1	P5	PIKE BREANNA
240189850	TC3A	CL	PIKE BREANNA
230295779	SUBP	EM	PIMENTEL CARMEN AURORA
240172238	SUBP	EM	PINEDA ALEXANDER
240185107	SUBP	EM	PINHEIRO CHRISTOPHER R
240173102	TC1	IN	PIZANO CIRENIO R
240147274	TC2	CL	PLAISTED GORDON E
240180571	TC2	P5	PLASENCIA ANAYA YAZMIN
240141517	SUBP	EM	POLK MELINDA S
240166713	SUBP	EM	POMPA AYON ANDY
240108399	TC2	CL	POPP ROSA M
240013566	TC1	CL	POSLUCH BENJAMIN D
240150791	SC1A	CL	POWELL WENDI D
240150762	SC5	CL	POWELL WENDI D

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240134539	TC2	CL	PRADO AMANDA M
240156031	SC5	CL	PRADO LIZABETH
240193675	SUBP	EM	PREISENDORF MALIA
240194568	SUBP	EM	PRESSLEY BRUMMER KATIE
240176706	CTE	CL	PRICE JARED J
240174457	SUBP	EM	PRICE TIFFINEY
240159616	SC8	P2	PRICE VANESSA N
240188119	SUBP	EM	PUERNER MAKAYLA D
240163829	P12E	CD	PULIDO VIRGINIA
240157055	TC3S	CL	QUEVEDO ALEXSIS
240184711	SUBP	EM	QUEVEDO ALICIA
240136964	P12B	CD	QUEZADA DORA E
240136357	TC13	ML	QUINTERO JAMIE D
240143887	TC1	CL	RAHEB PAUL J
240168626	TC2	CL	RAIBLEY BARBARA J
240194180	P12C	CD	RAMIREZ DOLORES
240176129	SUBP	EM	RAMIREZ FATIMA M
240171451	SUBP	EM	RAMIREZ MELISSA A
240129626	SUBP	EM	RAMIREZ MORENO LESLIE
240170757	P12E	CD	RANDLE TIFFANY E
240195044	TC2	CL	RANKIN PATRICK J
240163293	TC2	CL	RASMUSSEN EVA D
240161225	TC2	CL	RAST NICOLE D
240189897	SC1A	P5	REED ANDREA G
240163236	SUBC	EM	REED JACOB P
240144884	TC1	CL	REIS CARLOS T
240144913	TC3A	CL	REIS CARLOS T
240194541	SUBP	EM	RENDON GUZMAN CITLALLI
240141547	TC1	CL	RENTERIA JESUS G
240191437	TC2	P5	REPPERT SHANE T
240132320	SUBP	EM	REYES DAVID
240162848	TC2	P5	REYES MUNOZ KIMBERLY
240144452	SC5	CL	REYES SARAH
240161193	TC1	P5	REYES-OLIVERA ODALYS
210104678	TC2	CL	RIBEIRO MALAINE

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220120263	SC5	CL	RIBEIRO MALAINE
240189721	SUBP	EM	RICE MOHAN J
240186673	SUBP	EM	RICKARD DYLAN
240162224	TC2	CL	RILEY MICAH A
240147173	SUBP	EM	RIOS REYNA
240139628	TC2	CL	RIVAS ANDRES
240061041	TC2	CL	RIVAS WENDY
240160214	TC2	CL	RIVERA ANABEL
240130893	TC2	CL	RIVERA FAITH L
240182940	SUBP	EM	ROACH KASSIDY S
240195781	TC1	CL	ROBBINS AUSTIN
240166681	TC1	CL	ROBLES CESAR M
240154368	TC1	CL	ROBLES ISAAC J
240154369	TC3A	CL	ROBLES ISAAC J
240194724	TC2	P5	ROBLES NICOLAS G
240149199	SUBP	EM	ROCHA ALFREDO L
240179991	SUBP	EM	RODRIGUEZ AMARIS
240130808	TC2	CL	RODRIGUEZ BROOK S
240148162	SUBP	EM	RODRIGUEZ CEIDY
240196796	SUBP	EM	RODRIGUEZ CESAR
230302810	SUBT	EM	RODRIGUEZ CHELSIE
240138142	TC1	CL	RODRIGUEZ CHRISTINA E
240172345	SUBP	EM	RODRIGUEZ CRISTABETH
240182997	TC2	CL	RODRIGUEZ DENISE
240142993	TC3S	CL	RODRIGUEZ EDITH
240199062	TC2	CL	RODRIGUEZ ERICA
240168486	P12B	CD	RODRIGUEZ IRENE
240179196	TC2	CL	RODRIGUEZ IRIS
240100264	TC2	CL	RODRIGUEZ LEANNA
240196932	TC2	P5	RODRIGUEZ MARIA
240175187	TC3S	P5	RODRIGUEZ MARISOL T
240174352	SUBP	EM	RODRIGUEZ MARTIN
240166662	TC2	CL	RODRIGUEZ MICHAEL A
240132058	SUBP	EM	RODRIGUEZ SYLVIA L
240168487	P12C	CD	RODRIGUEZ TARRAN J

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240085864	TC2	CL	RODRIGUEZ VANESSA
240155839	P12C	CD	RODRIGUEZ-HERNANDEZ GUADALUPE
240160694	SUBP	EM	ROJAS JACQUELINE
240174918	TC1	CL	ROJAS KATELAINE
240140888	TC1	CL	ROJAS XICOTENCATL
240178892	SC5	CL	ROLDAN VERONICA
240156578	TC1	CL	ROMERO FLORES ADRIAN
240138565	P12E	CD	ROMERO GABRIELA
240151965	P12C	CD	ROMERO SARA
240159687	TC1	P5	ROMO ALEXANDER P
240195867	TC3S	IN	ROSALES JUAN
240187896	SUBP	EM	ROSAS MACEDONIO JESSICA
240180987	SUBP	EM	ROWE CARLEY B
240176250	SUBP	EM	RUBALCAVA EMILY K
240137706	TC1	CL	RUBY KENNETH C
240144466	P12C	CD	RUELAS-BIBANCO MICHELLE
240183463	SUBP	EM	RUESCH ELIZABETH
240055328	SUBP	EM	RUIZ MAGDALENA
240167960	TC1	CL	RUIZ MARIAH
240167473	P12E	CD	RUIZ MERCEDES A
240138568	P12A	CD	RUIZ VIVVIANNA
240169501	SUBT	EM	RUIZ-CORTEZ PRISCILA M
240044515	SC5	CL	RYAN JUSTIN
240169813	SUBP	EM	SAELEE AVERY
240141196	SC1A	CL	SAENZ CHRISTOPHER F
240141195	TC2	CL	SAENZ CHRISTOPHER F
240134452	TC2	P1	SAENZ KATHLEEN M
240161639	SUBP	EM	SAEVANG NAYELI
240091377	SUBP	EM	SALAS-LISY ALEJANDRA
240154029	SUBP	EM	SALAZAR CAROLINA A
240168117	TC2	CL	SALAZAR DANIEL
240190681	TC1	CL	SALAZAR ELIZABETH
240165212	SC5	CL	SALAZAR-BELTRAN BRIANDA
240008831	TC2	CL	SALCEDO ROSEANNE
240153878	P12E	CD	SALINAS NOELIA

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240072781	TC1	CL	SALINAS RAMON
240163215	SUBP	EM	SANCHEZ ABRAHAM
240173952	TC2	CL	SANCHEZ ANNABEL O
240171795	TC2	CL	SANCHEZ CYNTHIA
240200378	SUBP	EM	SANCHEZ EZEKIEL
240148249	SUBP	EM	SANCHEZ JASON
240050197	SC1A	P5	SANCHEZ JOSE
210014450	TC1	CL	SANCHEZ JOSE
240196878	SUBP	EM	SANCHEZ MARIA DEL CARMEN
240170648	TC2	P5	SANCHEZ MARTINEZ MARIA
240191410	TC2	P5	SANCHEZ SANCHEZ ELIZABETH
240138690	P12C	CD	SANCHEZ SILVIA
230082693	TC1	CL	SANCHEZ TIFFANY
240029038	TC1	CL	SANCHEZ VICTORIA
240141530	SUBP	EM	SANCHEZ YANET
240004663	TC2	CL	SANDMAN KRISTINA
240196551	TC2	CL	SANDOVAL LETICIA
240167164	SUBP	EM	SANDOVAL LLUVIA
240167851	TC1	CL	SANDOVAL SABRINA
240047492	SUBP	EM	SANDOVAL-TORTOLEDO JASMIN
240138384	SC1A	CL	SANTANA DANNY G
240138383	SC5	CL	SANTANA DANNY G
240188231	SUBP	EM	SANTIAGO GOMEZ JOSE L
240137600	SUBP	EM	SANTILLAN MENDOZA CRISTINA
240162486	CTE	CL	SANTOS ERIK M
240168467	SC1A	CL	SANTOS ERIK M
240138197	TC2	CL	SANTOS KRISTINA M
240173188	P12E	CD	SANTOYO MARY J
240193746	SUBP	EM	SCALIA GIORDANA
240195324	SC1A	CL	SCAMBRAY DINA M
240195323	TC4V	CL	SCAMBRAY DINA M
240174962	TC1	CL	SCHIELER DARA A
240168497	P12E	CD	SCHOBY BRAVO JADAVAGIA
240177064	TC2	CL	SCOTT JASON E
240177065	TC1	CL	SCOTT JASON E

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240198487	SC1A	P5	SCOTT STEVE
240141855	TC2	CL	SCOTT STEVE A
240159413	TC1	P5	SEGURA-IBARRA JAQUELINE
240190288	TC2	P5	SEIFERT LISA
240168475	TC2	CL	SEITZ JENNIFER L
220052216	TC2	CL	SELESKY KELSEY
240147584	TC2	P5	SERAFIN HANNA K
240200290	SUBP	EM	SERNA ALYSSA
240164156	TC2	P5	SERNA CAROLINA T
240169157	TC2	CL	SERPA KENNETH J
240169888	SUBP	EM	SERRATO-LEDEZMA MARGARITA
240135097	SUBT	EM	SERVIN MARIAJOSE
240188311	SUBP	EM	SETSER RACHEL S
240132002	SUBP	EM	SETSER WILLIAM
240162079	SUBP	EM	SHAH JAYMINI S
240181294	SC1A	CL	SHAHKARAMI ARASH
240190296	TC1	P5	SHALDE ANNEMARIE
240162502	SUBP	EM	SHELDON JACKSON J
240146995	TC1	CL	SHELTZER DANIEL R
240160142	SC1A	CL	SHIRK KIM C
240158419	TC2	CL	SHOUMAN NADIA K
240134792	SC1A	CL	SHRUM WILLIAM
240145516	SUBP	EM	SHUAIBI NIMA
230163182	TC2	CL	SIDHU DAVINDER
230163183	SC1A	CL	SIDHU DAVINDER
240068195	SC5	CL	SIKES-CASTILLO JAYNIE
240163943	TC2	CL	SILVA ALBA ALEJANDRO
240145548	SUBP	EM	SILVA CAMERON
240164460	TC2	CL	SILVA LAUREN C
240181266	SUBP	EM	SILVA XOCHITL M
240160366	TC1	CL	SILVEIRA CHRISTOPHER D
230255600	TC1	CL	SIMAS VICTORIA
240189617	SUBP	EM	SINGH NANDANIE A
230316330	TC1	CL	SIQUEIROS PEDRO
240176136	SUBP	EM	SLAGHT MELISSA

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240010133	SC5	CL	SMEE ROBERT
240178613	SUBP	EM	SMITH BRIANNA T
240191065	SC1A	P5	SMITH CASSANDRA
240177491	SUBP	EM	SMITH GORDON S
220155978	TC3S	P5	SMITH JOSHUAH
240175751	TC1	CL	SMITH JR. GREGORY D
240112190	TC3S	L2	SMITH KATRINA
240199441	TC1	P5	SMITH KAYLA
240178396	TC2	P5	SMITH KAYLENE
240141826	TC2	CL	SMITH MIKI L
240191490	SUBP	EM	SODERSTEN ALICIA D
240142579	SUBP	EM	SOLIS CELESTE A
240187179	SUBP	EM	SOLLARS CARYSSA D
240132073	SC1A	CL	SORIA PERLA Z
240132069	SC5	CL	SORIA PERLA Z
240131704	SUBP	EM	SORIANO JANET
240186352	TC2	CL	SOTO MARYAH
240145662	TC2	CL	SOUSA RHONDA D
240192660	TC1	P5	SOUZA JOSEPHINE
240141831	SUBP	EM	SOWERS JENNIFER L
240131172	TC3S	IN	SPAULDING CARMEL G
240151995	TC1	CL	SPRAGUE STEVEN A
240196632	SUBP	EM	STEINER TORREY R
240042628	TC2	CL	STEINERT HOLLI
240176708	TC3S	P5	STEPHENS MAKENNA E
240168069	TC3S	CL	STEPHENS MICHELE M
240141593	TC2	CL	STEWART VICTORIA L
240142082	TC2	CL	STIERWALT LEE H
240158314	TC3S	L2	STILLWELL CHANDRA D
240155588	SC1A	CL	STINSON KIRKWOOD A
240160568	SC1A	CL	STRINGER MELANIE D
240160567	TC1	CL	STRINGER MELANIE D
240192170	SUBP	EM	STROBLE KARYL E
240133753	TC2	CL	STUMBAUGH TIFFANY
240157602	TC2	CL	SUBOH MILANY O

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240150192	TC2	CL	SUDANO KRYSTAL
240162811	TC1	IN	SUMIDA TIMOTHY
240162993	CTE	P3	SWANGER MICHAEL W
240091447	TC1	CL	TABUTOL JONATHAN
230201013	SUBP	EM	TAFOYA PAULINA
240007771	PC12D	CC	TAHA SOCORRO
240141970	SUBP	EM	TAKEHANA JENNIFER E
240141225	SC1A	P5	TARANGO MEGAN E
240188069	SUBP	EM	TAVAREZ MIKAYLA S
240154316	SC1A	CL	TAYLOR CHANDRA B
240154310	TC2	CL	TAYLOR CHANDRA B
210113120	TC1	CL	TAYLOR JENNY
230174056	SC5	CL	TAYLOR JENNY
240152907	SC1A	CL	TAYLOR NATHAN
240152906	TC2	CL	TAYLOR NATHAN
240147901	TC2	CL	TEDDLETON NICHOLAS B
240159584	TC1	CL	TERAN TRACY
240107837	TC1	CL	TESINY KRISTIN
240156741	TC1	CL	TESO PAUL
240170079	TC2	P5	THAN-KURNOSOFF SARIN
240165361	SUBP	EM	THANDI ARSHDEEP S
240169508	SUBP	EM	THAO SHELLY
220237485	TC3S	L2	THAO VANG
190249381	TC2	CL	THAO VANG
190277598	SC1A	CL	THAO VANG
240167406	TC2	CL	THOMAS BRIANNA C
240079912	TC1	CL	THOMPSON FABIANE
240159511	TC1	CL	TILLEY JEFFREY
240188618	TC2	CL	TINER STACY D
240156411	TC1	CL	TINER TAYLOR
240164873	TC1	CL	TINER TAYLOR
240164874	TC1	P5	TINER TAYLOR L
240143674	SUBP	EM	TINOCO MARIO
240195435	SUBP	EM	TIRADO HECTOR
240151826	SUBP	EM	TOMS LORETTA

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240161540	SUBP	EM	TORRES GABRIELLE N
240158682	TC2	CL	TORREZ CINDY
240196881	SUBP	EM	TREJO RYAN J
240191342	P12E	CD	TREVINO KAYLA LEIGH N
240157884	TC2	CL	TROWBRIDGE HEATHER L
240185697	TC2	CL	TUCKER DENNISE B
240192706	TC2	P5	TUNE NICOLE L
240139479	SUBP	EM	TURNER SIERRA J
240174524	TC2	CL	ULDALL SARAH L
240180949	SUBP	EM	ULLOA ALONDRA PRISCILLA A
240153724	TC2	CL	URUCHURTU JEFFREY J
240169182	TC3S	IN	VALADAO FERNANDO M
240172519	SUBP	EM	VALDEZ STEPHANIE J
240160757	SC1A	CL	VALDEZ YOLANDA
240160756	TC2	CL	VALDEZ YOLANDA
240138652	TC4S	P5	VALDIVIA SHAUN
240144290	TC2	CL	VALDOVINOS- VALENCIA GISELLE
240183804	TC3S	CL	VALENCIA AMY V
240160259	SC1A	P5	VALENCIA BRITTNEY P
240139508	P12B	CD	VALENCIA CLAUDIA
240169202	TC2	CL	VALENCIA SANDRA
240193535	TC2	CL	VALENZUELA-ZAVALA WENDY S
240165249	SUBP	EM	VALERO KAYLEE B
240139669	TC2	CL	VAN HORN JENNIFER L
240157265	SC1A	P5	VAN NORTON ANNA S
240163928	TC1	CL	VAN SCYOC ZACHARY
240172327	SUBP	EM	VAN SOMEREN NATALIE L
240172328	TC2	CL	VAN SOMEREN NATALIE L
240172293	SC1A	IN	VANCE ALEXIS D
210124796	TC2	CL	VANCE ALEXIS D
240131089	TC2	CL	VANG CINDY V
240190081	SUBP	EM	VARELA ALMA R
240156473	TC2	CL	VARELA MAYRA L
240156270	SUBP	EM	VARGAS ALCANTAR HECTOR
240195216	TC1	CL	VARGAS LAURA

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240152795	SUBP	EM	VARGAS MEGAN B
240191436	TC2	P5	VASQUEZ BERNADETTE
240200308	SUBP	EM	VASQUEZ CRISTOBAL
240142434	TC2	CL	VASQUEZ DENISE A
240158645	TC1	CL	VASQUEZ ELISA
240183153	SUBP	EM	VASQUEZ EMMANUEL
240069419	TC1	CL	VASQUEZ ISAAC
240194931	TC2	P5	VASQUEZ KIMBERLI
240177907	SC5	CL	VASQUEZ PATRICIA
240137679	SA13	EM	VASQUEZ SONIA
240184772	TC2	CL	VASQUEZ VIRGINIA
240184771	TC3S	CL	VASQUEZ VIRGINIA
240150786	SC1A	CL	VAZQUEZ RAY D
240180954	SUBP	EM	VEGA CARMELA R
240133935	SUBP	EM	VEGA JESSICA R
240176276	SUBP	EM	VEGA-VALDEZ CRYSTAL
240131920	TC2	CL	VELASCO ELENA M
220154236	TC2	CL	VELASCO MARILU
240177177	SUBP	EM	VELASCO-RAMOS MARTIN
240182807	SUBP	EM	VELAZQUEZ ASHLEY
240112361	TC2	CL	VENEGAS ZINIA
240169403	TC2	CL	VENTO ELIEL
240140031	SUBP	EM	VIDANA GISELLE B
240192646	TC1	P5	VIEIRA JEFFREY
240154820	SUBP	EM	VIEYRA KARINA
240190511	SUBP	EM	VILLANUEVA JOCELYN U
240147012	SUBP	EM	VILLAREAL VALENCIA ELIASAR L
240089386	TC2	CL	VILLARINO RAQUEL
240159152	TC2	CL	VILLARREAL ANA L
240134390	SC1A	CL	VILLARREAL MARIA E
240134386	TC2	CL	VILLARREAL MARIA E
240196021	TC2	IN	VILLARREAL STEPHANIE
240154298	TC2	CL	VILLASENOR OLGA
240189266	TC1	CL	VILLASENOR ROBLES ARTURO
240179305	TC2	CL	VILLASENOR VERONICA M

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240171824	TC1	IN	VILLEGAS EDGAR
240187854	SUBP	EM	VILLEGAS MARIA
240008139	SC1A	CL	VOLLMER STEVEN
240008138	TC2	CL	VOLLMER STEVEN
210090314	TC1	CL	WALKER SHONDRA
240158560	SC1A	CL	WALKER SHONDRA
240084245	TC2	CL	WALTERS MARSHA
240141427	ASCC	CC	WALTERS NICHOLAS R
240143124	CTE	CL	WALTERS NICHOLAS R
240174427	TC2	CL	WANDLER ERIN N
240174428	TC3G	CL	WANDLER ERIN N
240099100	TC2	CL	WANLESS ROBIN
240185174	TC2	CL	WARD JUSTIN F
240132456	TC1	CL	WARREN STEPHEN J
240184318	SUBP	EM	WATSON ASHLEY R
240161278	TC1	CL	WATSON CATALINA N
240174433	SUBP	EM	WEDE ALMA D
240150639	SC1A	CL	WEGNER CHRISTINE R
240150632	TC3S	L2	WEGNER CHRISTINE R
240189738	TC2	CL	WELDON CARRIE L
240181712	SUBP	EM	WERTZ JACQUELYN S
240173423	TC3S	CL	WESTBROOK JULIE A
240173424	TC2	CL	WESTBROOK JULIE A
240151812	P12C	CD	WHITE CARISSA E
240186579	SUBP	EM	WHITNEY CASSIE E
240186468	TC2	CL	WHITSON AMY L
240111842	TC1	CL	WILLIAMS COURUN
240147208	SUBP	EM	WILLIFORD STEVEN D
240139615	TC2	CL	WILSEY LISA A
240189414	TC2	P5	WILSON BETHANY
240156724	TC3S	CL	WILSON DELIA
240181625	TC2	CL	WILSONSON-GREGG ELYSSA
240140289	TC2	CL	WINTON SHEILA
240197013	SUBP	EM	WOBROCK NATHAN D
240053102	TC1	CL	WOLTER JENNIFER

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240157541	TC2	CL	WOMACK KATHLEEN L
240168500	SUBP	EM	WRIGHT JULIANE M
240181880	SUBP	EM	WRIGHT KATLYN M
240190554	TC2	CL	WRIGHT THERESA L
240194937	TC2	P5	WYNN CHASSITY L
240027005	TC1	CL	WYRICK AMANDA
240027006	TC3A	CL	WYRICK AMANDA
240153732	SUBP	EM	YBARRA CARLY D
240140922	CTE	CL	YORK ERIC K
240133380	TC1	CL	YOUNG DAVID R
240133381	TC3H	CL	YOUNG DAVID R
240187744	TC1	IN	YTURRALDE KATHERINE
240158334	SUBP	EM	ZAMORA LIDIA
240175306	TC2	P5	ZAMUDIO ELIZABETH
240193952	SUBP	EM	ZARAGOZA GONZALEZ AGLAHETH
240149860	TC1	CL	ZAVALA ANGEL A
240189202	TC2	P5	ZAVALA MIRIAM
240161031	TC2	CL	ZAVALA VIANNEY Y
240048108	TC1	CL	ZEIGLER BRITTANY
240156986	SC1A	CL	ZEIGLER BRITTANY R
200068819	TC2	CL	ZIMMERMAN BRIAN
200068818	SC1A	CL	ZIMMERMAN BRIAN
240158127	TC2	CL	ZUNIGA NATALIE M

