



**PALO VERDE**  
**Unified School District**

*"Improving Learning... Together"*

295 North First Street, Blythe California 92225  
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**Board of Education**

Samuel Burton  
Norman C. Guith, Ed.D.  
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Charles Bush, Ed.D.  
Superintendent

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**ADDENDA:**

District Annual Notification to Parents  
Student Handbook(s)  
Know Your Educational Rights

**DATE:** February 21, 2020

**TO:** Staff, Students, and Parents/Guardians

**FROM:** Charles Bush, Ed.D., Superintendent

**RE:** District Non-Discrimination Statement/ Title IX  
Notification of Rights to Pregnant/Parenting Students  
District Student Sexual Harassment Policy  
Complaints Regarding Discrimination, Harassment, Intimidation, Bullying,  
Exceptional Needs Students, Categorical Programs, Federally Funded Programs  
Release of Directory Information  
Pupil Records/General Information Policy

**PURPOSE:**

This memorandum serves as notification of changes to the Palo Verde Unified School District's Annual Notification to Parents, Student Handbooks, and Educational Rights. The District has added updated language sections concerning the Non-Discrimination Statement/Title IX Information, Notification of Rights to Pregnant/Parenting Students, the Student Sexual Harassment Policy, and Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, and Federally Funded Programs, Release of Directory Information, and Advisement of Educational Rights.. This information was added and is being distributed in accordance with California Education Code and at the request of the Federal Program Monitoring Review team.

**PVUSD Nondiscrimination Statement**

The Palo Verde Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived age, ancestry, color, disability, ethnicity, gender, gender expression, gender identity, genetic information, immigration status, marital status, medical information, national origin, parental status, pregnancy status, race, religion, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

For questions or complaints, contact the Title IX Compliance Officer:  
Superintendent (or designee)  
295 N. First Street  
Blythe, CA 92225  
(760) 922-4164  
[contactus@pvusd.us](mailto:contactus@pvusd.us)

### **Notification of Rights to Pregnant or Parenting Students**

- The LEA shall notify pregnant and parenting pupils of their rights and options available under the law through the annual school year welcome packets and through independent study packets. (EC Section 222.5[a])
- The LEA shall also annually notify parents/guardians of pupils at the beginning of the regular school term of the rights and options available to pregnant and parenting pupils under the law. (EC Section 222.5[b])
- The LEA shall apply no rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (EC Section 221.51[a]; 5 CCR Section 4950; 34 CFR Section 106.40[a])
- The LEA shall not exclude or deny any student from any educational program or activity solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. (EC Section 221.51[b]; 5 CCR Section 4950[a]; 34 CFR Section 106.40[b][1]).
- Pregnant/parenting students are not excluded from participation in their regular school programs or required to participate in pregnant-student programs or alternative educational programs. (EC Section 221.51[d]; 5 CCR Section 4950[c]; 34 CFR Section 106.40[b][1]).
- Pregnant/parenting students who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program. (EC Section 221.51[d]; 5 CCR Section 4950[c]; 34 CFR Section 106.40[b][3]).
- The LEA treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability.  
(EC Section 221.51[e]; 5 CCR Section 4950[d]; 34 CFR Section 106.40[b][4]).
- The LEA shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A school shall be required to provide the reasonable accommodations specified only if there is at least one lactating pupil on the school campus.
  - Reasonable accommodations under this section include, but are not limited to, all of the following:
    - Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
    - Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
    - Access to a power source for a breast pump or any other equipment used to express breast milk.
    - Access to a place to store expressed breast milk safely.
    - A lactating pupil shall be provided a reasonable amount of time to accommodate her need to express breast milk or breast-feed an infant child.
    - A pupil shall not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this section, and shall be provided the opportunity to make up any work missed due to such use. (EC Section 222[a]-[e])

### **Sexual Harassment**

The District prohibits sexual harassment at all school sites and strongly encourages any student who feels that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact their teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

#### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

#### **Complaint Process and Disciplinary Actions**

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

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

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

### **Record-Keeping**

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

### **Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs**

The District shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, medication information, sex, sexual orientation, gender, gender identity, gender expression, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

The District shall promote programs that ensure non-discriminatory practices in all District activities. If you want further details in this regard, or wish to file a complaint, please contact the District's Uniform Complaint Officer. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with the law:

PVUSD Superintendent (or designee)  
295 N. First Street, Blythe, CA 92225  
(760) 922-4164  
[contactus@pvusd.us](mailto:contactus@pvusd.us)

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law with the following programs as identified by the District's Board Policies: Adult Education programs, After School Education and Safety programs, state and federal Career and Technical training programs, Agricultural Career Technical Education, Child Care and Development programs, Compensatory Education, the federal Every Student Succeeds Act, Migrant Education, Regional Occupational Centers and Programs, school safety plans, California State Preschool Programs, State Preschool Health and Safety Issues in LEAs exempt from licensing, LCAP, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, Homeless or Foster Youth education options, course content, Physical Education, discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District.