APPROVAL OF TEMPORARY COUNTY CERTIFICATES

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LEHMANN MACKENZIE	PIP: ENGLISH	ALPAUGH
VAN NORTON ANNA	PRELIM ADMIN SVCS	ALTA VISTA
CHRISTENSON PATIENCE	DIST INTERN: MUSIC - REST CHNG	BURTON
COLLINS STEPHANIE	PIP: MN ECSE ED SPEC	BURTON
COX DAWSON	PRELIM SS: SOC SCI	BURTON
FIELDS MARLA	PRELIM ADMIN SVCS	BURTON
LAND CAITILIN	STSP: MULTIPLE SUBJ	BURTON
LONGORIA SIERRA	SLP WVR	BURTON
LUNA GLORIA	STSP: MN ED SPEC	BURTON
THOMPSON TRISTIYANE	INTERN: MULTIPLE SUBJ	BURTON
POLANCO HOLGUIN MIREYA	CD ASSOC TEACHER PERMIT	CHILD CARE
RODRIGUEZ CAMPOS JUDITH	CD ASSOC TEACHER PERMIT	CHILD CARE
SALDANA OLIVIA	CD ASSOC TEACHER PERMIT	CHILD CARE
GOMEZ JAVIER	WAIVER ADMIN SVCS- RENEWAL	CUTLER OROSI
MARTINEZ CONAN	PRELIM SS: ENGLISH -EXT	CUTLER OROSI
OSTREA VENISE JOY	SUPP AUTH: MUSIC	CUTLER OROSI
SMITH CASSANDRA	PRELIM ADMIN SVCS	CUTLER OROSI
BRAVO MONICA	SLP WVR - RENEWAL	DINUBA
CASTILLO KARISSA	PRELIM: SS BIO SCI	DINUBA
DEL RIO MARTINEZ JOSE	PRELIM MULTIPLE SUBJ	DINUBA
DIAZ HERNANDEZ CLAUDIA	PRELIM SS: FL MATH	DINUBA
PARKIN SHARON	PRELIM ADMIN SVCS	DINUBA
RUIZ BIBIANA	SLP WVR - RENEWAL	DINUBA
SANCHEZ RAMON	STSP: INDUSTRY/TECHNOLOGY	DINUBA
VALDEZ RODRIGUEZ LUCIA	PRELIM MULTIPLE SUBJ - EXT	DINUBA
FERREIRA BRUNA	ADDED AUTH: MULTIPLE SUBJ	EARLIMART
MENDEZ YESSICA	SUPP AUTH: ENGLISH	EARLIMART
MORENO MARIO	STSP: MULTIPLE SUBJ	EARLIMART
GHANIEM GADIJA	EM CLAD- RENEWAL	EXETER
IBARRA AIDE	ETK PERMIT	EXETER
MAYORGA ROCHELLE	STSP: ENGLISH	EXETER
SA MAKAYLA	SLP WVR - RENEWAK	EXETER
TOLLISON JANEVA	GELAP: ART	EXETER
WRIGHT SAMANTHA	GELAP: MATH - RENEWAL	EXETER

ZAMORA APRIL	PIP: ENGLISH	EXETER
AMEZCUA SANCHEZ KARYSSA	PRELIM MULTIPLE SUBJ	FARMERSVILLE
BARRIOS MARIA	BIL WVR: SPANISH - RENEWAL	FARMERSVILLE
CORRALES ALBERTO	CLEAR SS: THEATER	FARMERSVILLE
LOZANO MARIA DEL SOCORRO	CLEAR MULTIPLE SUBJ -RENEWAL	FARMERSVILLE
MCINTOSH DAGNY	EMERG CLAD	FARMERSVILLE
DILEO JESSICA	INT: MULTIPLE SUBJ	LIBERTY
NAJERA LISETTE	CD SITE SUPERVISOR PERMIT	LINDSAY
HASTON TIMOTHY	SUPP AUTH: MUSIC	MONSON-SULTANA
BENNETT JACOB	PRELIM MULTIPLE SUBJ	OUTSIDE CREEK
ALCANTAR CHRISTOPHER	CLEAR SS: MATH - RENEWAL	PORTERVILLE
ANDERSON NICOLE	CLEAR MULTIPLE SUBJ AND CLEAR ADMIN	PORTERVILLE
ANDRADE SUZANNA	ADDED CTE SECTOR: HTR	PORTERVILLE
CARTAGENA LUCAS	ADDED CONTENT: MATH	PORTERVILLE
CRUZ VARELA SONIA	CLEAR SS: SPANISH - RENEWAL	PORTERVILLE
GILLIT MICHELLE	PRELIM MULTIPLE SUBJ	PORTERVILLE
JIMENEZ CECILIA	CD TEACHER PERMIT	PORTERVILLE
LOPEZ ANDRES	CLEAR ADMIN SVCS -RENEWAL	PORTERVILLE
LOPEZ ANDRES	CLEAR MULTIPLE SUBJ -RENEWAL	PORTERVILLE
SANTOS ANNA	CD TEACHER PERMIT	PORTERVILLE
ULLOA ALEXANDRIA	STSP: MN ED SPEC	PORTERVILLE
AGUIRRE ROSANA	INT: MN ED SPEC	TCOE
BARNES BRIGETTE	PIP: EN ED SPEC	TCOE
DILLIHUNT CAPRICE	CD TEACHER PERMIT - EXT	TCOE
GOMEZ QUINCEY	STSP: ESN ED SPEC	TCOE
MEDEROS SHELLEY	STSP: EN ED SPEC	TCOE
MONTECINO LORENZO	STSP: EN ED SPEC	TCOE
MAASKE BLAKE	PRELIM ADMIN SVCS	TULARE CITY
POWELL WENDI	CLEAR ADMIN SVCS- RENEWAL	TULARE HIGH
ROCHA LEECIA	CLEAR: MN ED SPEC	TULARE HIGH
AGUILAR GOMEZ YESENIA	PROSPECTIVE SUB PERMIT	VARIOUS
ARCURE KATLYN	PROSPECTIVE SUB PERMIT	VARIOUS
BIRD REBECCA	PRELIM MN ED SPEC	VARIOUS
COSTA ASHLEY	PROSPECTIVE SUB PERMIT	VARIOUS
DOW SIERRA	PRELIM MULTIPLE SUBJ	VARIOUS
ESTRADA DAVILA RICARDO	PROSPECTIVE SUB PERMIT- RENEWAL	VARIOUS
FLORES MARIO	EMERG 30 DAY SUB PERMIT- RENEWAL	VARIOUS
GARZA CLAUDIA	PROSPECTIVE SUB PERMIT	VARIOUS
LEON TIODORA	EMERG 30-DAY SUB PERMIT	VARIOUS
LOPEZ DOMINGO	PROSPECTIVE SUB PERMIT	VARIOUS
LOPEZ GONZALEZ ULISES	PROSPECTIVE SUB PERMIT	VARIOUS
LUNA ISAAC	PROSPECTIVE SUB PERMIT	VARIOUS
MARTINEZ NATALIE BLACKHAM	CLEAR MULTIPLE SUBJ	VARIOUS

MORA ESTEBAN	PROSPECTIVE SUB PERMIT	VARIOUS
PEREZ ALVARO	SUPP AUTH: MATH	VARIOUS
RODRIGUEZ MARIAH	PROSPECTIVE SUB PERMIT	VARIOUS
ROMERO YVETTE	PROSPECTIVE SUB PERMIT	VARIOUS
RUIZ CORTEZ PRISCILA	PROSPECTIVE SUB PERMIT	VARIOUS
SALINAS-VILLASENOR VANESSA	PROSPECTIVE SUB PERMIT	VARIOUS
SANDOVAL-RODRIGUEZ STEPHANIE	PROSPECTIVE SUB PERMIT	VARIOUS
SANTOS CIERA	EMERG 30-DAY SUB - RENEWAL	VARIOUS
STARK-MORA ELIZABETH	PROSPECTIVE SUB PERMIT	VARIOUS
STEVENS BRIANNA	PROSPECTIVE SUB PERMIT	VARIOUS
THAO SHELLY	EMERG 30-DAY SUB - RENEWAL	VARIOUS
VILLARREAL ALMA	CLEAR PPS	VARIOUS
WOLFE CHELSEA	PROSPECTIVE SUB PERMIT - RENEWAL	VARIOUS
ARCEO SOLORIO MARYLYNN	PIP: ENGLISH	VISALIA
ATHERTON REFUGIO	CLEAR PPS AND CLEAR ADMIN SVCS - RENEWAL	VISALIA
AVILA RICARDO	PRELIM SS: MUSIC	VISALIA
BALES DONNA	CLEAR SLP	VISALIA
BALTAZAR CHAVEZ CARMEN	PRELIM M/M ED SPEC	VISALIA
CAMPOS BREANNA	BIL WVR: SPANISH	VISALIA
CREECH FAITH	STSP: MN ED SPEC	VISALIA
CUTLER MADISON	SLP WVR	VISALIA
EDDINGS ROSS	PRELIM ADMIN SVCS	VISALIA
GRIFFITHS ELEANOR	SLP WVR	VISALIA
GUERRERO RUBEN	PRELIM ADMIN SVCS	VISALIA
GUTIERREZ TINA	ADMIN SVCS WVR	VISALIA
HALL BRENT	ADMIN SVCS WVR	VISALIA
HOWE MEGAN	STSP: PE	VISALIA
JANSMA KATARINA	EMERG CAREER SUB PERMIT	VISALIA
LINK VALERIE	CLEAR MULTIPLE SUBJ -RENEWAL	VISALIA
MOORE SHANNON	PRELIM ADMIN SVCS	VISALIA
MORONES JENNIFER	CLEAR MULTIPLE SUBJ -RENEWAL	VISALIA
PENROD ASHLEY	CLEAR SS: MUSIC	VISALIA
REID CATHY	CLEAR SS: ENGLISH - RENEWAL	VISALIA
SCHNEIDER LEE	EMERG CLAD - RENEWAL & PRELIM MUSIC	VISALIA
SOBOTKA BONNIE	CLEAR SS: MATH	VISALIA
TARANGO MEGAN	PRELIM ADMIN SVCS	VISALIA
VIEIRA MAXTON	CLEAR SS: MUSIC - RENEWAL	VISALIA
SCOTT STEVE	PRELIM ADMIN SVCS	WOODLAKE

**APPROVAL OF EMERGENCY PERMITS
FOR FULL-TIME EMPLOYMENT**

August 14, 2024

August 14, 2024

**Emergency Permits: Online
Recommendations**

EMERG CLAD -RENEWAL
PIP: ENGLISH
STSP: MATH
STSP: MULTIPLE SUBJ
STSP: MULTIPLE SUBJ
STSP: PE
STSP: PE
PIP: ENGLISH
STSP: MULTIPLE SUBJ
PIP: MULTIPLE SUBJ
PIP: ENGLISH
STSP: INDUSTRIAL TECH
PIP: EN ED SPEC
STSP: ESN ED SPEC
STSP: ENGLISH
STSP: MN ED SPEC
STSP: MN ED SPEC
STSP: MULTIPLE SUBJ
STSP: MULTIPLE SUBJ
STSP: MULTIPLE SUBJ
STSP: MULTIPLE SUBJ
PIP: EN ED SPEC
STSP: EN ED SPEC
STSP: EN ED SPEC
PIP: MN; ECSE ED SPEC
STSP: MN ED SPEC
STSP: MULTIPLE SUBJ

EXETER
EXETER
VISALIA
EARLIMART
VISALIA
VISALIA
VISALIA
VISALIA
SAUCELITO
VALLEY LIFE CHARTER
ALPAUGH
DINUBA
TCOE
TCOE
EXETER
BURTON
BURTON
LIBERTY
ACADEMIES
BURTON
STRATHMORE
TCOE
TCOE
TCOE
BURTON
PORTERVILLE
PORTERVILLE

GHANIEM, GADIJA
ZAMORA, APRIL
OLIVAS, MARTIN
MORENO, MARIO
WILSON, ANA
HOWE, MEGAN
MILLIGAN, GEORGINA
ARCEO SOLORIO, MARYLYNN
CEBALLOS, ESMERALDA
POWELL, MEGAN
LEHMANN, MACKENZIE
SANCHEZ, RAMON
BARNES, BRIGETTE
MEDEROS, SHELLEY
MAYORGA, ROCHELLE
LUNA, GLORIA
SALINAS-VASQUEZ, ADAM
CARLISLE, CASSIE
GRAVITT KRISTINA
LAND, CAITLIN
FERRIS, DERICA
ROBLES, JASMYNE
GOMEZ, QUINCEY
MONTECINO, LORENZO
COLLINS, STEPHANIE
ULLOA, ALEXANDRIA
ALCARAZ, VICTORIA

Emergency Permits: Mailed

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Dedi Somavia, Assistant Superintendent
Human Resources

SUBJECT:

Second Reading of Board Policy 0410 -Nondiscrimination in County Office programs and activities.

DESCRIPTION/SUMMARY:

Education Code 234.1 mandates that the County Board of Education adopt a policy to carry out the intent of nondiscrimination provisions. BP 0410 - Nondiscrimination in County Office Programs and Activities has been updated and revised pursuant to recent changes to the law.

FINANCING:

N/A

RECOMMENDATION:

Adopt the policy.

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Philosophy-Goals-Objectives and Comprehensive Plans

BP 0410

Nondiscrimination in County Office Programs and Activities

Nondiscrimination in County Office Programs and Activities

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the County Board of Education and the County Superintendent of Schools in enacting policies and procedures that govern the Tulare County Office of Education (TCOE).

The ~~Tulare~~ County Board ~~of Education~~ is committed to providing equal opportunity for all individuals in ~~Tulare County Office of Education~~ (TCOE) programs and activities. TCOE programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, reproductive health decisionmaking, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, veteran or military status, or genetic information; a 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.

All individuals shall be treated equitably in the receipt of services in TCOE programs and activities. Personally identifiable information collected in the implementation of any TCOE program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of that program, except when the County Board or, when applicable, the County Superintendent of Schools authorizes its use for another purpose in accordance with law. Resources and data collected by TCOE shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

TCOE programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the County Board or TCOE on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

TCOE programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames. (Education Code 221.2-221.3)

Periodically, TCOE facilities, programs, and activities shall be reviewed to ensure the removal of any barriers that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing TCOE programs and activities, including the use of facilities. Prompt and reasonable actions shall be taken to remove any identified barrier.

All allegations of unlawful discrimination in TCOE programs and activities shall be brought, investigated, and resolved in accordance with law, County Board policy on uniform complaint procedures, and related County Superintendent-approved procedures. (5 CCR 4600-4670)

Pursuant to 34 CFR 106.9 106.8, students, parents/guardians, applicants for admission, and the public shall be notified about the County Board's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by TCOE. The notification shall also be posted on TCOE's web site and social media and in TCOE program sites and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Such information may be provided through any other cost-effective means determined by the County Superintendent or designee. (Education Code 234.7)

The County Board's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language. (Education Code 48985; 20 USC 6312)

Access for Individuals with Disabilities

TCOE programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. (28 CFR 35.150)

The County Superintendent has designated the following ADA Coordinator to receive requests for accommodation and to receive and investigate complaints regarding access to TCOE facilities, programs, services and activities: (28 CFR 35.107)

<p>Assistant Superintendent, Student Support Services (title or position)</p> <p>6200 S. Mooney Blvd., Visalia CA 93277 7000 Doe Ave., Visalia, CA 93291 (physical address)</p> <p>P.O. Box 5091, Visalia CA 93278-5091 (mailing address)</p>	<p>Director Assistant Superintendent, Human Resources (title or position)</p> <p>6200 S. Mooney Blvd., Visalia CA 93277 (physical address)</p> <p>P.O. Box 5091, Visalia CA 93278-5091 (mailing address)</p>
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(559) 651-3022
(telephone number)

(559) 733-6306
(telephone number)

TCOE shall ensure that it provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials. (28 CFR 35.130, 35.160, 36.303)

TCOE shall develop and update transition plans when necessary to address structural changes that are needed to provide accessibility to TCOE facilities, activities, services, and programs. (28 CFR 35.150)

TCOE shall develop a complaint procedure consistent with the Americans with Disabilities Act and with Section 504 of the Rehabilitation Act.

Individuals with disabilities shall notify the ADA Coordinator if they have a disability that requires special assistance or services. Reasonable notification should be given prior to TCOE and school-sponsored functions, programs, or meetings.

Legal Reference:

EDUCATION CODE

200-262.4 – ~~Education equity~~; Prohibition of discrimination on the basis of sex

48980 – ~~Parental~~ /Guardian notifications

48985 – Notices to parents in language other than English

51007 – Legislative intent: state policy

51204.5 – Social sciences instruction; contributions of specified groups

51501 – Nondiscriminatory subject matter

60010 – Instructional materials; definition

60040-60052 – Requirements for instructional materials

GOVERNMENT CODE

8310.3 – California Religious Freedom Act

11000 – Definitions

11135 – ~~Nondiscrimination in programs or activities funded by state~~ Unlawful discrimination

12900 – 12996 – Fair Employment and Housing Act

54953 – Meetings; Americans with Disabilities Act accessibility

54953.2 – Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 – Definition of hate crime

422.6 – ~~Interference with constitutional right or privilege~~ Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4670 – Uniform complaint procedures

4900-4965 – Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 – Individuals with Disabilities in Education Act

1681-1688 – ~~Discrimination based on sex or blindness~~; Title IX of the Education Amendments of 1972; discrimination based on sex

2301-2415 – ~~Carl D. Perkins Vocational and Applied Technology Act~~ Strengthening Career and Technical Education for the 21st Century Act

6311 – State plans

6312 – Local education agency plans
UNITED STATES CODE, TITLE 29
794 – Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 – Title VI, Civil Rights Act of 1964
2000e-2000e-17 – Title VII, Civil Rights Act of 1964, as amended
2000h-2-2000h-6 – Title IX of the Civil Rights Act of 1964
12101-12213 – Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 – Americans with Disabilities Act, especially:
35.107 – Designation of responsible employee and adoption of grievance procedures
35.136 – Service animals
35.150-35.151 – Program accessibility; facilities
35.160 – Effective Communications, general
36.303 – Nondiscrimination on the basis of disability; public accommodations; Auxiliary aids and services
CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13 – Nondiscrimination in federal programs, effectuating Title VI
104.1-104.39 – Section 504 of the Rehabilitation Act of 1973
106.1-~~106.61~~ 106.82 – Discrimination on the basis of sex, effectuating Title IX, especially:
~~106.9 – Dissemination of policy~~

Management Resources:

CSBA PUBLICATIONS

~~A Governance Perspective: Interviews with School Board Members from the Nine Linked Learning Initiative School Districts, March 2014~~

Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

CA DEPARTMENT OF HEALTH CARE SERVICES PUBLICATION

Policy and Procedures Letter No. 21-017R, December 2021

Policy and Procedures Letter No. 23-004, February 2023

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

~~California Department of Justice Guidelines for Access to Public Records, October 2017~~

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

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION PUBLICATIONS

Accessibility of State and Local Government Websites to People with Disabilities, February 2020

Guidance on Web Accessibility and the ADA, March 2022

2010 ADA Standards for Accessible Design, September 2010

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

~~Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014~~

Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011

Supporting Transgender Youth in School, June 2021

Dear Colleague Letter: Race and School Programming, August 2023

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

U.S. DEPARTMENT OF JUSTICE & DEPARTMENT OF EDUCATION CIVIL RIGHTS JOINT PUBLICATIONS

Civil Rights Joint Publication Dear Colleague Letter: Resource on Confronting Racial

Discrimination in Student Discipline, May 2023

WEBSITES

California Civil Rights Department (CRD): <https://calcivilrights.ca.gov/>

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

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

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

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

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

Tulare County Board of Education
Visalia, CA

Policy Adopted: 1/17/90

Revised: 1/16/91, 9/09/09, 12/03/14, 6/10/2015, 10/13/2021, / /2024

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Philosophy-Goals-Objectives and Comprehensive Plans

BP 0410

Nondiscrimination in County Office Programs and Activities

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UNITED STATES CODE, TITLE 20

1400-1482 – Individuals with Disabilities in Education Act

1681-1688 – Title IX of the Education Amendments of 1972; discrimination based on sex

2301-2415 – Strengthening Career and Technical Education for the 21st Century Act

6311 – State plans

6312 – Local education agency plans

UNITED STATES CODE, TITLE 29

794 – Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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35.107 – Designation of responsible employee and adoption of grievance procedures

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CODE OF FEDERAL REGULATIONS, TITLE 34

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104.1-104.39 – Section 504 of the Rehabilitation Act of 1973

106.1-106.82– Discrimination on the basis of sex, effectuating Title IX

Management Resources:

CSBA PUBLICATIONS

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U.S. DEPARTMENT OF JUSTICE & DEPARTMENT OF EDUCATION CIVIL RIGHTS JOINT
PUBLICATIONS

Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

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California Civil Rights Department (CRD): <https://calcivilrights.ca.gov/>

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

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

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

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

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

Policy Adopted: 1/17/90

Tulare County Board of Education
Visalia, CA

Revised: 1/16/91, 9/09/09, 12/03/14, 6/10/2015, 10/13/2021, 8/14/2024

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Dedi Somavia, Assistant Superintendent
Human Resources

SUBJECT:

Second Reading of Board Policy 4030 -Nondiscrimination in Employment being converted to Superintendent Policy

Second Reading of Administrative Regulation 4030 -Nondiscrimination in Employment

DESCRIPTION/SUMMARY:

BP 4030- Nondiscrimination in Employment is a mandated policy that has been updated and revised pursuant to recent changes to the law.

Due to the fact that this policy is only applicable to personnel, and their employment is under the jurisdiction of the County Superintendent, this policy is now being converted to a Superintendent Policy.

At the prior reading, the proposed deletion of the term "ethnicity" was questioned. Revisions made to the policy were done to reflect current law. The removal of the term "ethnicity" was done to reflect Govt. Code section 12940.

The accompanying Administrative Regulation is being provided for informational purposes.

FINANCING:

N/A

RECOMMENDATION:

None. Informational Only

TULARE COUNTY OFFICE OF EDUCATION

Board Superintendent Policy

Personnel – All Personnel

BP SP 4030

Nondiscrimination in Employment

Personnel – All Personnel Nondiscrimination in Employment

The County Superintendent and governing board desire is determined to provide a safe, positive work environment where all Tulare County Office of Education (TCOE) employees and job applicants are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with TCOE to provide services, as applicable.

~~The county superintendent prohibits discrimination, harassment, intimidation, and bullying based~~ No TCOE employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived ancestry, age, color, physical or mental disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, religious creed, marital status, pregnancy, medical condition, genetic information, veteran or military status, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decision-making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (Government Code 12926, 12940)

The County Superintendent shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that the district is required to do so in order to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

- a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
- b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
- c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
- d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee
- e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decisionmaking

~~This policy shall apply to all acts related to school activity or to school attendance within schools under the jurisdiction of the Tulare County Superintendent of Schools. (Education Code 234.1)~~

School personnel are required to take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

~~The county office designates the individual(s) identified below as the employee(s) responsible for coordinating the county office's efforts to comply with state and federal civil rights laws including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 Uniform Complaint Procedures as the responsible employee(s) to handle complaints regarding unlawful discrimination, harassment, intimidation, or bullying based on actual ancestry, age, color disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, age, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at:~~

Deputy Superintendent, Instructional Services (title or position) 6200 S. Mooney Blvd., Visalia CA 93277 (physical address) P.O. Box 5091, Visalia CA 93278 5091 (mailing address) (559) 733-6328	Director, Human Resources (title or position) 6200 S. Mooney Blvd., Visalia CA 93277 (physical address) P.O. Box 5091, Visalia CA 93278 5091 (mailing address) (559) 733-6306
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(telephone number)

(telephone number)

~~The county superintendent prohibits county office employees from discriminating against or harassing any other county office employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation.~~

~~Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.~~

~~The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)~~

~~Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.~~

The eCounty sSuperintendent also prohibits retaliation against any county office employee ~~or job applicant~~ who opposes any discriminatory employment practice by TCOE or its employees, agents, or representatives or who complains, reports an incident, testifies, assists or in any way participates in the county office's complaint procedures instituted pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against TCOE or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

~~Any county office employee who engages in prohibited discrimination, harassment or retaliation or who aids, abets, incites, compels or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.~~

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of county office policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the County Superintendent who shall advise the employee or applicant about the county office's procedures for filing, investigating, and resolving any such complaint.

Complaints ~~regarding~~ concerning employment discrimination, ~~or~~ harassment, or retaliation shall immediately be investigated in accordance with ~~AR 4031-Complaints Concerning Discrimination in Employment~~ procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Coordinator or County Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The County Superintendent or designee shall use all appropriate means to reinforce TCOE's nondiscrimination policy, including ~~provide~~ providing training and information to employees about how to recognize harassment, ~~and~~ discrimination, or other prohibited conduct, how to respond appropriately, and components of the county office's policies and regulations regarding discrimination. The County Superintendent or designee shall regularly review TCOE's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any county office employee who engages in prohibited discrimination, harassment or retaliation or who aids, abets, incites, compels or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The county office shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the county office is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

~~The county superintendent or designee shall regularly publicize, within the county office and in the community, the county office's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)~~

~~The county office policy shall be posted in all county office schools and offices including staff lounges. (5 CCR 4960)~~

Legal Reference:

EDUCATION CODE

200-262.4 – Prohibition of discrimination

CIVIL CODE

51.7 – Freedom from violence or intimidation

GOVERNMENT CODE

11135 – Unlawful discrimination

12900-12996 – Fair Employment and Housing Act

PENAL CODE

~~422.76~~ 422.56 – Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

~~7287.6 – Terms, conditions and privileges of employment~~

11006-11086 – Discrimination in employment

11023 – Harassment and discrimination prevention and correction

11024 – Required training and education on harassment based on sex, gender identity and expression, and sexual orientation

11027-11028 – National origin and ancestry discrimination

CODE OF REGULATIONS, TITLE 5

4900-4965 – Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 – Title IX of the Education Amendments of 1972; discrimination based on sex

UNITED STATES CODE, TITLE 29

621-634 – Age Discrimination in Employment Act

794 – Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000ff-2000ff-11 – Genetic Information Nondiscrimination Act of 2008

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

6101-6107 – Age discrimination in federally assisted programs

12101-12213 – Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 – Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 – Title VI; Compliance information

104.7 – Section 504; Designation of responsible employee and adoption of grievances procedures for Section 504

104.8 – Notice of Nondiscrimination on the Basis of Handicap

106.8 – Designation of responsible employee coordinator; dissemination of policy, and adoption of grievance procedures

~~106.9 – Dissemination of policy~~

110.1-110.39 – Nondiscrimination on the basis of age

COURT DECISIONS

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Thompson v. North American Stainless LP (2011) ~~131 S.Ct. 863~~ 562 U.S. 170

Shepard v. Loyola Marymount (2002) 102 Cal.App.4th 837

Management Resources:

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

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Know Your Rights: Workplace Discrimination is Illegal, October 2022

~~Questions and Answers: Religious Discrimination in the Workplace, 2008~~

~~Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002~~

EEOC Compliance Manual

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

Management Resources (continued):

WEBSITES

U.S. Department of Labor, Office of Federal Contract Compliance Program:
<https://www.dol.gov/agencies/ofccp/executive-order-11246>

~~California Department of Fair Employment Housing: <http://www.dfeh.ca.gov>~~

California Civil Rights Department: <https://calcivilrights.ca.gov/>

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

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy Adopted: 7/16/07

~~Tulare County Board of Education~~

Tulare County Superintendent of Schools
Visalia, CA

Revised: 6/10/2015

Revised: 8/--/2024

TULARE COUNTY OFFICE OF EDUCATION

Superintendent Policy

Personnel – All Personnel

SP 4030

Nondiscrimination in Employment

Nondiscrimination in Employment

The County Superintendent is determined to provide a safe, positive environment where all Tulare County Office of Education (TCOE) employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with TCOE to provide services, as applicable.

No TCOE employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or a group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decision-making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (Government Code 12926, 12940)

The County Superintendent shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that the district is required to do so in order to comply with federal immigration law. (2 CCR 11028)

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1. Hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
 - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
 - c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
 - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee
 - e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decisionmaking

School personnel are required to take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

The County Superintendent also prohibits retaliation against any county office employee who opposes any discriminatory employment practice by TCOE or its employees, agents, or representatives or who complains, reports an incident, testifies, assists or in any way participates in the county office's complaint procedures instituted pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against TCOE or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of county office policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the County Superintendent who shall advise the employee or applicant about the county office's procedures for filing, investigating, and resolving any such complaint.

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Coordinator or County Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

The County Superintendent or designee shall use all appropriate means to reinforce TCOE's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the county office's policies and regulations regarding discrimination. The County Superintendent or designee shall regularly review TCOE's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any county office employee who engages in prohibited discrimination, harassment or retaliation or who aids, abets, incites, compels or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The county office shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the county office is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

Legal Reference:

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GOVERNMENT CODE

11135 – Unlawful discrimination

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422.56 – Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 – Discrimination in employment

11023 – Harassment and discrimination prevention and correction

11024 – Required training and education on harassment based on sex, gender identity and expression, and sexual orientation

11027-11028 – National origin and ancestry discrimination

CODE OF REGULATIONS, TITLE 5

4900-4965 – Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 – Title IX of the Education Amendments of 1972; discrimination based on sex

UNITED STATES CODE, TITLE 29

621-634 – Age Discrimination in Employment Act

794 – Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 – Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 – Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 – Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 – Title IX, of the Civil Rights Act of 1964
6101-6107 – Age discrimination in federally assisted programs

12101-12213 – Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 – Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 – Title VI; Compliance information
104.7 – Section 504; Designation of responsible employee and adoption of grievances procedures
104.8 – Notice of Nondiscrimination on the Basis of Handicap
106.8 – Designation of coordinator; dissemination of policy, and adoption of grievance procedures
110.1-110.39 – Nondiscrimination on the basis of age

COURT DECISIONS

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Thompson v. North American Stainless LP (2011) 562 U.S. 170
Shephard v. Loyola Marymount (2002) 102 Cal.App.4th 837

Management Resources:

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

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Know Your Rights: Workplace Discrimination is Illegal, October 2022

EEOC Compliance Manual

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEBSITES

U.S. Department of Labor, Office of Federal Contract Compliance Program:

<https://www.dol.gov/agencies/ofccp/executive-order-11246>

California Civil Rights Department: <https://calcivilrights.ca.gov/>

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

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy Adopted: 7/16/07

Revised: 6/10/2015

Revised: 8/__/2024

Tulare County Superintendent of Schools
Visalia, CA

TULARE COUNTY
OFFICE OF EDUCATION
Administrative Regulation

Personnel – All Personnel
AR 4030
Nondiscrimination in Employment

Nondiscrimination in Employment

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the Tulare County Office of Education (TCOE) shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The County Superintendent designates the position identified below as its coordinator for nondiscrimination in employment to organize and manage the county office’s efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the county office’s nondiscrimination policies. The coordinator may be contacted at:

Assistant Superintendent, Human Resources
(position or title)
6200 S. Mooney Blvd., Visalia CA 93277
(physical address)
P.O. Box 5091, Visalia CA 93278-5091
(mailing address)
(559) 733-6306
(telephone number)
dedi.somavia@tcoe.org
(email)

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation in TCOE employment, the County Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the county office has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (CRD) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)
2. Publicize the county office's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by:
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

- b. Posting them in all TCOE schools and offices, including staff lounges and other prominent locations
 - c. Posting them on TCOE's web site and providing easy access to them through TCOE-supported social media, when available
 3. Disseminate TCOE's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending a copy via email with an acknowledgment return form
 - c. Posting a copy on the TCOE intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy
 4. Provide training regarding TCOE's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made
 5. Periodically review TCOE's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure TCOE compliance with law
 6. For any TCOE facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

Complaint Procedure

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any other complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, the coordinator, the County Superintendent or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment upon receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe TCOE's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the County Superintendent or designee, county office legal counsel, or the county office's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 30 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the

complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the County Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

Other Remedies

In addition to filing a discrimination or harassment complaint with TCOE, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with CRD alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. For filing a complaint with EEOC after first filing a complaint with CRD, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by CRD, whichever is earlier (42 USC 2000e-5)

~~Unlawful discrimination or harassment of an individual includes:~~

- ~~1. Slurs, epithets, threats, or verbal abuse.~~
- ~~2. Derogatory or degrading comments, descriptions, drawings, pictures or gestures.~~
- ~~3. Unwelcome jokes, stories, teasing or taunting.~~
- ~~4. Any other verbal, written, visual or physical conduct against the individual which:
 - ~~a. Adversely affects his/her employment opportunities, or~~
 - ~~b. Has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive work environment.~~~~

~~Any employee or job applicant who feels that he/she has been or is being unlawfully discriminated against or harassed should immediately contact his/her supervisor, the Nondiscrimination Coordinator or the County Superintendent in order to obtain procedures for reporting a complaint. Such complaints shall be filed in accordance with AR 4031—Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor when the supervisor is the alleged offender.~~

~~Any supervisor who receives a discrimination/harassment complaint shall immediately notify the Nondiscrimination Coordinator or the County Superintendent, who shall ensure that the complaint is appropriately investigated in accordance with county office policy and regulations.~~

~~The County Superintendent or designee shall ensure that annual training is provided to all employees regarding the issues of discrimination.~~

Regulation Approved: 7/16/07

Tulare County Superintendent of Schools
Visalia, California

Revised: 8/ /2024

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Personnel – All Personnel

AR 4030

Nondiscrimination in Employment

Nondiscrimination in Employment

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the Tulare County Office of Education (TCOE) shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The County Superintendent designates the position identified below as its coordinator for nondiscrimination in employment to organize and manage the county office's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the county office's nondiscrimination policies. The coordinator may be contacted at:

Assistant Superintendent, Human Resources

(position or title)

6200 S. Mooney Blvd., Visalia CA 93277

(physical address)

P.O. Box 5091, Visalia CA 93278-5091

(mailing address)

(559) 733-6306

(telephone number)

dedi.somavia@tcoe.org

(email)

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation in TCOE employment, the County Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the county office has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (CRD) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)
2. Publicize the county office's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.8)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

- b. Posting them in all TCOE schools and offices, including staff lounges and other prominent locations
 - c. Posting them on TCOE's web site and providing easy access to them through TCOE-supported social media, when available
3. Disseminate TCOE's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending a copy via email with an acknowledgment return form
 - c. Posting a copy on the TCOE intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy
4. Provide training regarding TCOE's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made
5. Periodically review TCOE's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure TCOE compliance with law
6. For any TCOE facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

Complaint Procedure

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any other complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, the coordinator, the County Superintendent or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment upon receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe TCOE's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the County Superintendent or designee, county office legal counsel, or the county office's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 30 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to

address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the County Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

Other Remedies

In addition to filing a discrimination or harassment complaint with TCOE, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with CRD alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. For filing a complaint with EEOC after first filing a complaint with CRD, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by CRD, whichever is earlier (42 USC 2000e-5)

Regulation Approved: 7/16/07

Tulare County Superintendent of Schools
Visalia, California

Revised: 8/__/2024

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Tammy Bradford, Assistant Superintendent, Special Services

SUBJECT:

First Reading of Board Policy (BP) and Administrative Regulation (AR) 5125 Student Records; Confidentiality.

DESCRIPTION/SUMMARY:

BP 5125 - Student Records; Confidentiality

This existing board policy has been updated and revised according to law. This is a mandated policy to establish policies and procedures to implement state law and regulations regarding student records, including policies and procedures which enumerate and describe the student records collected and maintained, ensure security of the records, and guarantee access to authorized persons. Education Code 49069 mandates procedures related to parental review of student records.

AR 5125 - Student Records; Confidentiality

The accompanying administrative regulation implements these mandates.

FINANCING:

N/A

RECOMMENDATION:

Review policy

StudentsStudent Records; Confidentiality

The county board of education believes that it is useful and necessary to keep accurate, comprehensive records of each student's academic, physical, emotional and social development. Information about a student shall be used judiciously, always in ways that contribute to the student's welfare.

In collecting, maintaining and disseminating information, the department administration shall establish safeguards to protect the student and the student's family from invasion of privacy. The administration shall make recorded information accessible only to those legally entitled to review it.

The superintendent or designee shall enumerate and describe the student records maintained by the department of education. As required by law, parents of currently enrolled or former students shall be permitted to inspect and review student records.

The superintendent shall designate a certificated employee as custodian of records, with responsibility for student records.

The department shall inform parents that it will not disclose personally identifiable information from a student's records without written consent of the parent, except for:

1. Categories of information designated as directory information; and
2. Persons or agencies identified in department administrative regulations for mandated and permitted access, pursuant to Education Code section 49076.

The department of education shall inform parents of the procedures outlined in administrative regulations by which the contents of student records may be challenged.

The superintendent shall provide regulations to assure the security of student records and specify procedures for their transfer. Parents shall be notified when personally identifiable records are to be destroyed pursuant to the Code of Federal Relations 300.573.

Directory information shall be released only as indicated in administrative regulations.

Legal Reference: See Next Page

StudentsStudent Records; Confidentiality (continued)

Legal Reference: Education Code
48904.3 - Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold
49060-49078 - Pupil records

Administrative Code, Title 5
430-438 - Individual pupil records

Government Code
6252-6260 - Inspection of public records

Civil Code
4600.5 - Joint custody Federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g)

Code of Federal Regulations, Article 34
300.500 - Definition of "personally identifiable"
300.501 - General responsibilities of public agencies
300.502 - Opportunity to examine records
300.573 - Destruction of information

Policy adopted: 11/4/87
Revised: 9/5/90

Tulare County Board of Education
Visalia, CA

StudentsStudent Records; ConfidentialityDefinitions

"Parent" means a natural parent, adoptive parent, or legal guardian. If parents are divorced or legally separated, only the parent having legal custody of the student may challenge the content of a record, offer a written response to a record, or consent to release records to others. Either parent may grant consent if both parents notify the department, in writing, that such an agreement has been made. (Education Code 49061)

Once a student reaches the age of eighteen (18) or attends a postsecondary school, he/she alone shall exercise these rights and grant consent for the release of records. (Education Code 49061)

"Student record" means any item of information directly related to an identifiable student, other than directory information maintained by the department or required to be maintained by a department employee in the performance of his/her duties whether recorded in handwriting, print, tapes, film, microfilm or by other means. The student record shall include the student's health record. (Education Code 49061)

"Student record" shall not include informal notes about a student which a school employee keeps for private use and are not revealed to any person except a substitute. (Education Code 49061)

"Student record" means information relative to a student gathered within or without the department. Any information maintained for the purpose of second party review is considered a student record. [Code of Regulations, Title 5, 430(d)]

"Adult student" means a person who is or was enrolled in school and who is at least 18 years of age. [Code of Regulations, Title 5, 430(b)]

"Eligible student" means a person 16 years or older or who has completed grade 10. [Code of Regulations, Title 5, 430(c)]

"School officials and employees" are board members, department certificated employees and administrators. A "legitimate educational interest" is one held by officials and employees whose duties and responsibilities to the department require that they have access to student records. The custodian of records shall determine whether the person seeking access meets the required criteria.

"Mandatory Permanent Student Records", which shall be kept indefinitely, include:

1. Legal name of student.
2. Date and place of birth.
3. Method of verification of birth date.

StudentsStudent Records; Confidentiality (continued)

4. Sex of student.
5. Name and address of parent/guardian of minor student.
 - a. Address of minor student if different from the above.
 - b. Annual verification of parent's/guardian's name and address and student's residence.
6. Entering and leaving date of each school year.
7. Subjects taken during each year, half year, summer session or quarter, and marks or grades given.
8. Verification of required immunizations or waiver.
9. Date of high school graduation or equivalent. [Code of Regulations, Title 5, 432(b-1)]

"Mandatory Interim Student Records", which may be destroyed after a stipulated length of time, include:

1. A log identifying persons or agencies who request or receive information from the student record. Log shall be accessible only to the legal parent, guardian, eligible student, dependent adult student, adult student or custodian of records.
2. Health information, including Child Health Development Disabilities Prevention Program verification or waiver.
3. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge.
4. Language training records.
5. Progress slips/notices required by Education Code 49066 and 49067.
6. Parental stipulations regarding access to directory information.
7. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action.
8. Parental authorization or denial of student participation in specific programs.
9. Results of standardized tests given within the past three (3) years. [Code of Regulations, Title 5, 432(b-2)]

StudentsStudent Records; Confidentiality (continued)

"Permitted Records", kept only as currently useful, may include:

1. Objective counselor/teacher ratings.
2. Disciplinary notices and data.
3. Verified reports of relevant behavior patterns.
4. Standardized test results older than three (3) years.
5. Supplementary attendance records. [Code of Regulations, Title 5, 430(b-3)]

"Access" means a personal inspection and review of a record, an accurate copy of a record, or receipt of an accurate copy of a record, an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Where requirements of the Federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) conflict with the California Education Code, the department shall comply with the requirements of the Education Code. (See HEW Regulation 99.61)

Retention and Destruction of Student Records

1. No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. [Code of Regulations, Title 5, 437(a)]
2. Mandatory Permanent Student Records shall be kept in perpetuity. [Code of Regulations, Title 5, 437(b)]
3. Unless forwarded to another district, Mandatory Interim Student Records may be destroyed three (3) years after determining that their usefulness has ceased or that the student has left the department schools/classes. [Code of Regulations, Title 5, 437(c)]
4. Permitted Student Records may be destroyed when their usefulness ceases. They may be destroyed six (6) months after the student completes or withdraws from the educational program. [Code of Regulations, Title 5, 437(d)]
5. Records shall be destroyed in a way that guarantees they will not be viewed by the public. [Code of Regulations, Title 5, 437]

StudentsStudent Records; Confidentiality (continued)Access to Student Records

The custodian of records shall be responsible for the security of student records and shall assure that access is limited to authorized persons. [Code of Regulations, Title 5, 433(a)]

Access to student records and information shall not be denied to a parent because he/she is not the child's custodial parent. [Civil Code 4600.5(1)]

Those granted access are prohibited from releasing information to another person or agency without written permission from the parent/guardian or adult student (age 18 or older).

Certificated personnel will be available to interpret records where appropriate.

Access by Consent

Persons, agencies or organizations not afforded access rights may be granted access only through written permission of the adult student or the parent/guardian with custody. (Education Code 49075)

Parental consent is not required when information is shared with other persons within educational institutions, agencies or organizations obtaining access, so long as they have a legitimate interest in the information. (Education Code 49076)

Log

For each student's record, the custodian of records shall keep a log identifying all persons, agencies or organizations requesting or receiving information from the record. The log does not have to be signed by:

1. Parents/guardians of adult students.
2. Students sixteen (16) years of age or older who have completed the tenth grade.
3. Parties obtaining department-approved directory information.
4. Parties who provide written parental consent. In this case, the consent notice shall be filed with the record.
5. Department officials or employees who have legitimate educational interest.