### **Release of Directory Information**

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes a student's name, address, telephone number, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended by the student. You may have the district withhold any of this information by submitting a request in writing by September 19, 2019. Written notification received after the date specified will be honored, but the student's information may have been release in the interim. Directory information does not include information regarding the citizenship, immigration status, place of birth, or any other information indicating national origin of students, except as required by state or federal law or as required to administer a state or federally supported educational program. In the case of students with exceptional needs or who are homeless, no material can be release without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

### **Pupil Records/General Information Policy**

The Palo Verde Unified School District shall not disclose student records to a person, agency, organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. In some instances information about your child may be release to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, disciple letters, commendations, attendance, and health information. Unless the District is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the District shall notify parents or guardians and eligible students – and receive their written consent – before it releases a student's personally identifiable information.

### **TITLE IX COMPLIANCE**

#### **STATEMENT OF NON-DISCRIMINATION**

Palo Verde High School prohibits discrimination, harassment, intimidation and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, genetic information, nationality, race or ethnicity, religion, sex, sexual orientation, parental, family or marital status, pregnancy status, immigration status, medical information, or association with a person or a group with one or more of these actual or perceived characteristics. This policy applies to all school programs including but not limited to CTE, AVID, JROTC, FFA, Athletics and Clubs. If you feel you have been bullied, harassed or sexually harassed based on any of these factors please see Principal Angel, Site Title IX Compliance Officer, for help in handling the matter. She can be reached in the office or on campus at 667 N. Lovekin Blvd., Blythe, CA, 92225; via phone at (760) 922-7148 or by email at [rangel@pvusd.us](mailto:rangel@pvusd.us).



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Charles Bush, Ed.D.  
Superintendent

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**ADDENDA:**

District Annual Notification to Parents – English Learners

**DATE:** February 24, 2020  
**TO:** Staff, Students, and Parents/Guardians  
**FROM:** Charles Bush, Ed.D., Superintendent  
**RE:** English Learners

**PURPOSE:**

This memorandum serves as notification of changes to the Palo Verde Unified School District's Annual Notification to Parents. The District has added updated language sections concerning English Learners. This information was added and is being distributed in accordance with California Education Code and at the request of the Federal Program Monitoring Review team.

**English Learners**

Parent/Guardians must be informed of the identification of their child as an English Language Learner no later than 30 days after the beginning of the school year.

The Palo Verde Unified School District offers the following language and language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their child (EC Section 310[a]):

- Structured English Immersion (SEI) Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][viii][III]); EC Section 310[a]).

**Receiving and Tracking Parent Requests**

Each school is required to maintain written records of parent request (including verbal requests) which include:

- Date of request
- Parent and child names
- Description of request
- Grade level

5 CCR section 11311 requires that schools:

- Assist parents in clarifying their request
- Maintain records of each request for three years
- Accept requests from students enrolled for the current year as well as the following school year
- Monitor the number of parent requests for language acquisition or language programs on a regular basis throughout the year
- Consider requests for a multilingual program model from parents of pupils enrolled in the school who are native speakers of English when determining whether a threshold is reached

### **Reaching a Threshold**

When the parent of 30 pupils or more enrolled in a school, or when the parents of 20 pupils or more in the same grade enrolled in a school, request the same or substantially similar type of a language acquisition or language program, the school responds by notifying the District immediately and taking the following three actions:

1. **Communication:** Within 10 school days of reaching a threshold described above, the District notifies the parents of pupils attending the school, the school's teachers, administrators, and the District's English learner parent advisory committee and parent advisory committee in writing, of the parents' requests for a language acquisition program.
2. **Cost and Resource Analysis:** The District identifies costs and resources necessary to implement any new language acquisition or language program, including but not limited to:
  - Certificated teachers with the appropriate authorizations
  - Necessary instructional materials
  - Pertinent professional development for the proposed program
  - Opportunities for parent and community engagement to support the proposed program goals
3. **Determination:** Having completed the costs and resource analysis, the District determines, within 60 calendar days of reaching a threshold described above, whether it is possible to implement the request language acquisition or language program. At that time, the District provides notice, in writing, to parents of pupils attending the school, the school's teachers, and administrators of its determination.
  - **Determination to implement a program at the school:** In the case that the District determines it can implement the requested program, the District creates and publishes a reasonable timeline of actions necessary to implement the program. As a part of the implementation, the District confers with school personnel, including administrators, and teachers with the authorizations required to provide or oversee programs and services for English learners, regarding the design and content of language acquisition programs.
  - **Determination not to implement a program at the school:** In the case that the District determines it is not possible to implement the program requested by parents, the District provides a written explanation of the reason(s) why the program cannot be provided. Further, the District may offer an alternate option that can be implemented at the school.

Each school follows the process described above, even if the District, at the time the threshold is met, provides the request language acquisition or language program at another school.

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (EC Section 52062). If interested in a different program from those listed above, please contact:

Ms. Tracie Kern  
Director of Curriculum and Instruction  
295 N. First St.  
Blythe, CA 92225  
(760) 922-4164 x1239  
tracie.kern@pvusd.us

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).

### **About Language Acquisition Programs and Language Programs**

The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:

#### Language Acquisition Program

- Be designed using evidence-based research and include both Designated and Integrated English Language Development;
- Be allocated sufficient resources by the local educational agency (the District) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and
- Within a reasonable period of time, lead to:
  - ✓ Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and
  - ✓ Achievement of the state adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language.

#### Language Program (non-English Learners)

- Language programs offer students who are not English learners opportunities to be instructed in languages other than English
- May lead to proficiency in languages other than English