The log may be inspected by a parent/guardian, the custodian of records, and certain state/federal officials. (Education Code 49064)

StudentsStudent Records; Confidentiality (continued)Mandatory Access

The following persons or agencies shall have access to student records:

1. Natural parents, adoptive parents, or legal guardians of students younger than 18, during school hours within five days of the request. Upon request, qualified certificated staff will be available to interpret the records. (Education Code 49069)
2. Adult students (age 18 or older). (Education Code 49061)
3. Those so authorized in compliance with a court order. (Education Code 49077) If lawfully possible, the department shall first give the parent/guardian or adult student three days' notice, telling who is requesting what records. [Code of Regulations, Title 5, 435(c)]

The following persons or agencies shall have access to those particular records which are relevant to the legitimate educational interests of the requester:

1. Natural or adoptive parents of a dependent student age 18 or older. (Education Code 49076)
2. Students 16 or older or who have completed the tenth grade. (Education Code 49076)
3. School officials and employees. (Education Code 49076)
4. School attendance and review board members and involved school officials and employees. (Education Code 49076)
5. Officials or employees of other public schools or school systems where educational programs leading to high school graduation are provided. (Education Code 49076)
6. Federal, State and local officials, as needed for program audits or compliance with law. (Education Code 49076)
7. Any district attorney who is participating in a truancy mediation program or in the presentation of evidence in a truancy petition. (Education Code 49076)
8. A prosecuting agency for consideration against a parent/guardian for failure to comply with the Compulsory Education Law. (Education Code 49076)
9. Any probation officer or district attorney conducting a criminal investigation or an investigation in regard to declaring a person a ward of the court or involving a violation of a condition of probation. (Education Code 49076)

StudentsStudent Records; Confidentiality (continued)Permitted Access

The department may release information from student records to the following:

1. Appropriate persons in an emergency if health and safety are at stake.
2. Agencies or organizations in connection with student's application for financial aid.
3. Accrediting associations.
4. Organizations conducting studies on behalf of educational institutions or agencies, as limited by Education Code 49076.
5. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to parent's/guardian's rights in Education Code 49068.

Notification of Parents/Guardians

Upon initial enrollment and at the beginning of each year thereafter, the department shall notify parents/guardians in writing that they may inspect and review student records during regular school hours with the help of certificated staff when requested. Insofar as practicable, these notices shall be written in the student's home language. Parents/guardians shall also be told where they can be informed about:

1. What type of student records are kept.
2. Where the records are kept.
3. The titles of the officials responsible for maintaining the records.
4. The location of the log identifying those who request information from the records.
5. Department criteria for defining "school officials and employees" and for determining "legitimate educational interest."
6. Department policies for reviewing and expunging student records.
7. Department procedures for challenging the content of student records.
8. The cost, if any, charged for reproducing copies of records.
9. The categories of information defined as directory information pursuant to Education Code 49073.

StudentsStudent Records; Confidentiality (continued)Notification of Parents/Guardians (continued)

10. Any other rights and requirements set forth in Education Codes 49060-49078, and the right of the parents/guardians to file a complaint with the United States Department of Education concerning an alleged failure by the department to comply with the provisions of Section 438 of the Federal Education Provisions Act (20 U.S.C.A. 1232g). (Education Code 49063)
11. The location of all official student records if not centrally located.
12. The availability of qualified certificated personnel to interpret records when requested. (Education Code 49069)

Reproduction of Student Records

To provide copies of any student record, the Department shall charge a reasonable fee, not to exceed the actual cost of reproducing, handling and mailing (if necessary). The custodian of records shall set the fee and update the amount yearly if actual costs change.

No charge shall be made for furnishing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

Withholding of Records

When school property has been willfully damaged or not returned upon demand, the department shall notify the student's parent/guardian in writing. If reparation is not made, the department may undertake procedures to withhold the student's grades, diploma and transcripts from the student until reparation is made. Such procedures shall parallel those established for student expulsion and afford the student his/her due process rights. A program of voluntary work shall be available when the student or parent/guardian is unable to pay for the damage. (Education Code 48904)

(cf. 5144.2 - Suspension and Expulsion/Due Process [Individuals with special needs]
(cf. 5131.5 - Vandalism)

Transfer of Student Records

1. When a student transfers to a school district or to a private school, the department shall forward a copy of his/her mandatory permanent records as requested by a district or private school. The original or a copy shall be retained permanently by this department.
2. Mandatory interim records shall also be sent upon request to California public school districts. Mandatory interim records may also be sent to out-of-state of private schools requesting them.

StudentsStudent Records; Confidentiality (continued)Transfer of Student Records (continued)

3. Permitted records may be sent to any public school district or private school.
4. All student records shall be updated before they are transferred. [Code of Regulations, Title 5, 438(a & b)]
5. Parent notification:
 - a. If the student transfers into the programs operated by the department from any school district or private school, the department shall inform the parent/guardian of his/her right to receive a copy of the permanent records received from the former school. The parent/guardian shall also be informed of his/her right to have a hearing in which to challenge the contents of that record. [Code of Regulations, Title 5(a & b)]
 - b. If the student transfers out of state, the custodian of student records shall notify the parents/guardians, at their last known address, of their right to review, challenge, and receive a copy of the student record, if desired. (U.S. Department of Education Regulation 99.34)
6. Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. [Code of Regulations, Title 5, 438(c)] If the department has been withholding a transcript from the student for such reasons, that information shall be forwarded to the new school along with the student's record. The department shall also notify the parent/guardian in writing that the decision to withhold grades and transcript will be enforced by the new school. (Education Code 48904.3)
7. The department shall withhold grades, diploma and transcripts from any student transferring into the classes/programs operated by the department whose misconduct caused a previous district to withhold them. When informed by the previous district that lawful compensation has been made, the department shall release these documents. (Education Code 48904.3)

Challenging Content of Student Records

Following inspection and review, the parent/guardian may challenge the content of any student record. (Education Code 49070) The right to challenge becomes the sole right of the student when the student becomes 18 or attends a post-secondary institution. (Education Code 49061)

StudentsStudent Records; Confidentiality (continued)Challenging Content of Student Records (continued)

The parent/guardian may file with the superintendent a written request to correct or remove from his/her child's records any information concerning the child which is alleged to be:

1. Inaccurate.
2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer's area of competence.
4. Not based on the personal observation of a named person, with the time and place of the observation noted. (Education Code 49070)

Within thirty (30) days of receipt of request, the superintendent or designee shall meet with the parent/guardian and with the employee (if still employed) who recorded the information in question. The superintendent shall then sustain or deny the allegations. If the allegations are sustained, the superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)

If the superintendent denies the allegations, the parent/guardian may write within thirty (30) days to appeal the decision of the superintendent. Within thirty (30) days of receipt of written appeal, the superintendent shall meet with the parent/guardian and the employee (if still employed) who recorded the information in question. The superintendent shall then decide whether or not to sustain or deny the allegations. If the superintendent sustains any or all of the allegations, he/she shall immediately correct or remove and destroy the information from the student's records. (Education Code 49070)

Before any student grade is changed by the superintendent, the teacher who gave that grade shall be given the opportunity to say why the grade was given. Insofar as practicable, the teacher shall be included in all discussions related to the grade change. (Education Code 490700)

If the final decision of the superintendent is unfavorable to the parent/guardian, or if the parent/guardian accepts an unfavorable decision by the superintendent, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's record until such time as the information in question is removed. (Education Code 49070)

The superintendent has the option of appointing a hearing panel to assist in the decision-making. The hearing panel may be used at the discretion of the superintendent, provided that the parent/guardian consents to releasing record information to panel members. (Education Code 49070, 49071)

StudentsStudent Records; Confidentiality (continued)Release of Directory Information

Directory information which may be disclosed by school officials consists of the following: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.

Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, and representatives of the news media. Based on his/her determination of the best interest of the student, the superintendent may limit or deny the release of specific directory information to any public or private non-profit organization. (Education Code 49073)

Private schools and colleges may be given the names and addresses of students who are no longer enrolled, provided it is not used for other than purposes directly related to academic or professional goals. (Education Code 49073)

At the beginning of each school year, all parents/guardians shall be notified as to what directory information may be released regarding any student or former student. Directory information shall not be released regarding any student whose parent/guardian notifies the department in writing that such information may not be disclosed. (Education Code 49073)

Regulation approved: 9/5/90

Office of the Tulare County Superintendent
of Schools, Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students

BP 5125(a)

Student Records; Confidentiality

Student Records; Confidentiality

The Tulare County Board of Education recognizes the importance of keeping accurate, comprehensive student records of each student's academic, physical, emotional and social development as required by law. The County Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law. ~~Information about a student shall be used judiciously, always in ways that contribute to the student's welfare.~~

~~In collecting, maintaining and disseminating information, the department administration shall establish safeguards to protect the student and the student's family from invasion of privacy. The administration shall make recorded information accessible only to those legally entitled to review it.~~

~~The superintendent or designee shall enumerate and describe the student records maintained by the department of education. As required by law, parents of currently enrolled or former students shall be permitted to inspect and review student records.~~

The County Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding the Tulare County Office of Education (TCOE) policies and procedures for gathering and handling sensitive student information.

TCOE shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. The County Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a TCOE employee receives such a request, he/she shall immediately report the request to the County Superintendent. The County Superintendent

Students**Student Records; Confidentiality (continued)**

shall report the request to the County Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The County Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

~~The department shall inform parents that it will not disclose personally identifiable information from a student's records without written consent of the parent, except for:~~

- ~~1. — Categories of information designated as directory information; and~~
- ~~2. — Persons or agencies identified in department administrative regulations for mandated and permitted access, pursuant to Education Code section 49076.~~

~~The department of education shall inform parents of the procedures outlined in administrative regulations by which the contents of student records may be challenged.~~

~~The superintendent shall provide regulations to assure the security of student records and specify procedures for their transfer. Parents shall be notified when personally identifiable records are to be destroyed pursuant to the Code of Federal Relations 300.573.~~

~~Directory information shall be released only as indicated in administrative regulations.~~

Student Records from Social Media

The County Superintendent or designee may gather and maintain information from the social media of any TCOE student, provided that TCOE first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled County Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Contract for Digital Storage, Management, and Retrieval of Student Records

The County Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

Legal Reference: ~~See Next Page~~

EDUCATION CODE

~~48904-48904.3~~ – Withholding grades, diplomas, or transcripts ~~of pupils causing property damage or injury;~~
~~transfer of pupils to new school districts; notice to rescind decision to withhold~~
~~49060-49078~~ 49079 – ~~Pupil~~ Student records
17604 – Delegation of powers to agents
234.7 – Student protections relating to immigration and citizenship status
48201 – Transfer student's record for acts that resulted in suspension or expulsion
48853.5 – Foster youth; placement, immunizations
48902 – Notification of law enforcement of specified violations
48918 – Rules governing expulsion procedures
48980 – Parent/Guardian notifications
48985 – Notices to parents in language other than English
49091.14 – Parental review of curriculum
51745 – Independent study
56041.5 – Rights of students with disabilities
56050 – Surrogate parents
56055 – Foster parents
69432.9 – Cal Grant program; notification of grade point average
ADMINISTRATIVE CODE, TITLE 5
~~430-438~~ – ~~Individual Pupil records~~
GOVERNMENT CODE
~~6252-6260~~ – ~~Inspection of public records~~
7920.000-7930.215 – California Public Records Act
CIVIL CODE
~~4600.5~~ – ~~Joint custody Federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g)~~
CODE OF FEDERAL REGULATIONS, ARTICLE 34
~~300.500~~ – ~~Definition of "personally identifiable"~~
~~300.501~~ – ~~General responsibilities of public agencies~~
300.502-300.501 – Opportunity to examine records for parents of student with disability
~~300.573~~ – ~~Destruction of information~~
99.1-99.67 Family Educational Rights and Privacy

Policy adopted: 11/4/1987
Revised: 9/5/1990, __/__/2024

Tulare County Board of Education
Visalia, CA California

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students
BP 5125

Student Records; Confidentiality

Student Records; Confidentiality

The Tulare County Board of Education recognizes the importance of keeping accurate, comprehensive student records as required by law. The County Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

The County Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding the Tulare County Office of Education (TCOE) policies and procedures for gathering and handling sensitive student information.

TCOE shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. The County Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a TCOE employee receives such a request, he/she shall immediately report the request to the County Superintendent. The County Superintendent shall report the request to the County Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The County Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

Student Records from Social Media

The County Superintendent or designee may gather and maintain information from the social media of any TCOE student, provided that TCOE first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled County Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Contract for Digital Storage, Management, and Retrieval of Student Records

The County Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

Legal Reference:

EDUCATION CODE

48904-48904.3 – Withholding grades, diplomas, or transcripts

49060-49079 – Student records

17604 – Delegation of powers to agents

234.7 – Student protections relating to immigration and citizenship status

48201 – Transfer student's record for acts that resulted in suspension or expulsion

48853.5 – Foster youth; placement, immunizations

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69432.9 – Cal Grant program; notification of grade point average

GOVERNMENT CODE

7920.000-7930.215 – California Public Records Act

CODE OF FEDERAL REGULATIONS, ARTICLE 34

300.501 – Opportunity to examine records for parents of student with disability

99.1-99.67 Family Educational Rights and Privacy

Policy adopted: 11/4/1987
Revised: 9/5/1990, __/__/2024

Tulare County Board of Education
Visalia, California

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students

AR 5125(a)

Student Records; Confidentiality

Student Records; Confidentiality

Definitions

Student means any individual who is or has been in attendance at the Tulare County Office of Education (TCOE) schools and regarding whom TCOE maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

~~"Parent" Parent/guardian~~ means a natural parent, an adoptive parent, or legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055) ~~If parents are divorced or legally separated, only the a parent having legal custody of the student may challenge the content of a record, offer a written response to a record, or consent to release records to others. Either parent may grant consent if both parents notify the department, in writing, that such an agreement has been made. (Education Code 49061)~~

~~Once a student reaches the age of eighteen (18) or attends a postsecondary school, he/she alone shall exercise these rights and grant consent for the release of records. (Education Code 49061)~~

~~"Student record" means any item of information directly related to an identifiable student, other than directory information maintained by the department or required to be maintained by a department employee in the performance of his/her duties whether recorded in handwriting, print, tapes, film, microfilm or by other means. The student record shall include the student's health record. (Education Code 49061)~~

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside TCOE that are directly related to an identifiable student and maintained by TCOE, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for TCOE. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

~~"Student record" shall not include informal notes about a student which a school employee keeps for private use and are not revealed to any person except a substitute. (Education Code 49061)~~

Student records do not include: (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information

Student Records; Confidentiality (continued)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of TCOE, subject to 34 CFR 99.8
4. Records created or received by TCOE after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

~~"Student record" means information relative to a student gathered within or without the department. Any information maintained for the purpose of second party review is considered a student record. [Code of Regulations, Title 5, 430(d)]~~

~~"Adult student" Adult student means is a person who is or was enrolled in school and who is at least 18 years of age. (Code of Regulations, Title 5, 430(b)) (5 CCR 430)~~

~~"Eligible student" means a person 16 years or older or who has completed grade 10. [Code of Regulations, Title 5, 430(e)]~~

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to TCOE, whether routine or as a result of special circumstances, require access to information contained in student records.

~~"School officials and employees" School officials and employees are board members, department certificated employees and administrators. A "legitimate educational interest" is one held by officials and employees whose duties and responsibilities to the department require that they have access to student records. The custodian of records shall determine whether the person seeking access meets the required criteria. officials or employees, including teachers, whose duties and responsibilities at TCOE, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)~~

~~"Mandatory Permanent Student Records", which shall be kept indefinitely, include:~~

1. ~~Legal name of student.~~
2. ~~Date and place of birth.~~
3. ~~Method of verification of birth date.~~
4. ~~Sex of student.~~
5. ~~Name and address of parent/guardian of minor student.~~
 - a. ~~Address of minor student if different from the above.~~
 - b. ~~Annual verification of parent's/guardian's name and address and student's residence.~~
6. ~~Entering and leaving date of each school year.~~
7. ~~Subjects taken during each year, half year, summer session or quarter, and marks or grades given.~~
8. ~~Verification of required immunizations or waiver.~~
9. ~~Date of high school graduation or equivalent. [Code of Regulations, Title 5, 432(b)]~~

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Student Records; Confidentiality (continued)

"Mandatory Interim Student Records", which may be destroyed after a stipulated length of time, include:

1. ~~A log identifying persons or agencies who request or receive information from the student record. Log shall be accessible only to the legal parent, guardian, eligible student, dependent adult student, adult student or custodian of records.~~
2. ~~Health information, including Child Health Development Disabilities Prevention Program verification or waiver.~~
3. ~~Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge.~~
4. ~~Language training records.~~
5. ~~Progress slips/notices required by Education Code 49066 and 49067.~~
6. ~~Parental stipulations regarding access to directory information.~~
7. ~~Parent/guardian or adult student rejoinders to challenged records and to disciplinary action.~~
8. ~~Parental authorization or denial of student participation in specific programs.~~
9. ~~Results of standardized tests given within the past three (3) years. [Code of Regulations, Title 5, 432(b-2)]~~

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

"Permitted Records", kept only as currently useful, may include:

1. ~~Objective counselor/teacher ratings.~~
2. ~~Disciplinary notices and data.~~
3. ~~Verified reports of relevant behavior patterns.~~
4. ~~Standardized test results older than three (3) years.~~
5. ~~Supplementary attendance records. [Code of Regulations, Title 5, 430(b-3)]~~

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

"Access" *Access* means a personal inspection and review of a record, an accurate copy of a record, or receipt of an accurate copy of a record, an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

~~Where requirements of the Federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) conflict with the California Education Code, the department shall comply with the requirements of the Education Code. (See HEW Regulation 99.61)~~

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the county office reasonably believes knows the identity of the student to whom the student record relates

Contractor or consultant is anyone with a formal written agreement or contract with TCOE regarding the provision of services or functions outsourced by TCOE. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by TCOE and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

- ~~1. No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. [Code of Regulations, Title 5, 437(a)]~~
- ~~2. Mandatory Permanent Student Records shall be kept in perpetuity. [Code of Regulations, Title 5, 437(b)]~~

Student Records; Confidentiality (continued)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

3-Unless forwarded to another district, Mandatory Interim Student Records may be destroyed three (3) years after determining that their usefulness has ceased or that the student has left the ~~department~~ TCOE schools/classes. ~~[Code of Regulations, Title 5, 437(e)]~~ These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs

Student Records; Confidentiality (continued)

10. Results of standardized tests administered within the past three years

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

4. Permitted Student Records may be destroyed ~~when their usefulness ceases. They may be destroyed~~ six (6) months after the student completes or withdraws from the educational program ~~and their usefulness ceases, including:~~ ~~[Code of Regulations, Title 5, 437(d)]~~ (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings

2. Standardized test results older than three years

3. Routine disciplinary data

4. Verified reports of relevant behavioral patterns

5. All disciplinary notices

6. Supplementary attendance records

5. Records shall be destroyed in a way that guarantees they will not be viewed by the public. ~~[Code of Regulations, Title 5, 437]~~ (5 CCR 437)

Process for Providing Access to Student Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069.7; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall assure that access is limited to authorized persons. ~~[Code of Regulations, Title 5, 433(a)]~~ (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved. This includes any TCOE or district personnel and third-party contractors. Legitimate educational interests shall be authenticated by the staff member's supervisor (or County Superintendent's designee). The individual requesting access to student records in student information systems (including but not limited to CALPADS) will protect this access consistent with the law including protecting login credentials, not sharing login credentials, locking his/her device when not in use and reporting data breaches to supervisors.

Student Records; Confidentiality (continued)

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before TCOE discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. TCOE's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, TCOE shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the County Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069.7)

Qualified Certified personnel will be available to interpret records ~~where appropriate~~ when requested. (Education Code 49069.7)

The custodian of records or the County Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

~~Access to student records and information shall not be denied to a parent because he/she is not the child's custodial parent. [Civil Code 4600.5 (1)]~~

~~Those granted access are prohibited from releasing information to another person or agency without written permission from the parent/guardian or adult student (age 18 or older).~~

~~Access by Consent~~

~~Persons, agencies or organizations not afforded access rights may be granted access only through written permission of the adult student or the parent/guardian with custody. (Education Code 49075)~~

~~Parental consent is not required when information is shared with other persons within educational institutions, agencies or organizations obtaining access, so long as they have a legitimate interest in the information. (Education Code 49076)~~

Access Log

A log shall be maintained for ~~For~~ each student's record, ~~the custodian of records shall keep a log identifying~~ which lists all persons, agencies or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064) ~~The log does not have to be signed by:~~

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

Students
Student Records; Confidentiality (continued)

AR 5125(h)

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log shall include requests for access to records by:

1. Parents/guardians ~~of~~ or adult students.
2. Students sixteen (16) years of age or older who have completed the tenth grade.
3. Parties obtaining ~~department~~ TCOE-approved directory information.
4. Parties who provide written parental consent. In this case, the consent notice shall be filed with the record pursuant to Education Code 49075.
5. ~~Department~~ TCOE officials or employees who have legitimate educational interest.
6. Law enforcement personnel seeking to enforce immigration laws

The log ~~may be inspected by a~~ shall be open to inspection only by the parent/guardian, adult student, dependent adult student, the custodian of records, and certain state/federal officials. (Education Code 49064; 5 CCR 432)

Mandatory Persons Granted Absolute Access

~~The following persons or agencies shall have access to student records:~~ In accordance with law, absolute access to any student records shall be granted to:

1. ~~Natural parents, adoptive parents, or legal guardians~~ Parents/guardians of students younger than age 18, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025) ~~during school hours within five days of the request. Upon request, qualified certificated staff will be available to interpret the records. (Education Code 49069)~~
2. An Adult students (age 18 or older). (Education Code 49061), or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. ~~Those so authorized in compliance with a court order. (Education Code 49077) If lawfully possible, the department shall first give the parent/ guardian or adult student three days' notice, telling who is requesting what records. [Code of Regulations, Title 5, 435(c)]~~
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

Student Records; Confidentiality (continued)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records which are relevant to the legitimate educational interests of the requester **or other legally authorized purpose:**

1. ~~Natural or adoptive parents~~ Parents/guardians of a ~~dependent~~ student age 18 or older **who is a dependent child as defined in 26 USC 152.** (Education Code 49076; 34 CFR 99.31)
2. Students 16 or older or who have completed the tenth grade. (Education Code 49076)
3. School officials and employees, **, consistent with the definition provided in the section "Definitions" above** (Education Code 49076; 34 CFR 99.31)
4. School attendance and review board (SARB) members **appointed pursuant to Education Code 48321 who are authorized representatives of TCOE and involved school officials and employees** any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student . (Education Code 49076)
5. Officials or employees of other public schools, ~~or~~ school systems, **or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided-, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer** (Education Code 49076; 34 CFR 99.31)
6. Federal, State and local officials, as needed for ~~program audits or compliance with law.~~ **an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35** (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
7. Any district attorney who is participating in a truancy mediation program or in the presentation of evidence in a truancy petition. (Education Code 49076)
8. A ~~prosecuting agency~~ **district attorney's office** for consideration against a parent/guardian for failure to comply with the Compulsory Education Law. (Education Code 49076)
9. Any probation officer, ~~or~~ district attorney, **or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regard to declaring a person the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701.** (Education Code 49076)

When disclosing records for these purposes, the County Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

Student Records; Confidentiality (continued)

10. Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that TCOE may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the County Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

11. The Student Aid Commission, to provide the grade point average (GPA) of all TCOE students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. *However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA.* (Education Code 69432.9, 69432.92)

No later than January 1 each year, the County Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

12. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #11 above (Education Code 49076)

13. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the County Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

14. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the County Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the County Superintendent or designee shall inform,

or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

15. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by TCOE (Education Code 49069.3)

16. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

17. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

18. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

19. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that TCOE provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the County Superintendent or designee shall obtain written certification by the recipient of the records as described in item #9 above. (Education Code 49076)

20. Designated peace officers or law enforcement agencies in cases where TCOE is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to TCOE, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the County Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the County Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify TCOE, in writing, that such an agreement has been made. (Education Code 49061)

Permitted Discretionary Access

~~The department may release information~~ At the discretion of the County Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake. (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the County Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the County Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Agencies or organizations in connection with student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid. (Education Code 49076; 34 CFR 99.31)
3. Accrediting associations in order to carry out their accrediting functions. (Education Code 49076; 34 CFR 99.31)

4. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, ~~Organizations~~ conducting studies on behalf of educational institutions or agencies, ~~as limited by Education Code 49076~~; for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. TCOE enters into a written agreement with the organization that complies with 34 CFR 99.31.
5. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to parent's/guardian's rights in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
6. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)
7. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with TCOE, excluding volunteers or other parties (Education Code 49076)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

When disclosing records for the above purposes, the County Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

Notification of Parents/Guardians

Upon any student's initial enrollment and at the beginning of each school year thereafter, the ~~department~~ County Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to ~~that they may inspect and review~~ student records, ~~during regular school hours with the help of certificated staff when requested~~. Insofar as practicable, these notices shall be written in the student's home language. TCOE shall effectively notify parents/guardians or eligible students with

disabilities. (Education Code 48985, 49063; 34 CFR 99.7) ~~Parents/guardians shall also be told where they can be informed about:~~

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. ~~What~~ The types of student records ~~are kept~~ by TCOE and the information contained therein.
2. ~~Where the records are kept.~~ The right to inspect and review student records and the procedures for doing so.
3. The title(s) of the official(s) responsible for maintaining ~~the~~ each type of records.
4. The location of the log identifying those who request information from the records.
5. ~~Department~~ TCOE criteria for defining "school officials and employees" and for determining "legitimate educational interest."
6. ~~Department~~ TCOE policies for reviewing and expunging student records.
7. ~~Department~~ The right to challenge and the procedures for challenging the content of student records that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
8. The cost, if any, charged for ~~reproducing~~ duplicating copies of records.
9. The categories of information defined as directory information pursuant to Education Code 49073.
10. Any other rights and requirements set forth in Education Codes 49060-~~49078~~ 49085, and the right of ~~the~~ parents/guardians to file a complaint with the United States Department of Education concerning an alleged failure by ~~the department~~ TCOE to comply with ~~the provisions of Section 438 of the Federal Education Provisions Act (20 U.S.C.A. 1232g). (Education Code 49063) 20 USC 1232g~~
- ~~11. The location of all official student records if not centrally located.~~
11. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
- ~~12. The availability of qualified certificated personnel to interpret records when requested. (Education Code 49069.7)~~
12. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
13. A statement that TCOE forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Reproduction Duplication of Student Records

To provide copies of any student record, ~~the Department~~ TCOE shall ~~may~~ charge a reasonable fee, not to exceed the actual cost of ~~reproducing, handling and mailing (if necessary)~~ providing the copies. The custodian of records shall set the fee and update the amount yearly if actual costs change.

No charge shall be made for furnishing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

Withholding of Records

~~When school property has been willfully damaged or not returned upon demand, the department shall notify the student's parent/guardian in writing. If reparation is not made, the department may undertake procedures to withhold the student's grades, diploma and transcripts from the student until reparation is made. Such procedures shall parallel those established for student expulsion and afford the student his/her due process rights. A program of voluntary work shall be available when the student or parent/guardian is unable to pay for the damage. (Education Code 48904)~~

~~(cf. 5144.2—Suspension and Expulsion/Due Process (Individuals with special needs)
(cf. 5131.5—Vandalism)~~

Transfer of Student Records

When a student transfers to a TCOE school/program from any other school district or a private school, the County Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers to a TCOE school/program from another district, the County Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

- ~~1.~~ When a student transfers from a TCOE school/program to a ~~another~~ school district or to a private school, the ~~department~~ County Superintendent or designee shall forward a copy of ~~his/her~~ the student's mandatory permanent records ~~as requested by a district or private school~~ within 10 school days of TCOE's receipt of the request for the student's records. The original or a copy shall be retained permanently by ~~this department~~ TCOE.
- ~~2.~~ Mandatory interim records shall also be sent upon request to California public school districts. Mandatory interim records may also be sent to out-of-state ~~of~~ or private schools requesting them.
- ~~3.~~ Permitted student records may be sent to any public school district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a TCOE school, the County Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

4. All student records shall be updated before they are transferred. ~~{Code of Regulations, Title 5, 438(a & b)}~~ (5 CCR 438)

5. ~~Parent notification:~~

~~a. If the student transfers into the programs operated by the department from any school district or private school, the department shall inform the parent/guardian of his/her right to receive a copy of the permanent records received from the former school. The parent/guardian shall also be informed of his/her right to have a hearing in which to challenge the contents of that record. {Code of Regulations, Title 5(a & b)}~~

~~b. If the student transfers out of state, the custodian of student records shall notify the parents/guardians, at their last known address, of their right to review, challenge, and receive a copy of the student record, if desired. (U.S. Department of Education Regulation 99.34)~~

6. Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. ~~{Code of Regulations, Title 5, 438(e)}~~ (5 CCR 438) If the department TCOE has been withholding grades, diploma, or a transcript from the student for such reasons, that because of damage or loss of school property, this information shall be forwarded to the new school along with the student's record. The department TCOE shall also notify the parent/guardian in writing that the decision to withhold grades and transcript will be enforced by the new school. (Education Code 48904.3)

7. ~~The department TCOE~~ shall withhold grades, diploma and transcripts from any student transferring into the classes/programs operated by ~~the department TCOE~~ whose misconduct caused a previous district to withhold them. When informed by the previous district that lawful compensation has been made, ~~the department TCOE~~ shall release these documents. (Education Code 48904.3)

Challenging Content of Student Records

~~Following inspection and review, the parent/guardian may challenge the content of any student record. (Education Code 49070) The right to challenge becomes the sole right of the student when the student becomes 18 or attends a postsecondary institution.~~ Only a parent/guardian having legal custody of a student or a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record. (Education Code 49061)

No addition or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code 49070; 5 CCR 437)

The parent/guardian may file with the County Superintendent a written request to correct or remove from his/her child's records any information concerning the child which is alleged to be:

1. Inaccurate.

2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer's area of competence.
4. Not based on the personal observation of a named person, with the time and place of the observation noted. (~~Education Code 49070~~)
5. Misleading.
6. In violation of the privacy or other rights of the pupil. (Education Code 49070)

Within thirty (30) days of receipt of request, the County Superintendent or designee shall meet with the parent/guardian and with the certificated employee (if still employed) who recorded the information in question. The County Superintendent shall then sustain or deny the allegations. If the allegations are sustained, the County Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)

If the County Superintendent denies any or all of the allegations, the parent/guardian may, ~~write~~ within thirty (30) days ~~to~~ of the refusal, appeal the decision of the superintendent in writing to the County Board. Within thirty (30) days of receipt of written appeal, the superintendent County Board shall, in closed session meet with the parent/guardian and the certificated employee (if still employed) who recorded the information in question. The superintendent County Board shall then decide whether or not to sustain or deny the allegations. If the superintendent County Board sustains any or all of the allegations, he/she it shall order the County Superintendent to immediately correct or remove and destroy the information from the student's records and inform the parent or guardian in writing. The decision of the County Board shall be final. (Education Code 49070)

~~Before any student grade is changed by the superintendent,~~ The County Board and the County Superintendent shall not order a student's grade to be changed unless the teacher who gave that grade shall be is, to the extent practicable, given the opportunity to say why state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade. ~~Insofar as practicable, the teacher shall be included in all discussions related to the grade change.~~ (Education Code ~~490700~~ 49066)

Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the County Board, unless the parent/guardian initiates legal proceedings relative to the disputed information within the prescribed period.

If the County Superintendent or County Board sustains the parent/guardian's request to change the name, gender, or both, of a student or former student, TCOE shall add a new document to the student's or former student's record that includes all of the following information:

- a. The date of the request.
- b. The date the requested records were corrected.
- c. A list of the records that the parent/guardian of the student or former student requested to be corrected.

- d. The type of documentation, if any, provided by the parent/guardian of the student or former student to demonstrate a legal change to the student's or former student's name, gender, or both. The parent/guardian of the student or former student is not required to provide documentation of a legal change to the student's or former student's name, gender, or both.
- e. The name of the employee that completed the request.
- f. The corrected and former names, genders, or both, of the student or former student.

The document generated regarding a parent/guardian's request to change a student's or former student's name, gender, or both, shall be indefinitely maintained in a confidential manner. (Education Code 49070)

If the final decision of the superintendent County Board is unfavorable to the parent/guardian, or if the parent/guardian accepts an unfavorable decision by the County s Superintendent, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's record until such time as the information in question objected to is corrected or removed. (Education Code 49070)

The County s Superintendent has the option of appointing a hearing panel to assist in the decision-making. The hearing panel may be used at the discretion of the County s Superintendent, provided that the parent/guardian consents to releasing record information to panel members. (Education Code 49070, 49071)

Release of Directory Information

Directory information ~~which may be disclosed by school officials consists of the following:~~ means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: student's name, address, telephone number, email address, date and place of birth, major field of study, participation record in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended. (Education Code 49061; 20 USC 1232g; 34 CFR 99.3)

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

Directory information also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

~~Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, and representatives of the news media. Based on his/her determination of the best interest of the student, the superintendent may limit or deny the release of specific directory information to any public or private non-profit organization. (Education Code 49073)~~

~~Private schools and colleges may be given the names and addresses of students who are no longer enrolled, provided it is not used for other than purposes directly related to academic or professional goals. (Education Code 49073)~~

At the beginning of each school year, all parents/guardians shall be notified as to ~~what~~ the categories of directory information may be released regarding any student or former student. ~~Directory information shall not be released regarding any student whose parent/guardian notifies the department in writing that such information may not be disclosed. (Education Code 49073)~~ The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information, how to refuse release, and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that TCOE will not release such information without parental consent or a court order.

The County Superintendent or designee shall notify parents/guardians that they may request that TCOE not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released, unless the parent/guardian, or the student if he/she is 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if his/her parent/guardian notifies TCOE in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g, 7908)

For a former student, TCOE shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at TCOE, unless the opt-out request has been rescinded. (34 CFR 99.37)

De-identification of Records

When authorized by law for any program audit, educational research, or other purpose, the County Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the County Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

Student Records from Social Media

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety

2. Provide a student with access to any information that TCOE obtained from the student's social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in TCOE, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If TCOE contracts with a third party to gather information on a student from social media, ensure that the contract:
 - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than TCOE, the student, or the student's parent/guardian
 - b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when TCOE notifies the third party that the student has turned 18 years of age or is no longer enrolled in TCOE, whichever occurs first

Updating Name and/or Gender of Former Students

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, TCOE shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, TCOE shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender

5. The name of the employee who completed the request

6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070. (Education Code 49062.5)

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~~Office of the~~ Tulare County Superintendent of Schools
Visalia, ~~CA~~ California

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students

AR 5125

Student Records; Confidentiality

Student Records; Confidentiality

Definitions

Student means any individual who is or has been in attendance at the Tulare County Office of Education (TCOE) schools and regarding whom TCOE maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Parent/guardian means a natural parent, an adoptive parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside TCOE that are directly related to an identifiable student and maintained by TCOE, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for TCOE. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information
2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of TCOE, subject to 34 CFR 99.8
4. Records created or received by TCOE after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to TCOE, whether routine or as a result of special circumstances, require access to information contained in student records.

School officials and employees are officials or employees, including teachers, whose duties and responsibilities at TCOE, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record, an accurate copy of a record, or receipt of an accurate copy of a record, an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the county office reasonably believes knows the identity of the student to whom the student record relates

Contractor or consultant is anyone with a formal written agreement or contract with TCOE regarding the provision of services or functions outsourced by TCOE. Contractor or consultant shall not include a

volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by TCOE and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

Unless forwarded to another district, Mandatory Interim Student Records may be destroyed three (3) years after determining that their usefulness has ceased or that the student has left the TCOE schools/classes. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years
11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

Permitted Student Records may be destroyed six (6) months after the student completes or withdraws from the educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that guarantees they will not be viewed by the public. (5 CCR 437)

Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069.7; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall assure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved. This includes any TCOE or district personnel and third-party contractors. Legitimate educational interests shall be authenticated by the staff member's supervisor (or County Superintendent's designee). The individual requesting access to student records in student information systems (including but not limited to CALPADS) will protect this access consistent with the

law including protecting login credentials, not sharing login credentials, locking his/her device when not in use and reporting data breaches to supervisors.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before TCOE discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. TCOE's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, TCOE shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the County Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069.7)

Qualified Certificated personnel will be available to interpret records when requested. (Education Code 49069.7)

The custodian of records or the County Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record, which lists all persons, agencies or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log shall include requests for access to records by:

1. Parents/guardians or adult students.
2. Students sixteen (16) years of age or older who have completed the tenth grade.
3. Parties obtaining TCOE-approved directory information.
4. Parties who provide written parental consent. In this case, the consent notice shall be filed with the record pursuant to Education Code 49075.
5. TCOE officials or employees who have legitimate educational interest.
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, the custodian of records, and certain state/federal officials. (Education Code 49064; 5 CCR 432)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025)
2. An Adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records which are relevant to the legitimate educational interests of the requester or other legally authorized purpose:

1. Parents/guardians of a student age 18 or older who is a dependent child as defined in 26 USC 152. (Education Code 49076; 34 CFR 99.31)
2. Students 16 or older or who have completed the tenth grade. (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)
4. School attendance and review board (SARB) members appointed pursuant to Education Code 48321 who are authorized representatives of TCOE and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student. (Education Code 49076)
5. Officials or employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)
6. Federal, State and local officials, as needed for an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
7. Any district attorney who is participating in a truancy mediation program or in the presentation of evidence in a truancy petition. (Education Code 49076)
8. A district attorney's office for consideration against a parent/guardian for failure to comply with the Compulsory Education Law. (Education Code 49076)

9. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regard to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701. (Education Code 49076)

When disclosing records for these purposes, the County Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

10. Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that TCOE may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the County Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)
11. The Student Aid Commission, to provide the grade point average (GPA) of all TCOE students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. *However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA.* (Education Code 69432.9, 69432.92)

No later than January 1 each year, the County Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

12. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #11 above (Education Code 49076)
13. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the County Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

14. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the County Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the County Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

15. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by TCOE (Education Code 49069.3)

16. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)
17. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)
18. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))
19. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that TCOE provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the County Superintendent or designee shall obtain written certification by the recipient of the records as described in item #9 above. (Education Code 49076)

20. Designated peace officers or law enforcement agencies in cases where TCOE is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to TCOE, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the County Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the County Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify TCOE, in writing, that such an agreement has been made. (Education Code 49061)

Discretionary Access

At the discretion of the County Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake. (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the County Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the County Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Agencies or organizations in connection with student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid. (Education Code 49076; 34 CFR 99.31)

3. Accrediting associations in order to carry out their accrediting functions. (Education Code 49076; 34 CFR 99.31)
4. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. TCOE enters into a written agreement with the organization that complies with 34 CFR 99.31.
5. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to parent's/guardian's rights in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
6. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)
7. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with TCOE, excluding volunteers or other parties (Education Code 49076)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

When disclosing records for the above purposes, the County Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

Notification of Parents/Guardians

Upon any student's initial enrollment and at the beginning of each school year thereafter, the County Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. Insofar as practicable, these notices shall be written in the student's home

language. TCOE shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 48985, 49063; 34 CFR 99.7)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by TCOE and the information contained therein.
2. The right to inspect and review student records and the procedures for doing so.
3. The title(s) of the official(s) responsible for maintaining each type of record.
4. The location of the log identifying those who request information from the records.
5. TCOE criteria for defining "school officials and employees" and for determining "legitimate educational interest."
6. TCOE policies for reviewing and expunging student records.
7. The right to challenge and the procedures for challenging the content of student records that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
8. The cost, if any, charged for duplicating copies of records.
9. The categories of information defined as directory information pursuant to Education Code 49073.
10. Any other rights and requirements set forth in Education Code 49060- 49085, and the right of parents/guardians to file a complaint with the United States Department of Education concerning an alleged failure by TCOE to comply with 20 USC 1232g
11. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
12. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
13. A statement that TCOE forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Duplication of Student Records

To provide copies of any student record, TCOE may charge a reasonable fee, not to exceed the actual cost of providing the copies. The custodian of records shall set the fee and update the amount yearly if actual costs change.

No charge shall be made for furnishing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

Transfer of Student Records

When a student transfers to a TCOE school/program from any other school district or a private school, the County Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers to a TCOE school/program from another district, the County Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

When a student transfers from a TCOE school/program to another school district or to a private school, the County Superintendent or designee shall forward a copy of the student's mandatory permanent records within 10 school days of TCOE's receipt of the request for the student's records. The original or a copy shall be retained permanently by TCOE.

Mandatory interim records shall also be sent upon request to California public school districts. Mandatory interim records may also be sent to out-of-state or private schools requesting them.

Permitted student records may be sent to any public school district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a TCOE school, the County Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438) If TCOE has been withholding grades, diploma, or a transcript from the student because of damage or loss of school property, this information shall be forwarded to the new school along with the student's record. TCOE shall also notify the parent/guardian in writing that the decision to withhold grades and transcript will be enforced by the new school. (Education Code 48904.3)

TCOE shall withhold grades, diploma and transcripts from any student transferring into the classes/programs operated by TCOE whose misconduct caused a previous district to withhold them. When informed by the previous district that lawful compensation has been made, TCOE shall release these documents. (Education Code 48904.3)

Challenging Content of Student Records

Only a parent/guardian having legal custody of a student or a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record. (Education Code 49061)

No addition or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code 49070; 5 CCR 437)

The parent/guardian may file with the County Superintendent a written request to correct or remove from his/her child's records any information concerning the child which is alleged to be:

1. Inaccurate.
2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer's area of competence.
4. Not based on the personal observation of a named person, with the time and place of the observation noted.
5. Misleading.
6. In violation of the privacy or other rights of the pupil. (Education Code 49070)

Within thirty (30) days of receipt of request, the County Superintendent or designee shall meet with the parent/guardian and with the certificated employee (if still employed) who recorded the information in question. The County Superintendent shall then sustain or deny the allegations. If the allegations are sustained, the County Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)

If the County Superintendent denies any or all of the allegations, the parent/guardian may, within thirty (30) days of the refusal, appeal the decision in writing to the County Board. Within thirty (30) days of receipt of written appeal, the County Board shall, in closed session meet with the parent/guardian and the certificated employee (if still employed) who recorded the information in question. The County Board shall then decide whether or not to sustain or deny the allegations. If the County Board sustains any or all of the allegations, it shall order the County Superintendent to immediately correct or remove and destroy the information from the student's records and inform the parent or guardian in writing. The decision of the County Board shall be final. (Education Code 49070)

The County Board and the County Superintendent shall not order a student's grade to be changed unless the teacher who gave that grade is, to the extent practicable, given the opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade. (Education Code 49066)

Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the County Board, unless the parent/guardian initiates legal proceedings relative to the disputed information within the prescribed period.

If the County Superintendent or County Board sustains the parent/guardian's request to change the name, gender, or both, of a student or former student, TCOE shall add a new document to the student's or former student's record that includes all of the following information:

- a. The date of the request.
- b. The date the requested records were corrected.
- c. A list of the records that the parent/guardian of the student or former student requested to be corrected.
- d. The type of documentation, if any, provided by the parent/guardian of the student or former student to demonstrate a legal change to the student's or former student's name, gender, or both. The parent/guardian of the student or former student is not required to provide documentation of a legal change to the student's or former student's name, gender, or both.
- e. The name of the employee that completed the request.
- f. The corrected and former names, genders, or both, of the student or former student.

The document generated regarding a parent/guardian's request to change a student's or former student's name, gender, or both, shall be indefinitely maintained in a confidential manner. (Education Code 49070)

If the final decision of the County Board is unfavorable to the parent/guardian, or if the parent/guardian accepts an unfavorable decision by the County Superintendent, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's record until such time as the information objected to is corrected or removed. (Education Code 49070)

The County Superintendent has the option of appointing a hearing panel to assist in the decision-making. The hearing panel may be used at the discretion of the County Superintendent, provided that the parent/guardian consents to releasing record information to panel members. (Education Code 49071)

Release of Directory Information

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: student's name, address, telephone number, email address, date of birth, major field of study, participation record in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended. (Education Code 49061; 20 USC 1232g; 34 CFR 99.3)

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

Directory information also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information may be released regarding any student or former student. The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information, how to refuse release, and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that TCOE will not release such information without parental consent or a court order.

The County Superintendent or designee shall notify parents/guardians that they may request that TCOE not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released, unless the parent/guardian, or the student if he/she is 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if his/her parent/guardian notifies TCOE in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g, 7908)

For a former student, TCOE shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at TCOE, unless the opt-out request has been rescinded. (34 CFR 99.37)

De-identification of Records

When authorized by law for any program audit, educational research, or other purpose, the County Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the County Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

Student Records from Social Media

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that TCOE obtained from the student's social media activity and an opportunity to correct or delete such information

3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in TCOE, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If TCOE contracts with a third party to gather information on a student from social media, ensure that the contract:
 - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than TCOE, the student, or the student's parent/guardian
 - b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when TCOE notifies the third party that the student has turned 18 years of age or is no longer enrolled in TCOE, whichever occurs first

Updating Name and/or Gender of Former Students

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, TCOE shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, TCOE shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070. (Education Code 49062.5)

Regulation approved: 9/5/1990

Revised: __/__/2024

Tulare County Superintendent of Schools
Visalia, California

Proposed

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Julie Berk, Assistant Superintendent, Student Support Services
Christina Rodriguez, Program Manager, School Health Programs

SUBJECT:

First Reading of Board Policy 5141.21 - Administering medication and monitoring health conditions

DESCRIPTION/SUMMARY:

BP 5141.21 - Administering medication and monitoring health conditions

This existing policy has been updated and revised according to law. Language has been added to make emergency stock albuterol inhalers available to school nurses or trained personnel at TCOE schools who may use the inhaler to provide emergency medical aid to person(s) suffering, or reasonably believed to be suffering, from respiratory distress, pursuant to Ed. Code 49414.7.

FINANCING:

N/A

RECOMMENDATION:

Review policy

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students
BP 5141.21

Administering Medication and Monitoring Health Conditions

Administering Medication and Monitoring Health Conditions

The Tulare County Board of Education (County Board) believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care provider should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the County Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and with the student's authorized health care provider's approval, request the Tulare County Office of Education's (TCOE) permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such process shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The County Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

In accordance with law, the County Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist and stock albuterol inhalers available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose or respiratory distress. (Education Code 49414.3, 49414.7)

Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the County Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

The County Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

Administration of Medication by School Personnel

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training.

School nurses and other designated school personnel shall administer medications to students in accordance with law, Board Policy, administrative regulations, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The County Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of the medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The County Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

Legal Reference:

EDUCATION CODE

~~48980 – Parent/Guardian notifications~~

49407 – Liability for treatment

49408 – Information for use in emergencies

49414 – Emergency epinephrine auto-injectors

49414.3 – Emergency medical assistance; administration of medication for opioid overdose

49414.5 – Providing school personnel with voluntary emergency training

49422-49427 – Employment of medical personnel

49423 – Administration of prescribed medication for student

49423.1 – Inhaled asthma medication

49480 – Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 – Nursing

3500-3546 – Physician assistants

4119.2 – Acquisition of epinephrine auto-injectors

4119.8 – Acquisition of naloxone hydrochloride or another opioid antagonist

HEALTH AND SAFETY CODE

11362.7-11362.85 – Medicinal cannabis

CODE OF REGULATIONS, TITLE 5

600-611 – Administering medication to students

UNITED STATES CODE, TITLE 20

1232g – Family Educational Rights and Privacy Act (FERPA) of 1972

1400-1482 – Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 21

812 – Schedule of controlled substances

844 – Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 29

794 – Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

Management Resources:

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Program Advisory on Medication Administration, 2005

Legal Advisory on Rights of Students with Diabetes in California’s K-12 Public Schools, August 2007

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Training Standards for the Administration of Epinephrine Auto-Injectors, December, 2004~~

WEB SITES

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <https://www.nhlbi.nih.gov/health/asthma>

National Diabetes Education Program: <https://www.niddk.nih.gov/health-information/diabetes/>

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn/>

Policy adopted: 12/17/80

Tulare County Board of Education
Visalia, California

Revised: 11/4/87, 10/13/04, 5/9/07, 11/9/2022, __/__/2024

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students
BP 5141.21

Administering Medication and Monitoring Health Conditions

Administering Medication and Monitoring Health Conditions

The Tulare County Board of Education (County Board) believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care provider should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the County Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and with the student's authorized health care provider's approval, request the Tulare County Office of Education's (TCOE) permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such process shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

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School nurses and other designated school personnel shall administer medications to students in accordance with law, Board Policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The County Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of the medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The County Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

Legal Reference:

EDUCATION CODE

49407 – Liability for treatment

49408 – Information for use in emergencies

49414 – Emergency epinephrine auto-injectors

49414.3 – Emergency medical assistance; administration of medication for opioid overdose

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49422-49427 – Employment of medical personnel

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BUSINESS AND PROFESSIONS CODE

2700-2837 – Nursing

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4119.2 – Acquisition of epinephrine auto-injectors

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HEALTH AND SAFETY CODE

11362.7-11362.85 – Medicinal cannabis

CODE OF REGULATIONS, TITLE 5

600-611 – Administering medication to students

UNITED STATES CODE, TITLE 20

1232g – Family Educational Rights and Privacy Act (FERPA) of 1972

1400-1482 – Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 21

812 – Schedule of controlled substances

844 – Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 29

794 – Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

Management Resources:

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Program Advisory on Medication Administration, 2005

Legal Advisory on Rights of Students with Diabetes in California’s K-12 Public Schools, August 2007

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <https://www.nhlbi.nih.gov/health/asthma>

National Diabetes Education Program: <https://www.niddk.nih.gov/health-information/diabetes/>

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:
<http://www.cde.ca.gov/ls/he/hn/>

Policy adopted: 12/17/80

Tulare County Board of Education
Visalia, California

Revised: 11/4/87, 10/13/04, 5/9/07, 11/9/2022, __/__/2024

TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM

SUBMITTED BY:

Dedi Somavia, Assistant Superintendent, Human Resources

SUBJECT:

First reading of Board Policy & Administrative Regulation 5145.3 –
Nondiscrimination/Harassment

DESCRIPTION/SUMMARY:

BP 5145.3– Nondiscrimination/Harassment

This is a mandated policy/regulation that has been updated and revised according to law.

AR 5145.3– Nondiscrimination/Harassment

This is a mandated policy/regulation that has been updated and revised according to law.

FINANCING:

n/a

RECOMMENDATION:

Review policy.

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

AR 5145.3
Nondiscrimination/Harassment

Students

The county office designates the individual(s) identified below as the employee(s) responsible for coordinating the county office's efforts to comply with state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee to handle complaints regarding unlawful discrimination, including discriminatory harassment, intimidation, or bullying based on actual race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status; 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. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

<u>Deputy Superintendent, Instructional Services</u> (title or position)	<u>Director, Human Resources</u> (title or position)
<u>6200 S. Mooney Blvd., Visalia CA 93277</u> (physical address)	<u>6200 S. Mooney Blvd., Visalia CA 93277</u> (physical address)
<u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address)	<u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address)
<u>(559) 733-6328</u> (telephone number)	<u>(559) 733-6306</u> (telephone number)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at county office programs, schools or in school activities and to ensure equal access of all student to educational program, the County Superintendent or designee shall implement the following measures:

1. Publicize the county office's nondiscrimination policy and related complaint procedures to students parents/guardians, employees, volunteers, and the general public and post them on the

county office's web site and other locations that are easily accessible to students (Education Code 234.1)

2. Provide to students a handbook that contains age-appropriate information that clearly describes the county office's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)
3. Annually notify all students and parents/guardians of the county office's nondiscrimination policy. The notice shall inform students and parents/guardians of the possibility that students will participate in a sex-segregated school program or activity together with another student of the opposite biological sex, and that they may inform the compliance officer if they feel such participation would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the compliance officer shall meet with the student and/or parent/guardian who raises the objection to determine how best to accommodate that student. The notice shall inform students and parents/guardians that the county office will not typically notify them of individual instances of transgender students participating in a program or activity.
4. The County Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the county office's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular county office program or school speak a single primary language other than English, the county office policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the county office shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

5. Provide students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the county office's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.
6. At the beginning of each school year, inform county office employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
7. At the beginning of each school year, inform each principal, program director or designee of the county office's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of County Office Policy

The County Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 – Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to respond.
3. Disseminating and/or summarizing the county office's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the county office's response to students, parents/guardians, and the community
5. Taking appropriate disciplinary action against perpetrators and anyone determined to have engaged in wrongdoing, including any students who is found to have made a complaint of discrimination that he/she knew was not true.

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in county office policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any county office employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any county office employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When any report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the principal or compliance officer, he/she shall inform the student or parent/guardian of the right to file a formal complaint pursuant to the provisions of AR 1312.3 – Uniform Complaint Procedures. Any report of unlawful discrimination involving the principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the County Superintendent or designee. Even if the student chooses not to file a formal complaint, the principal or compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure all students have access to the educational program and a safe school environment.

Upon receiving a complaint of discrimination, the compliance officer shall immediately investigate the complaint in accordance with the county office's uniform complaint procedures specified in AR 1312.3

Transgender and Gender-Nonconforming Students

Gender identity means a student's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, regardless of whether they are sexual in nature, where the act has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited under state and federal law. Examples of types of conduct which are prohibited in the county office and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a transgender student because his/her mannerisms, hairstyle, or style of dress correspond to his/her gender identity, or a non-transgender student because his/her mannerisms, hairstyle, or style of dress do not conform to stereotypes for his/her gender or are perceived as indicative of the other sex
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity because the student is transgender or gender-nonconforming
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The county office's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the county office of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the county office shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's transgender or gender-nonconforming status is his/her private information and the county office will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the county office has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In the latter instance, the county office shall limit disclosure to individuals reasonably believed to be able to protect the student's well-being. Any county office employee to whom a student discloses his/her transgender or gender-nonconforming status shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this procedure, and shall inform the student that honoring the student's request may limit the county office's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

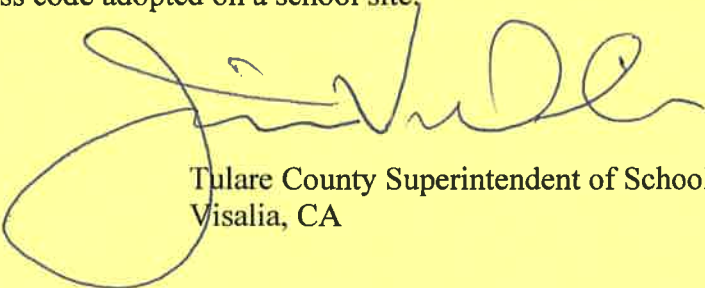
As appropriate given the physical, emotional, and other significant risks to the student, the compliance officer may consider discussing with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The county office shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion unless county office personnel present a credible basis for believing that the student's assertion is for an improper purpose. In such a case, the compliance officer shall document the improper purpose and, within seven school days of receiving notification of the student's assertion, shall provide a written response to the student and, if appropriate, to his/her parents/guardians.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify potential issues, including transition-related issues, and to develop strategies for addressing them. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming

individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the student's arrangements are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** The county office may maintain sex-segregated facilities, such as restrooms and locker rooms, and sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs. A student shall be entitled to access facilities and participate in programs and activities consistent with his/her gender identity. If available and requested by any student, regardless of the underlying reason, the county office shall offer options to address privacy concerns in sex-segregated facilities, such as gender-neutral or single-use restrooms or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the county office shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the county office shall use the student's preferred name and pronouns consistent with his/her gender identity on all other county office-related documents.
6. **Names and Pronouns:** If a student so chooses, county office personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official county office record. However, inadvertent slips or honest mistakes by county office personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying board policy.
7. **Uniforms/Dress Code:** A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

Regulation approved: 2/19/2015
Revised:



Tulare County Superintendent of Schools
Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students
AR 5145.3
Nondiscrimination/Harassment

Students Nondiscrimination/Harassment

The ~~county office~~ County Superintendent of Schools designates the individual(s) identified below as the employee(s) responsible for coordinating the ~~county office's~~ efforts of the Tulare County Office of Education (TCOE) to comply with applicable state and federal civil rights laws, ~~including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975,~~ and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee to handle complaints regarding alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status; ~~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. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

<p>Deputy Assistant Superintendent, Instructional Services (title or position)</p> <p>6200 S. Mooney Blvd. 7000 W. Doe Ave., Visalia CA 9327793291 (physical address)</p> <p><u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address)</p> <p><u>(559) 733-6328</u> (telephone number)</p> <p><u>jberk@cc.tcoe.org</u> (email)</p>	<p>Director Assistant Superintendent, Human Resources (title or position)</p> <p><u>6200 S. Mooney Blvd., Visalia CA 93277</u> (physical address)</p> <p><u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address)</p> <p><u>(559) 733-6306</u> (telephone number)</p> <p><u>Dedi.Somavia@tcoe.org</u> (email)</p>
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Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at ~~county office~~ TCOE programs, schools or in school activities and to

ensure equal access of all students to the educational program, the County Superintendent or designee shall implement the following measures:

1. Publicize the county office's TCOE's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public ~~and post them on the county office's web site and other locations that are easily accessible to students (Education Code 234.1)~~ by posting them in prominent locations and providing easy access to them through TCOE-supported communications.
2. Post TCOE's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)
3. Post a section on social media bullying that includes references to possible forums for social media bullying, including Internet websites with free registration and ease of registration and Internet websites offering peer-to-peer instant messaging, comment forums or sections, and image or video posting platforms, in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students.
4. Post the definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)
5. Post in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following:
 - a. The name and contact information of TCOE's Title IX Coordinator, including the phone number and email address.
 - b. The rights of students and the public and the responsibilities of TCOE under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
 - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations.
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site.
 - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office.

- d. A link to the Title IX information included on the California Department of Education's (CDE) web site. (Education Code 221.6, 221.61, 234.6)
6. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the COE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
7. ~~2.~~ Provide to students a handbook that contains age-appropriate information that clearly describes ~~the county office's~~ TCOE's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)
8. ~~3.~~ Annually notify all students and parents/guardians of ~~the county office's~~ TCOE's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. ~~The notice shall inform students and parents/guardians of the possibility that students will participate in a sex-segregated school program or activity together with another student of the opposite biological sex, and that they may inform the compliance officer if they feel such participation would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the compliance officer shall meet with the student and/or parent/guardian who raises the objection to determine how best to accommodate that student.~~ that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from TCOE's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, ~~the county office will not typically notify them of individual instances of transgender students participating in a program or activity~~ to the extent possible, TCOE will address any individual student's interests and concerns in private.
9. ~~4. The County Superintendent or designee shall e~~ Ensure that all students and parents/guardians, including ~~students and parents/guardians~~ those with limited English proficiency, are notified of how to access the relevant information provided in ~~the county office's~~ TCOE's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular ~~county office~~ TCOE program or school speak a single primary language other than English, the county office policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the county office shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

10. ~~5.~~ Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding ~~the county office's~~ TCOE's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines ~~for addressing issues related to transgender and gender-nonconforming~~ TCOE may use to provide a discrimination-free environment for all students.

11. ~~6.~~ At the beginning of each school year, inform county office employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
12. ~~7.~~ At the beginning of each school year, inform each principal, ~~program director~~ or designee of ~~the county office's~~ TCOE's responsibility to provide appropriate assistance or resources to protect students' ~~privacy rights and ensure their safety~~ from threatened or potentially discriminatory behavior ~~and ensure their privacy rights~~.

Enforcement of ~~County Office~~ TCOE Policy

The County Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 – Nondiscrimination/Harassment. As needed, these actions may include, ~~but are not limited to any of~~ the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, ~~how to report it or file a complaint~~, and how to respond
3. Disseminating and/or summarizing ~~the county office's~~ TCOE's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating ~~the county office's response~~ to students, parents/guardians, and the community ~~the school's response plan to unlawful discrimination or harassment~~
5. Taking appropriate disciplinary action against ~~perpetrators~~ students, employees, and anyone determined to have engaged in wrongdoing ~~in violation of TCOE policy~~, including any students who is found to have ~~made~~ filed a complaint of discrimination that ~~he/she~~ the student knew was not true -

Process for Initiating and Responding to Complaints

Any student who feels that ~~he/she has~~ they have been subjected to unlawful discrimination described above or in county office policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any county office employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any county office employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When ~~any~~ a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the principal or compliance officer, he/she shall ~~inform~~ notify the student or parent/guardian of the right to file a formal complaint ~~pursuant to~~ in accordance with the provisions of AR 1312.3 – Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, the Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report ~~of~~ or complaint alleging unlawful discrimination involving the principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the County Superintendent or designee ~~who shall determine how the complaint will be investigated~~. Even if the student chooses not to file a formal complaint, the principal or compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure all students have access to the educational program and a safe school environment.

~~Upon receiving a complaint of discrimination, the compliance officer shall immediately investigate the complaint in accordance with the county office's uniform complaint procedures specified in AR 1312.3~~

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Gender identity of a student means a student's gender-related identity, appearance, or behavior ~~as determined from the student's internal sense~~, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conceptions of strictly either female or male, regardless of whether the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity ~~or gender expression~~ is different from ~~that traditionally associated with~~ the ~~gender~~ assigned sex at birth.

TCOE prohibits Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, ~~regardless of whether they are sexual in nature, where the act has~~ or that have the purpose or effect of ~~having~~ producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment ~~are prohibited under state and federal law~~ regardless of whether they are sexual in nature. Examples of types of conduct which are prohibited ~~in the county office~~ and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with ~~his/her~~ the student's gender identity;
2. Disciplining or disparaging a ~~transgender~~ student ~~because his/her mannerisms, hairstyle, or style of dress correspond to his/her gender identity, or a non-transgender student because his/her mannerisms, hairstyle, or style of dress do not conform to stereotypes for his/her gender or are perceived as indicative of the other sex~~ or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable;
3. Blocking a student's entry to the ~~bathroom~~ restroom that corresponds to ~~his/her~~ the student's gender identity; ~~because the student is transgender or gender-nonconforming~~
4. Taunting a student because ~~he/she~~ the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's ~~transgender status~~ gender identity to individuals who do not have a legitimate need for the information, ~~without the student's consent;~~
6. Use of gender-specific slurs; ~~and~~
7. Physically assaulting ~~of~~ a student motivated by hostility toward ~~him/her~~ the student because of ~~his/her~~ the student's gender, gender identity, or gender expression.

The county office's uniform complaint procedures (AR 1312.3) ~~or Title IX sexual harassment procedures, as applicable,~~ shall be used to report and resolve complaints alleging discrimination against ~~intersex, nonbinary,~~ transgender and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the county office of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's ~~transgender status~~ gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that ~~intersex, nonbinary,~~ transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the county office shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's ~~intersex, nonbinary,~~ transgender or gender-nonconforming status is ~~his/her~~ the student's private information. TCOE shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to,

collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

~~and the county office~~ TCOE ~~will shall~~ only disclose ~~the~~ a student's private information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the county office has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In ~~the latter instance~~ any case, the county office ~~shall limit~~ may allow disclosure of a student's personally identifiable information to ~~individuals reasonably believed to be able to protect the student's well-being~~ employees with a legitimate educational interest as determined by the COE pursuant to 34 CFR 99.31. Any county office employee to whom a student's ~~discloses his/her~~ intersex, nonbinary, transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a TCOE employee by the student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless ~~he/she~~ the employee is required to disclose or report the student's information pursuant to ~~this procedure, TCOE policy.~~ ~~and~~ The employee shall inform the student that honoring the student's request may limit the county office's ability to meet the student's needs related to ~~his/her~~ the student's status as ~~a~~ an intersex, nonbinary, transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the ~~physical, emotional, and other significant risks to the student~~ student's need for support, the compliance officer may consider discussing with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The county office shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless county office personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose. ~~In such a case, the compliance officer shall document the improper purpose and, within seven school days of receiving notification of the student's assertion, shall provide a written response to the student and, if appropriate, to his/her parents/guardians.~~
3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, ~~his/her~~ the student's parents/guardians to identify ~~potential issues, including transition-related issues,~~ and to develop strategies for ~~addressing them~~ ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site or program employee(s) to whom the student may report any problem related to ~~his/her~~ the student's status as ~~a~~ an intersex, nonbinary, transgender or gender-nonconforming individual, so that prompt action ~~could~~ can be

taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the ~~student's~~ arrangements ~~for the student~~ are meeting ~~his/her~~ ~~the student's~~ educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: ~~The county office may~~ ~~When TCOE maintains~~ sex-segregated facilities, such as restrooms and locker rooms, ~~and or~~ ~~offers~~ sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs. ~~A student's~~ shall be ~~entitled~~ ~~permitted~~ to access facilities and participate in programs and activities consistent with ~~his/her~~ ~~their~~ gender identity. ~~If available and requested by any student, regardless of the underlying reason,~~ ~~t~~The county office shall offer ~~available~~ options to address ~~any student's~~ privacy concerns in ~~using~~ sex-segregated facilities, such as gender-neutral or single-use restrooms or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, ~~access to a staff member's office,~~ or use of the locker room before or after the other students. However, the county office shall not require a student to utilize these options because ~~he/she~~ ~~the student~~ is ~~intersex, nonbinary,~~ transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with ~~his/her~~ ~~the student's~~ gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with ~~his/her~~ ~~the student's~~ gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. Student Records: ~~Upon each student's enrollment, TCOE is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.~~

A student's legal name ~~or gender~~ as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed ~~pursuant to a court order~~ with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061) ~~However, at the written request of a student or, if appropriate, his/her parents/guardians, the county office shall use the student's preferred name and pronouns consistent with his/her gender identity on all other county office-related documents.~~

~~However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.~~

6. Names and Pronouns: If a student so chooses, county office personnel shall be required to address the student by a name and the pronouns consistent with ~~his/her~~ ~~the student's~~ gender identity, without the necessity of a court order or a change to ~~his/her~~ ~~the student's~~ official ~~county office~~ record. However, inadvertent slips or honest mistakes by county office personnel in the use of the student's name and/or consistent pronouns ~~shall will, in general,~~ not constitute a violation of this administrative regulation or the accompanying ~~County b~~Board policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with ~~his/her~~ the student's gender identity, subject to any dress code adopted on a school site.

Regulation approved: 2/19/2015
Revised: __/__/2024

Tulare County Superintendent of Schools
Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students
AR 5145.3
Nondiscrimination/Harassment

Nondiscrimination/Harassment

The County Superintendent of Schools designates the individual(s) identified below as the employee(s) responsible for coordinating the efforts of the Tulare County Office of Education (TCOE) to comply with applicable state and federal civil rights laws and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

<p><u>Assistant Superintendent, Instructional Services</u> (title or position) <u>7000 W. Doe Ave., Visalia CA 93291</u> (physical address) <u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address) <u>(559) 733-6328</u> (telephone number) <u>jberk@cc.tcoe.org</u> (email)</p>	<p><u>Assistant Superintendent, Human Resources</u> (title or position) <u>6200 S. Mooney Blvd., Visalia CA 93277</u> (physical address) <u>P.O. Box 5091, Visalia CA 93278-5091</u> (mailing address) <u>(559) 733-6306</u> (telephone number) <u>Dedi.Somavia@tcoe.org</u> (email)</p>
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Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at TCOE programs, schools or in school activities and to ensure equal access of all students to the educational program, the County Superintendent or designee shall implement the following measures:

1. Publicize TCOE's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees,

volunteers, and the general public by posting them in prominent locations and providing easy access to them through TCOE-supported communications.

2. Post TCOE's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)
3. Post a section on social media bullying that includes references to possible forums for social media bullying, including Internet websites with free registration and ease of registration and Internet websites offering peer-to-peer instant messaging, comment forums or sections, and image or video posting platforms, in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students.
4. Post the definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)
5. Post in a prominent location on TCOE's web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following:
 - a. The name and contact information of TCOE's Title IX Coordinator, including the phone number and email address.
 - b. The rights of students and the public and the responsibilities of TCOE under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
 - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations.
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site.
 - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office.
 - d. A link to the Title IX information included on the California Department of Education's (CDE) web site. (Education Code 221.6, 221.61, 234.6)
6. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment,

intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the COE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

7. Provide to students a handbook that contains age-appropriate information that clearly describes TCOE's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
8. Annually notify all students and parents/guardians of TCOE's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from TCOE's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, TCOE will address any individual student's interests and concerns in private.
9. Ensure that all students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in TCOE's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular TCOE program or school speak a single primary language other than English, the county office policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the county office shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

10. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding TCOE's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines TCOE may use to provide a discrimination-free environment for all students.
11. At the beginning of each school year, inform county office employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
12. At the beginning of each school year, inform each principal or designee of TCOE's responsibility to provide appropriate assistance or resources to protect students' from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of TCOE Policy

The County Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 – Nondiscrimination/Harassment. As needed, these actions may include, but are not limited to the following:

1. Removing vulgar or offending graffiti

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing TCOE's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of TCOE policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

Process for Initiating and Responding to Complaints

Any student who feels that they have been subjected to unlawful discrimination described above or in county office policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any county office employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any county office employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the principal or compliance officer, he/she shall notify the student or parent/guardian of the right to file a formal complaint in accordance with the provisions of AR 1312.3 – Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, the Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination involving the principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the County Superintendent or designee who shall determine how the complaint will be investigated. Even if the student chooses not to file a formal complaint, the principal or compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure all students have access to the educational program and a safe school environment.

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Gender identity of a student means a student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conceptions of strictly either female or male, regardless of whether the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender assigned sex at birth.

TCOE prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment regardless of whether they are sexual in nature. Examples of types of conduct which are prohibited and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity;
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable;
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity;
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex

5. Revealing a student's gender identity to individuals who do not have a legitimate need for the information, without the student's consent;
6. Use of gender-specific slurs; and
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression.

The county office's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures, as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the county office of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that intersex, nonbinary, transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the county office shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's intersex, nonbinary, transgender or gender-nonconforming status is the student's—private information. TCOE shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

TCOE shall only disclose a student's private information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the county office has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the county office may allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the COE pursuant to 34 CFR 99.31. Any county office employee to whom a student's intersex, nonbinary, transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a TCOE employee by the student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to TCOE policy. The employee shall inform the student that honoring the student's request may limit the county office's ability to meet the student's needs related to the student's status as an intersex, nonbinary, transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may consider discussing with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The county office shall offer support services, such as

counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless county office personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site or program employee(s) to whom the student may report any problem related to the student's status as an intersex, nonbinary, transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When TCOE maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. The county office shall offer available options to address any student's privacy concerns in using sex-segregated facilities, such as gender-neutral or single-use restrooms or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the county office shall not require a student to utilize these options because the student is intersex, nonbinary, transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. **Student Records:** Upon each student's enrollment, TCOE is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.

A student's legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, county office personnel shall be required to address the student by a name and the pronouns consistent with the student's gender identity, without the necessity of a court order or a change to the student's official record. However, inadvertent slips or honest mistakes by county office personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying County Board policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

Regulation approved: 2/19/2015
Revised: __/__/2024

Tulare County Superintendent of Schools
Visalia, CA

Proposed

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

BP 5145.3
Nondiscrimination/Harassment

Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the county office's academic and other educational support programs, services, and activities. The Board prohibits, at any county office program, school, or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance within a schools under the jurisdiction of the Tulare County Superintendent of Schools. (Education Code 234.1)

School personnel are required to take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

The county office designates the individual(s) identified below as the employee(s) responsible for coordinating the county office's efforts to comply with state and federal civil rights laws including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee(s) to handle complaints regarding unlawful discrimination, harassment, intimidation, or bullying based on actual ancestry, age, color disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, age, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at:

Deputy Superintendent, Instructional Services (title or position)	Director, Human Resources (title or position)
6200 S. Mooney Blvd., Visalia CA 93277 (physical address)	6200 S. Mooney Blvd., Visalia CA 93277 (physical address)
P.O. Box 5091, Visalia CA 93278-5091 (mailing address)	P.O. Box 5091, Visalia CA 93278-5091 (mailing address)
(559) 733-6328 (telephone number)	(559) 733-6306 (telephone number)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also shall include the creation of a hostile environment when the prohibited conduct 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 files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The County Superintendent of Schools or designee shall facilitate students' access to the educational program by publicizing the county office'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 County Superintendent or designee shall regularly review the implementation of the county office's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

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 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, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

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

PENAL CODE

422.55 – Definition of hate crime

422.6 – Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 – Student record

4600-4687 – 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 the 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

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

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

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

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

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

FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARD ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEBSITES

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

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

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

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

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 Adopted: 4/8/2015

Revised:

Tulare County Board of Education

Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students

BP 5145.3

Nondiscrimination/Harassment

Students Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the county office's academic and other educational support programs, services, and activities. The Board prohibits, at any county office program, school, or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This paragraph was moved below

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a schools under the jurisdiction of the Tulare County Superintendent of Schools. (Education Code 234.1) Tulare County Office of Education (TCOE) school or program, 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, and to all acts of the Tulare County Board of Education and the Tulare County Superintendent of Schools in enacting policies and procedures that govern the TCOE.

The ~~Governing Board~~ County Board of Education and the County Superintendent of Schools **desires is committed** to provide a **welcoming, safe, and supportive** school environment that allows all students equal access and opportunities in ~~the county office's~~ academic and other educational support programs, services, and activities. ~~The Board prohibits, at any county office program, school, or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.~~ **Unlawful discrimination against a student in any TCOE school, program, or activity, including discriminatory harassment, intimidation, and bullying, is prohibited. Any form of retaliation against an individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination is also prohibited.**

School personnel are required to take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

The county office designates the individual(s) identified below as the employee(s) responsible for coordinating the county office’s efforts to comply with state and federal civil rights laws including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the county office’s nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee(s) to handle complaints regarding unlawful discrimination, harassment, intimidation, or bullying based on actual ancestry, age, color disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, age, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at:

<p>Deputy Assistant Superintendent, Instructional Services (title or position)</p> <p>2637 West Burrel Avenue 7000 Doe Ave., Visalia CA 93291 (physical address)</p> <p>P.O. Box 5091, Visalia CA 93278-5091 (mailing address)</p> <p>(559) 733-6328 (telephone number)</p>	<p>Director Assistant Superintendent, Human Resources (title or position)</p> <p>2637 West Burrel Avenue 6200 S. Mooney Blvd., Visalia CA 93291-77 (physical address)</p> <p>P.O. Box 5091, Visalia CA 93278-5091 (mailing address)</p> <p>(559) 733-6306 (telephone number)</p>
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Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct against a student 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, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or the student's association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination also ~~shall include the creation of a hostile environment~~ occurs when the prohibited conduct 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 any one of the categories characteristics specified above with respect to the provision of opportunities to participate for a student's participation in any TCOE school, programs, or activities activity, or the provision of a student's receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, discipline shall be enforced in a fair, consistent, and non-discriminatory manner.

In accordance with law, all TCOE students shall be afforded the same rights, benefits, and protections. When, as permitted by law, the TCOE maintains sex-segregated facilities, such as restrooms and

locker rooms, or offers sex-segregated programs and activities, such as physical education classes, students may choose to access facilities and participate in such programs and activities consistent with their gender identity. In addition, students may choose to participate in accordance with their gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. (Education Code 221.5)

The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

~~The County Superintendent of Schools or designee shall facilitate students' access to the educational program by publicizing the county office'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 County Superintendent or designee shall regularly review the implementation of the county office's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.~~

Complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying or retaliation, may be filed in accordance with the TCOE's uniform complaint procedures (UCP) specified in Board Policy 1312.3 - Uniform Complaint Procedures. For complaints of sexual harassment, it is the responsibility of the TCOE's Title IX Coordinator to determine whether the complaint should be addressed through UCP, or if the alleged conduct meets the federal definition of sexual harassment pursuant to 34 CFR 106.30, the complaint procedures established in 34 CFR 106.44-106.45. Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action shall be 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 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, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.~~

Antidiscrimination Measures

The County Board hereby incorporates by reference the policies, procedures, and measures implemented by the County Superintendent to prevent or address unlawful discrimination in TCOE schools, programs, and activities. TCOE nondiscrimination policies and practices shall be reviewed regularly, and action shall be taken to remove any identified barriers to student access to or participation in the educational program.

Legal Reference:

EDUCATION CODE

200-262.4 – **Educational equity**; Prohibition of discrimination **on the basis of sex**
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; **rules and regulations**
48950 – Freedom of speech **and other communication**
48985 – ~~Translation of notices~~ Notices to parents in language other than English
49020-49023 – Athletic programs
49060-49079 – Student records
51204.5 – Social sciences instruction; contributions of specified groups
51500 – Prohibited instruction or activity
51501 – ~~Prohibited means of instruction~~ Nondiscriminatory subject matter
60010 – Instructional materials; definition
60040-60052 – Requirements for instructional materials
~~60044 – Prohibited instructional materials~~

CIVIL CODE

1714.1 – Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Unlawful discrimination

PENAL CODE

422.55 – Definition of hate crime

422.6 – Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 – Student record

4600- ~~4687~~ 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 the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

12101-12213 – Americans with Disabilities Act

2000d-~~2000e-17~~ 2000d-7 – 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~~ Designation of responsible employee and adoption of grievance procedures

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 – Designation of responsible employee for Section 504

104.8 – Notice

106.30 – Discrimination on the basis of sex; definitions

106.44-106.45 – Grievance process for formal complaints of sexual harassment

106.8 – Designation of responsible employee ~~for Title IX~~ and adoption of grievance procedures

~~106.9 – Notification of nondiscrimination on basis of sex~~

110.25 – Prohibition of discrimination based on age

99.31 – Disclosure of personally identifiable information

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

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

~~Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014~~

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

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARD ASSOCIATION PUBLICATIONS

~~Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004~~

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATION

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION

California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATION

Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023

Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023

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

Dear Colleague Letter: Race and School Programming, August 2023

Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023

Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973, July 2022

Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022

Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*, June 2021

Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD, (2013) OCR 09-12-1020, DOJ 169-12C-70

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

Dear Colleague Letter: Harassment and Bullying, October 2010

~~Notice of Non-Discrimination, January 1999~~

U.S. DEPARTMENT OF JUSTICE & DEPARTMENT OF EDUCATION CIVIL RIGHTS JOINT PUBLICATIONS

Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATION

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013

WEBSITES

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

California Department of Education: <http://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>

~~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>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

Policy Adopted: 4/8/2015
Revised: / /2024

Tulare County Board of Education
Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Board Policy

Students
BP 5145.3

Nondiscrimination/Harassment

Nondiscrimination/Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a Tulare County Office of Education (TCOE) school or program, 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, and to all acts of the Tulare County Board of Education and the Tulare County Superintendent of Schools in enacting policies and procedures that govern the TCOE.

The County Board of Education and the County Superintendent of Schools is committed to provide a welcoming, safe, and supportive school environment that allows all students equal access and opportunities in academic and other educational support programs, services, and activities. Unlawful discrimination against a student in any TCOE school, program, or activity, including discriminatory harassment, intimidation, and bullying, is prohibited. Any form of retaliation against an individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination is also prohibited.

School personnel are required to take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

The county office designates the individual(s) identified below as the employee(s) responsible for coordinating the county office's efforts to comply with state and federal civil rights laws including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the county office's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee(s) to handle complaints regarding unlawful discrimination, harassment, intimidation, or bullying based on actual ancestry, age, color disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, age, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at:

<u>Assistant Superintendent, Instructional Services</u> (title or position) 7000 Doe Ave., Visalia CA 93291 (physical address)	<u>Assistant Superintendent, Human Resources</u> (title or position) 6200 S. Mooney Blvd., Visalia CA 93277 (physical address)
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P.O. Box 5091, Visalia CA 93278-5091 (mailing address) (559) 733-6328 (telephone number)	P.O. Box 5091, Visalia CA 93278-5091 (mailing address) (559) 733-6306 (telephone number)
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Unlawful discrimination also occurs when the prohibited conduct 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 any one of the characteristics specified above with respect to the provision of opportunities for a student's participation in any TCOE school, program, or activity, or a student's receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, discipline shall be enforced in a fair, consistent, and non-discriminatory manner.

In accordance with law, all TCOE students shall be afforded the same rights, benefits, and protections. When, as permitted by law, the TCOE maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, students may choose to access facilities and participate in such programs and activities consistent with their gender identity. In addition, students may choose to participate in accordance with their gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. (Education Code 221.5)

The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying or retaliation, may be filed in accordance with the TCOE's uniform complaint procedures (UCP) specified in Board Policy 1312.3 - Uniform Complaint Procedures. For complaints of sexual harassment, it is the responsibility of the TCOE's Title IX Coordinator to determine whether the complaint should be addressed through UCP, or if the alleged conduct meets the federal definition of sexual harassment pursuant to 34 CFR 106.30, the complaint procedures established in 34 CFR 106.44-106.45. Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory

harassment, intimidation, or bullying, shall be investigated and prompt action shall be 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 for behavior that is severe or pervasive as defined in Education Code 48900.4.

Antidiscrimination Measures

The County Board hereby incorporates by reference the policies, procedures, and measures implemented by the County Superintendent to prevent or address unlawful discrimination in TCOE schools, programs, and activities. TCOE nondiscrimination policies and practices shall be reviewed regularly, and action shall be taken to remove any identified barriers to student access to or participation in the educational program.

Legal Reference:

EDUCATION CODE

200-262.4 – Educational equity; Prohibition of discrimination on the basis of sex
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; rules and regulations
48950 – Freedom of speech and other communication
48985 – Notices to parents in language other than English
49020-49023 – Athletic programs
49060-49079 – Student records
51204.5 – Social sciences instruction; contributions of specified groups
51500 – Prohibited instruction or activity
51501 – Nondiscriminatory subject matter
60010 – Instructional materials; definition
60040-60052 – Requirements for instructional materials

CIVIL CODE

1714.1 – Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Unlawful discrimination

PENAL CODE

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

UNITED STATES CODE, TITLE 29

794 – Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

12101-12213 – Americans with Disabilities Act

2000d-2000d-7 – 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 – Designation of responsible employee and adoption of grievance procedures

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 – Designation of responsible employee for Section 504

104.8 – Notice

106.30 – Discrimination on the basis of sex; definitions

106.44-106.45 – Grievance process for formal complaints of sexual harassment

106.8 – Designation of responsible employee and adoption of grievance procedures

110.25 – Prohibition of discrimination based on age

99.31 – Disclosure of personally identifiable information

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

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATION

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION

California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATION

Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023

Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023

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

Dear Colleague Letter: Race and School Programming, August 2023

Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023

Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973, July 2022

Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022

Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*, June 2021

Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD, (2013) OCR 09-12-1020, DOJ 169-12C-70

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

Dear Colleague Letter: Harassment and Bullying, October 2010

U.S. DEPARTMENT OF JUSTICE & DEPARTMENT OF EDUCATION CIVIL RIGHTS JOINT PUBLICATIONS

Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATION

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013

WEBSITES

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

California Department of Education: <http://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>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

Policy Adopted: 4/8/2015
Revised: ___/___/2024

Tulare County Board of Education
Visalia, CA

Proposed

TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM

SUBMITTED BY:

Dedi Somavia, Assistant Superintendent, Human Resources

SUBJECT:

First reading of Administrative Regulation 5145.71 – Grievance Procedure – Title IX Sexual Harassment Complaint Procedures

DESCRIPTION/SUMMARY:

Administrative Regulation 5145.71 - Grievance Procedure – Title IX Sexual Harassment Complaint Procedures

This is a mandated regulation that has been updated and revised according to law.

FINANCING:

n/a

RECOMMENDATION:

Review policy.

StudentsGrievance Procedure - Title IX

A grievance is any alleged discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, as related Title IX of the Education Amendment, concerning admission of students; treatment of students; or the employment of certificated or classified employees.

Grievances shall be processed in accordance with the following procedure:

- Step 1. The grievance shall be presented in writing to the immediate supervisor of the program in which the discrimination is alleged to have occurred. This must be done within ten (10) calendar days of the occurrence giving rise to the grievance. The supervisor shall reply in writing within ten (10) calendar days thereafter.
- Step 2. If the grievant is not satisfied with the reply in Step 1, the grievance shall be presented in writing, within ten calendar days after such reply, to the assistant superintendent. The assistant superintendent shall reply in writing within ten (10) calendar days thereafter.
- Step 3. If the grievant is not satisfied with the reply in Step 2, the written grievance may be presented, within five (5) calendar days thereafter, to the county superintendent or his designee. The superintendent or his designee shall meet promptly, upon request, with the grievant during regular business hours to discuss the grievance, and shall reply in writing to the grievant within five calendar days thereafter.
- Step 4. If the grievant is not satisfied with the reply in Step 3, the grievance will be presented to the Tulare County Board of Education for final disposition at its next regularly scheduled meeting.

Each of the formal requirements and time limitations stated herein for the processing and arbitration of grievances shall be strictly adhered to, provided, however, that any such time limits may be extended by the express written agreement of the parties. If the superintendent's authorized representative fails to answer a grievance within the time limit specified in any step of the grievance procedure, the grievant shall have the right to appeal the grievance immediately to the next step of the grievance procedure. If the grievant fails to appeal a grievance to the next step of this procedure within the specified time limits, the grievance shall be deemed waived and terminated.

All preparation, filing, investigation, processing, and hearing of grievances shall be conducted, insofar as possible, during the non-working or non-instructional time of all involved parties, with no release time provided.

Legal Reference: See Next Page

Students

Grievance Procedure - Title IX (continued)

Legal Reference: Title IX, Education Amendment of 1972 (amending the Higher Education Act of 1965), 20 USC §§1681-1686, as amended by Public Law 94-482, effective Oct. 12, 1976

34 Code of Federal Regulations, Part 106

106.8 - Adoption of grievance procedures

Regulation
approved: 5/18/77
Revised: 10/1/86

Office of the Tulare County Superintendent
of Schools, Visalia, CA

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

AR-5146(a)

Students

Students

AR 5145.71

Title IX Sexual Harassment Complaint Procedures

*EDITORS NOTE: All of the red text will be deleted.

~~Grievance Procedure~~ - Title IX Sexual Harassment Complaint Procedures

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~~Legal Reference:—See Next Page~~

3/88

AR-5146(b)

Students

Grievance Procedure—Title IX (continued)

*EDITORS NOTE: All of the below text is new language.

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a Tulare County Office of Education (TCOE) school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A county office employee conditioning the provision of a county office aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the county office's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under BP/AR 1312.3 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for BP/AR 1312.3 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

A student who is the alleged victim of sexual harassment or the student's parent/guardian may submit a report of sexual harassment to the county office's Title IX Coordinator using the contact information listed in BP 5145.7 - Sexual Harassment or to any other available school employee, who shall forward

the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the county office. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the county office's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and designed to restore or preserve equal access to the county office's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the county office's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The county office shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the county office's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal from School

A student shall not be disciplined for alleged sexual harassment under Title IX until the investigation has been completed. However, on an emergency basis, the county office may remove a student from the county office's education program or activity, provided that the county office conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student

with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a county office employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the county office's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the county office in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the county office, or sufficient circumstances prevent the county office from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the county office may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The county office shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The county office may facilitate an informal resolution process provided that the county office: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The county office's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the county office's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the county office may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The County Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the county office includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the county office's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the county office imposes on the respondent, and whether remedies designed to restore or preserve equal access to the county office's educational program or activity will be provided by the county office to the complainant
6. The county office's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the county office's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the county office shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

The county office's decision may be appealed to the California Department of Education within 30 days of the written decision in accordance with BP/AR 1312.3.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the county office shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The county office shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education of the student regarding the impact of the conduct on others
4. Positive behavior support
5. Referral of the student to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the county office shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The County Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The county office shall make such training materials publicly available on its web site, or if the county office does not maintain a web site, available upon request by members of the public.

Legal Reference: Title IX, Education Amendment of 1972 (amending the Higher Education Act of 1965), 20 USC — 1681–1686, as amended by Public Law 94-482, effective Oct. 12, 1976

*~~34 Code of Federal Regulations, Part 106~~
~~106.8 – Adoption of grievance procedures~~*

EDUCATION CODE

200-262.4 – Educational equity; prohibition of discrimination on the basis of sex
48900 – Grounds for suspension and/or expulsion
48900.2 – Additional grounds for suspension or expulsion; sexual harassment
48985 – Notices to parents in language other than English

GOVERNMENT CODE

12950.1 – Sexual harassment training

CIVIL CODE

1714.1 – Liability of parent or guardian for act of willful misconduct by a minor
51.9 – Liability for sexual harassment; business, service and professional relationships

CODE OF REGULATIONS, TITLE 5

4600-4670 – Uniform complaint procedures
4900-4965 – Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 – Definition of sexual assault
1221 – Application of laws
1681-1688 – Title IX of the Education Amendments of 1972; discrimination based on sex

UNITED STATES CODE, TITLE 34

12291 – Definition of dating violence, domestic violence, and stalking

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

106.1-106.82 – Nondiscrimination on the basis of sex in education programs
99.1-99.67 – Family Educational Rights and Privacy

COURT DECISIONS

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
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Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Management Resources:

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

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Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579

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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

Q&A on Campus Sexual Misconduct, September 2017
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Dear Colleague Letter: Title IX Coordinators, April 2015

WEB SITES

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

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

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

~~Regulation approved: 5/18/77~~ ~~Office of the Tulare County Superintendent of Schools, Visalia, CA~~
~~Revised: 10/1/86~~

3/88

Regulation approved: 5/18/1977

Tulare County Superintendent of Schools
Visalia, California

Revised: 10/1/1986, --/2024

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students
AR 5145.71

Title IX Sexual Harassment Complaint Procedures

Title IX Sexual Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a Tulare County Office of Education (TCOE) school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A county office employee conditioning the provision of a county office aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the county office's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under BP/AR 1312.3 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for BP/AR 1312.3 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

A student who is the alleged victim of sexual harassment or the student's parent/guardian may submit a report of sexual harassment to the county office's Title IX Coordinator using the contact information listed in BP 5145.7 - Sexual Harassment or to any other available school employee, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the county office. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the county office's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and designed to restore or preserve equal access to the county office's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the county office's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The county office shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the county office's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal from School

A student shall not be disciplined for alleged sexual harassment under Title IX until the investigation has been completed. However, on an emergency basis, the county office may remove a student from the county office's education program or activity, provided that the county office conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a county office employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the county office's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the county office in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the county office, or sufficient circumstances prevent the county office from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the county office may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The county office shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The county office may facilitate an informal resolution process provided that the county office: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The county office's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the county office's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the county office may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The County Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the county office includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the county office's code of conduct or policies to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the county office imposes on the respondent, and whether remedies designed to restore or preserve equal access to the county office's educational program or activity will be provided by the county office to the complainant
6. The county office's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the county office's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the county office shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

The county office's decision may be appealed to the California Department of Education within 30 days of the written decision in accordance with BP/AR 1312.3.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the

county office shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The county office shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education of the student regarding the impact of the conduct on others
4. Positive behavior support
5. Referral of the student to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the county office shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The County Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known

circumstances

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The county office shall make such training materials publicly available on its web site, or if the county office does not maintain a web site, available upon request by members of the public.

Legal Reference:

EDUCATION CODE

200-262.4 – Educational equity; prohibition of discrimination on the basis of sex

48900 – Grounds for suspension and/or expulsion

48900.2 – Additional grounds for suspension or expulsion; sexual harassment

48985 – Notices to parents in language other than English

GOVERNMENT CODE

12950.1 – Sexual harassment training

CIVIL CODE

1714.1 – Liability of parent or guardian for act of willful misconduct by a minor

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

CODE OF REGULATIONS, TITLE 5

4600-4670 – Uniform complaint procedures

4900-4965 – Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 – Definition of sexual assault

1221 – Application of laws

1681-1688 – Title IX of the Education Amendments of 1972; discrimination based on sex

UNITED STATES CODE, TITLE 34

12291 – Definition of dating violence, domestic violence, and stalking

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

106.1-106.82 – Nondiscrimination on the basis of sex in education programs

99.1-99.67 – Family Educational Rights and Privacy

COURT DECISIONS

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

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

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

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

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

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

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

Management Resources:

CSBA PUBLICATION

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

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

FEDERAL REGISTER

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579

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

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

Q&A on Campus Sexual Misconduct, September 2017

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

Dear Colleague Letter: Title IX Coordinators, April 2015

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Regulation approved: 5/18/1977

Tulare County Superintendent of Schools
Visalia, California

Revised: 10/1/1986, __/__/2024

PROPOSED

TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM

SUBMITTED BY: Dedi Somavia, Assistant Superintendent, Human Resources

SUBJECT:

Presentation of the Williams/Valenzuela Uniform Complaint Report for the 2nd Quarter 2024 from the Tulare County school districts.

DESCRIPTION/SUMMARY:

2nd Quarter 2024 Report of Tulare County school districts' complaints received pertaining to: 1) instructional materials, 2) facilities, and 3) teacher vacancy & misassignment and the resolution if need be, as well as items associated with the Valenzuela Settlement.

FINANCING:

n/a

RECOMMENDATION:

Information only.

Quarterly Uniform Complaint Report Summary for Submission to Tulare County Office of Education Board												
Quarter Covered by this Report			___January/March		<u>X</u> April/June			___July/September		___October/December		Year <u>2024</u>
District	Textbooks & Instructional Materials: <i>Enter zero in any cell that does not apply.</i>			Facilities:			Teacher Vacancy & Misassignment			Totals		
	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved
Allensworth	0	0	0	0	0	0	0	0	0	0	0	0
Alpaugh	0	0	0	0	0	0	0	0	0	0	0	0
Alta Vista	0	0	0	0	0	0	0	0	0	0	0	0
Buena Vista	0	0	0	0	0	0	0	0	0	0	0	0
Burton	0	0	0	0	0	0	0	0	0	0	0	0
Columbine	0	0	0	0	0	0	0	0	0	0	0	0
Cutler-Orosi	0	0	0	0	0	0	0	0	0	0	0	0
Dinuba	0	0	0	0	0	0	0	0	0	0	0	0
Ducor	0	0	0	0	0	0	0	0	0	0	0	0
Earlimart	0	0	0	0	0	0	0	0	0	0	0	0
Exeter	0	0	0	0	0	0	0	0	0	0	0	0
Farmersville	0	0	0	0	0	0	0	0	0	0	0	0
Hope	0	0	0	0	0	0	0	0	0	0	0	0
Hot Springs	0	0	0	0	0	0	0	0	0	0	0	0
Kings River	0	0	0	0	0	0	0	0	0	0	0	0
Liberty	0	0	0	0	0	0	0	0	0	0	0	0
Lindsay	0	0	0	0	0	0	0	0	0	0	0	0
Monson-Sultana	0	0	0	0	0	0	0	0	0	0	0	0
Oak Valley	0	0	0	0	0	0	0	0	0	0	0	0
Outside Creek	0	0	0	0	0	0	0	0	0	0	0	0
Palo Verde	0	0	0	0	0	0	0	0	0	0	0	0
Pixley	0	0	0	0	0	0	0	0	0	0	0	0
Pleasant View	0	0	0	0	0	0	0	0	0	0	0	0
Porterville	0	0	0	0	0	0	0	0	0	0	0	0
Richgrove	0	0	0	0	0	0	0	0	0	0	0	0
Rockford	0	0	0	0	0	0	0	0	0	0	0	0
Saucelito	0	0	0	0	0	0	0	0	0	0	0	0
Sequoia Union	0	0	0	0	0	0	0	0	0	0	0	0
Springville	0	0	0	0	0	0	0	0	0	0	0	0
Stone Corral	0	0	0	0	0	0	0	0	0	0	0	0
Strathmore	0	0	0	0	0	0	0	0	0	0	0	0
Sundale	0	0	0	0	0	0	0	0	0	0	0	0
Sunnyside	0	0	0	0	0	0	0	0	0	0	0	0
Terra Bella	0	0	0	0	0	0	0	0	0	0	0	0
Three Rivers	0	0	0	0	0	0	0	0	0	0	0	0
Tipton	0	0	0	0	0	0	0	0	0	0	0	0
Traver	0	0	0	0	0	0	0	0	0	0	0	0
Tulare City	0	0	0	0	0	0	0	0	0	0	0	0
Tulare COE	0	0	0	0	0	0	0	0	0	0	0	0
Tulare JUHSD	0	0	0	0	0	0	0	0	0	0	0	0
Visalia	0	0	0	0	0	0	0	0	0	0	0	0
Waukena	0	0	0	0	0	0	0	0	0	0	0	0
Woodlake	0	0	0	0	0	0	1	1	0	1	1	0
Woodville	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	1	1	0	1	1	0

Woodlake Unified School District - Complaint received about a teacher vacancy that happened mid-year due to a teacher being moved to a different site.

After a challenging search, a viable math teacher has been hired and will start the 2024-2025 school year.

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Robert E. Mayo, CHOICES Administrator

SUBJECT:

Consideration and Approval to Accept Grant Funding from the California Highway Patrol (CHP) Cannabis Tax Fund Grant Program to Reduce Impaired Driving in the County of Tulare

DESCRIPTION/SUMMARY:

The TCOE CHOICES Pop-Up Prevention Education Project will focus on providing education to increase awareness of the dangers of driving under the influence to help combat the increase of DUI/DUID cases in our local community, with a focus on interactive educational pop-up events supported by social media campaigns and distribution of promotional items to spread awareness throughout the community. The target audience is high-school-aged youth, young adults (18 - 24), and their families in Tulare County. Project activities are designed to inform and create awareness about the dangers of impaired driving in an interactive and engaging format so that participants understand the impact and consequences of driving while impaired and can retain this and use it to make informed decisions regarding the use of alcohol, marijuana, and other drugs.

FINANCING:

There is no fiscal impact for adopting the authorizing resolution to accept funding. There is no match requirement and/or leveraging of funds required. The total funding available for this project is \$306,265.67.

RECOMMENDATION:

Adopt a Resolution authorizing the Superintendent or designee to accept the “Cannabis Tax Fund Grant Program (CTFGP)” and enter into the resultant grant agreement and any amendments to fund impaired driving community educational programs. The grant allocation is \$306,265.67 for the period of July 1, 2024, through June 30, 2025 and is retroactive to July 1, 2024.
Adopted Resolution 24/25-03

RESOLUTION NO. 24/25-03

**ACCEPTANCE OF CHP CANNABIS TAX FUND GRANT PROGRAM (CTFGP)
FY 2024/2025**

WHEREAS, the California Highway Patrol has been delegated the responsibility by the Legislature of the State of California for the administration of the Cannabis Tax Fund Grant Program, setting up the necessary procedures governing the application; and;

WHEREAS, said procedures established by the California Highway Patrol require the Applicant to certify by resolution the approval of the application to the state and

WHEREAS successful Applicants will enter into an agreement with the California Highway Patrol to complete the Grant Scope and

WHEREAS the Tulare County Office of Education CHOICES Program applied for funding from the CHP Cannabis Tax Fund Grant Program FY 2024/2025 for an Education Project focusing on local community-based activities that shift public perspectives and expand the number of activities utilized to help mitigate alcohol and drug-impaired driving for the TCOE CHOICES Pop-Up Prevention Education Project showcasing unique approaches that educate local communities on impaired driving laws while highlighting the dangers of driving under the influence of alcohol and other drugs, including cannabis and cannabis products to include the following scope of work:

- Deliver prevention education to teens, young adults, and their families about the health dangers and legal consequences of driving while impaired by drugs and/or alcohol through pop-up events featuring interactive, hands-on learning tools and simulation at local community events along with educational material distribution and social media campaign.
 - Provide experiential learning at pop-events providing the opportunity for youth and their families to gain first-hand experience attempting to complete simple tasks while experiencing impairments in vision, reaction time, and judgment. Activities will inspire learning and social sharing while creating a viral buzz around the event, with participants posting photos and videos of friends engaging in these activities. (pedal karts, impairment goggles, step and repeat banner, pop-up canopies, microphone, speaker, t-shirts, t-shirt cannon, and oversized board games. Keychains and stickers will be used as event promotional items to gift people with small items to connect with the prevention theme beyond the event and to reinforce the message to avoid driving while intoxicated from alcohol and other drugs through items they interact and engage with on a daily basis.
 - Implement a culturally appropriate, strategic, and effective communication program relevant to multiple audiences, using social media to distribute information to the public and providing quarterly updates to agencies such as local law enforcement entities and community groups to assist with extending messaging efforts.
 - Conduct project monitoring and evaluation to assess the services using quantitative and qualitative methods, including surveys, data tracking, and

narrative collection to ensure the program is implemented as planned and that the project is progressing towards achieving the intended outcomes. Data collection will occur on-site at each pop-up event via surveys on iPads and post-event with project staff. The instruments used to gather data – including tracking the number of pop-up participants, community surveys, and narratives from project staff - will provide quantitative and qualitative sources of information used to show project effectiveness and positive impacts on the community.

- Provide highly trained and experienced Prevention Specialists to host pop-up events and experienced staff to serve as essential “backbone support” for the project, including project planning, implementation, communication, evaluation, and reporting. CHOICES will ensure fiscal compliance, program alignment, and convene meetings with local partners and stakeholders to guide vision and hone strategy throughout the project's life.

WHEREAS, the Tulare County Office of Education CHOICES Program has received notice of conditional approval for grant funding, Exhibit A, in the amount of \$306,265.67;

NOW THEREFORE, BE IT RESOLVED by the Tulare County Board of Education that the County Superintendent of Schools, or designee, is hereby authorized to execute the agreement and any follow-up amendments with the California Highway Patrol for the CHP Cannabis Tax Fund Law Enforcement Grant FY 2024/2025 in an amount of \$306,265.67 for the term of July 1, 2024, through June 30, 2025.

CONTACT PERSON

Robert E. Mayo, CHOICES Administrator (510) 981-5383

Attachments:

- 1: Exhibit A:
Department of California Highway Patrol
FY24-25 CTFGP Intent to Award - Tulare County Office of Education
June 6, 2024
File No.: 060.15426.17369

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

601 North 7th Street
Sacramento, CA 95811
(916) 843-3330
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



June 6, 2024

File No.: 060.15426.17369

Amy Harris
Tulare County Office of Education
7000 Doe Avenue
Visalia, CA 93291

Dear Ms. Amy Harris:

On behalf of the California Highway Patrol (CHP), it is my pleasure to inform you, the Tulare County Office of Education, is conditionally approved for Cannabis Tax Fund Grant Program (CTFGP) funding in the amount of \$306,265.67. The purpose of this grant funding is to help your agency reduce and mitigate the impacts of impaired driving in your community.

All grant awards, including any adjustments to requested funding, were made by the Department based on the merits of the Grant Application, scale of operation, and in accordance with the Request for Application (RFA) requirements and associated regulations.

The official Grant Agreement for signature is forthcoming. In order to execute your Grant Agreement, please provide documentation from a local governing body, authorizing your organization to receive this grant funding, to the Cannabis Grants Unit, by email at CGUGrants@chp.ca.gov, as soon as possible. Refer to California Code of Regulations Title 13, Division 2, Chapter 13, Section 1890.13(g) for additional information.

The CHP looks forward to partnering with you and your agency on this project in an effort to make California's roadways a safer place to travel. If you have any questions, please feel free to contact the Cannabis Grants Unit at (916) 843-4360.

Sincerely,

A handwritten signature in black ink that reads "K. M. Davis".

K. M. DAVIS, Chief
Enforcement and Planning Division



**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

John Davis and Sarah Hamilton

SUBJECT:

Teacher Assignment Monitoring Outcomes Report for Tulare County Schools (TAMO), 2022-23

DESCRIPTION/SUMMARY:

The California Department of Education (CDE) recently released the 2022–23 Teaching Assignment Monitoring Outcomes (TAMO) by Full-Time Equivalency data report on DataQuest. The CDE will report 2022–23 TAMO data for each LEA on the 2024 California School Dashboard (Dashboard) as part of the Priority 1 Local Indicator. Since the 2022–23 TAMO data was unavailable at the time that LEAs were reporting their local indicator data to the governing board/body of the LEA, LEAs must report the 2022-23 data at the next available meeting.

FINANCING:

None

RECOMMENDATION:

This item is for information only.

Teacher Assignment Monitoring Outcomes Report Tulare County Schools, 2022-23

School	Total Teaching FTE	Clear	Out-of Field	Intern	Ineffective	Incomplete	Unknown	N/A
La Sierra High	14.3	46.5%	5.2%	4.4%	22.5%	21.2%	0.0%	0.0%
Special Education	134.5	62.4%	0.0%	8.9%	5.2%	21.9%	1.5%	0.0%
Tulare County Community	3.0	66.7%	33.3%	0.0%	0.0%	0.0%	0.0%	0.0%
Tulare County Court	5.0	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
University Preparatory High	9.9	87.4%	0.0%	7.1%	5.5%	0.0%	0.0%	0.0%

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Jack Schreuder, Director, Operational Services

SUBJECT:

Resolution adopting the Multi-Jurisdictional Local Hazard Mitigation plan.

DESCRIPTION/SUMMARY:

TCOE participated in the FEMA-prescribed mitigation planning process to prepare this local hazard mitigation plan with the County of Tulare, all other cities in the County, and Special Districts along with other stakeholders. The California Office of Emergency Services and Federal Emergency Management Agency, Region IX officials have reviewed the Tulare County Local Multi-Jurisdiction Hazard Mitigation Plan and approve it contingent upon this official adoption of the governing body.

FINANCING:

None.

RECOMMENDATION:

Adopt the resolution.

RESOLUTION No. 24/25-
BEFORE THE BOARD OF TRUSTEES OF THE
TULARE COUNTY OFFICE OF EDUCATION
TULARE COUNTY, CALIFORNIA

In the Matter of Adopting the Multi-) RESOLUTION ADOPTING THE MULTI-
Jurisdictional Local Hazard Mitigation) JURIDICIONAL LOCAL HAZARD MITIGATION
Plan) PLAN

WHEREAS, the TCOE recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S. Congress passed the Disaster Mitigation Act of 2000 ("Disaster Mitigation Act") emphasizing the need for pre-disaster mitigation of potential hazards; and

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Local Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the TCOE fully participated in the FEMA-prescribed mitigation planning process to prepare this local hazard mitigation plan with the County of Tulare, all other cities in the County, and Special Districts along with other stakeholders; and

WHEREAS, the California Office of Emergency Services and Federal Emergency Management Agency, Region IX officials have reviewed the Tulare County Local Multi Jurisdiction Hazard Mitigation Plan and approve it contingent upon this official adoption of the participating governing body; and

WHEREAS, the TCOE desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Tulare County Local Multi-Jurisdiction Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the TCOE demonstrates the jurisdiction's commitment to fulfilling the mitigation goals and objectives outlined in this Local Hazard Mitigation Plan; and

WHEREAS, adoption by the TCOE Board demonstrates the jurisdiction's commitment of fulfilling the mitigation goals and objectives outlined in this Local Hazard Mitigation Plan; and

WHEREAS, adoption of this Local Hazard Mitigation Plan legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

Now, Therefore, Be It Resolved, as follows:

1. The above recitals are true and correct.
2. The Tulare County Board of Education adopts the “Tulare County, Multi-Jurisdictional Local Hazard Mitigation Plan” as an official plan; and
3. The Tulare County Office of Education will submit this Adoption Resolution to the California Governor’s Office of Emergency Services and Federal Emergency Management Agency, Region IX officials to enable the Plan’s final approval.

THE FOREGOING RESOLUTION was adopted upon motion by Trustee _____, seconded by Trustee _____, at a regular meeting held on August 14, 2024, by the following vote:

AYES: _____
 NOES: _____
 ABSENT: _____

I, Tim Hire, ex-officio secretary of the Tulare County Board of Education, do hereby certify that the foregoing Resolution was duly passed and adopted by said Board, at an official and public meeting thereof, this 14th day of August 2024.

 Tim Hire, Ex-Officio Secretary,
 Tulare County Board of Education

**TULARE COUNTY OFFICE OF EDUCATION
BOARD ENCLOSURE FORM**

SUBMITTED BY:

Jack Schreuder, Director, Operational Services

SUBJECT:

Resolution authorizing a contract for an emergency repair to the Doe Office Complex HVAC system.

DESCRIPTION/SUMMARY:

Public Contract Code 20113 authorizes Districts to enter into a contract for the performance of labor and furnishing of materials or supplies without advertising for or inviting bids, in an emergency as defined in section 1102 when repairs, work, or improvements are necessary to permit the continuance of existing school classes, or to avoid danger to life or property.

FINANCING:

General Fund

RECOMMENDATION:

Adopt the resolution

RESOLUTION No. 24/25-02
BEFORE THE BOARD OF TRUSTEES OF THE
TULARE COUNTY OFFICE OF EDUCATION
TULARE COUNTY, CALIFORNIA

In the Matter of Emergency Repair) RESOLUTION AUTHORIZING A CONTRACT
to the Doe Office Complex HVAC) FOR AN EMERGENCY REPAIR WITHOUT
System) REQUIRING COMPETATIVE BIDDING

Whereas, Public Contract Code § 20113 authorizes this Board, by unanimous vote, with the approval of the County Superintendent of Schools, to enter into a contract for the performance of labor and furnishing of materials or supplies without advertising for or inviting bids, in an emergency as defined in section 1102 when repairs, work, or improvements are necessary to permit the continuance of existing school classes, or to avoid danger to life or property; and

Whereas, Public Contract Code § 1102 defines an emergency as a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public purposes; and

Whereas, it has long been established that competitive bidding requirements may be dispensed with if the public interest is better served by doing so, as where competitive bidding would not produce an advantage, and where it is unnecessary to protect the taxpayers from fraud, corruption, and carelessness and the waste and dissipation of public funds, and is not avoided merely due to inconvenience; and

Whereas, the Doe Office Complex HVAC system is damaged such that they no longer provide a safe and healthy environment; and

Whereas, the damaged HVAC system requires an unexpected cost, time, labor and materials in order to provide Doe Office Complex a healthy learning and work environment; and

Whereas, the contractor estimates that the cost of performing the necessary work to mitigate further damage will exceed the threshold for construction pursuant to Public Contract Code §20111; and

Whereas, the current condition of the HVAC system creates a clear and imminent danger to property of the County Office, and impairs staffs' ability to work if left unrepaired, requiring immediate action to prevent or mitigate the loss of impairment of health, property, and essential public services to staff; and

Whereas, pursuing competitive bidding on replacement of the HVAC system would result in unnecessary delay, exposing staff to health and safety hazards, preventing staff attending work, and posing a serious danger of harm to property of the County Office; and

Whereas, a delay in replacing the HVAC system could impair essential public services, including a delay in the continuance of work;

NOW, THEREFORE, the Board of Trustees of the Tulare County Office of Education finds, determines, and orders as follows:

1. The foregoing recitals are adopted as true and correct.
2. The Board hereby incorporates into the minutes of the meeting, all correspondence, reports and plans documenting the emergency as described herein as substantial evidence in support of the findings.
3. This Board finds that an emergency condition exists as a result of the damaged HVAC system within the meaning of Public Contract Code §§ 1102 and 20113, as the damaged HVAC system is a sudden, unexpected occurrence that poses a clear and imminent danger in order to prevent the loss or impairment of health, property, and essential public services.
4. This Board authorizes and directs the Assistant Superintendent Business Services, or his designee, to take any and all lawful measures to ensure the timely completion of the work in accordance with plans and specifications required to cure and correct the deficiencies and to negotiate and enter into contracts pursuant to the authority of this resolution. The contracts for all work to repair the HVAC system shall not exceed an amount of \$350,000.00 without further approval or ratification by this Board.

THE FOREGOING RESOLUTION was adopted upon motion by Trustee _____, seconded by Trustee _____, at a regular meeting held on August 14, 2024, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

I, Tim Hire, ex-officio secretary of the Tulare County Board of Education, do hereby certify that the foregoing Resolution was duly passed and adopted by said Board, at an official and public meeting thereof, this 14th day of August 2024.

Tim Hire, Ex-Officio Secretary,
Tulare County Board of Education