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## Equal Opportunity Policy 1-101

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### Scope:

This policy applies to:

1. Employees: Equal employment and advancement opportunities within the District.
2. Students: Equal access to education, programs, and activities.
3. Community and Parents: Equal treatment in services, communications, and interactions with the District.

### Board Policy:

#### 1. Equal Opportunity for Students

- Access to Educational Programs
  - Prohibition of discrimination based on race, gender, disability, sexual orientation, or religion in all educational programs, as per California Education Code §§ 200-220.
  - Commitment to accessibility and appropriate accommodations for students with disabilities under IDEA and Section 504.
- Bullying and Harassment Prevention
  - Anti-bullying initiatives and clear reporting mechanisms.
  - Support programs and resources for underrepresented and vulnerable student populations.

#### 2. Equal Opportunity for Employees

- Fair Employment Program
  - Commitment to a fair recruitment process that is clear and transparent.
  - Annual review and update of employment goals (see *Administrative Procedures* below).
- Fair Employment Training
  - Regular training on fair employment practices that are transparent and promote the hiring of the best individual for the position.

### Purpose

The District is committed to fostering an environment of equal opportunity and respect for all members of the school community, including employees, students, parents, and community partners. This policy outlines our commitment to preventing discrimination and promoting inclusivity across all interactions with the District.



- Protection against workplace discrimination and harassment based on protected characteristics.

### **3. Equal Treatment for Parents, Community, and District Partners**

- Inclusive Communication and Services
  - Ensure that all District services, resources, and communications are accessible to individuals regardless of race, gender, disability, sexual orientation, religion, language, or disability.
  - Use of ADA-compliant formats for communications and resources where applicable.
- Engagement and Representation
  - Encourage feedback and involvement from a diverse range of community members.
  - Foster relationships with community organizations that represent underrepresented groups.



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## Administrative Regulations

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### Review:

1. Annual Reporting: Each year, the District will assess progress in workforce diversity, student access, and community engagement.
2. Outreach and Partnerships: Develop partnerships to enhance diverse recruitment, broaden student opportunities, and improve community representation.
3. Regular Training and Awareness: Conduct regular training sessions for staff and provide students with resources to understand their rights and responsibilities under this policy.

### Periodic Evaluation and Updates:

This policy will be reviewed every five years or as required to address legal updates and community needs.

### County Support Eligibility for Small Districts:

Eligible districts may receive support from their County Office of Education to meet affirmative action and equal opportunity goals, as appropriate to ADA requirements (elementary school districts with fewer than 901 ADA, for high school districts with fewer than 301 ADA, and for unified districts with fewer than 1501 ADA). When developing and implementing affirmative action employment programs, the District is entitled to assistance from the County Office of Education. (Ed. Code, §§ 44100 *et seq*; 5 CCR § 30, 31.)

### Complaint and Grievance Procedure:

#### 1. Filing a Complaint

- Who Can File: Employees, students, parents, and community members.
- Method of Filing: Complaints may be submitted in writing, in person, or through an online form (if available). The District encourages the use of the Uniform Complaint Form for filing a complaint.
- Contact Information: Contact details for the Equal Opportunity Officer or designated District representative responsible for handling complaints.

#### 2. Timeline and Initial Response

- Acknowledgment: Complaints will be acknowledged within 5 business days.
- Investigation Timeline: The District aims to complete investigations within 30 business days of receiving a complaint, with extensions communicated if necessary.



### **3. Investigation Process**

- Confidentiality: The District will maintain confidentiality to the greatest extent possible.
- Interviews and Evidence Collection: Involves interviewing relevant parties and collecting evidence in an impartial manner.
- Rights of the Complainant and Respondent: Both parties are informed of their rights, including the right to present evidence.

### **4. Resolution and Remedies**

- Findings: Upon conclusion, the District will provide a written summary of findings and any recommended actions.
- Remedies: If discrimination or harassment is found, the District will implement corrective actions, such as training, policy changes, or other remedies.

### **5. Appeals Process**

- Initial Appeal to the District Board
  - Right to Appeal: If a complainant disagrees with the outcome of the investigation, they may file an appeal to the School District Board within 15 days of receiving the decision.
  - Board Review: The Board will review the appeal and provide a written decision within 30 days.
- Escalation to the California Department of Education (CDE)
  - State-Level Appeal: If the complainant is not satisfied with the Board's decision, they may submit an appeal to the CDE or another relevant state or federal agency, where applicable. The complainant will be informed of their rights to pursue this option and the appropriate procedures for doing so.

### **Additional Provisions:**

- Non-Retaliation: Retaliation against individuals who file complaints or participate in investigations is strictly prohibited.
- Annual Training: The District will conduct training for all staff and students to promote awareness of equal opportunity policies and the complaint procedure.
- Recordkeeping: All complaints and investigation documents will be securely stored and retained per state and federal requirements.

### **Legal References:**

- California Education Code §§ 200-220, 44100 et seq.



- California Code of Regulations (5 CCR § 30, 31)
- Title IX of the Education Amendments Act
- Individuals with Disabilities Education Act (IDEA)
- Section 504 of the Rehabilitation Act



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## Anti-Discrimination, Anti-Harassment, Anti-Intimidation, and Anti-Bullying Policy 1-102

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### Scope:

This Policy applies to current, former, or potential students at the school district and to any and all acts related to a District activity or attendance that occur in a District school or District sponsored event. The Policy also applies to all acts and activities of the governing board of the District and the Superintendent of the District.

The District prohibits discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:

1. Age
2. Disability
3. Gender
4. Gender identity
5. Gender expression
6. Ancestry or Nationality
7. Race or Ethnicity:
8. Religion
9. Sex or Sexual orientation
10. Immigration Status

### Purpose

The District is committed to providing equal educational opportunities without regard to actual or perceived race (including natural hairstyle or hair texture related thereto); color, national origin (including possessing a driver's license under Vehicle Code § 12801.9); ethnicity or ancestry; age (40 and over); sex, gender, sexual orientation, gender identity, gender expression, transgender, sex stereotypes, sex characteristics; current, potential, or past pregnancy or related conditions; reproductive health decision-making, parental, family, or marital status, physical or mental disability, or perceived physical or mental potential disability; medical condition (including cancer-related physical or mental health impairment or history of same); citizenship, military and veteran status, genetics, characteristics; political affiliation; religious belief or practice; or any other classifications protected by applicable federal, states, or local laws and ordinance ("Protected Class" or "Protected Classes") or association with a person or group with one or more of these actual or perceived characteristics.

These Protected classes include any combination of the above-stated characteristics or a perception that a person has any of the above-stated characteristics or a combination of them.



**Protection of All Individuals:**

This policy applies to any prohibited discrimination, harassment, or bullying directed against any current student, employee, or other individuals participating in a District program or District activity, to the extent permitted by law.

**Investigation of Complaints:**

Any complaints of prohibited discrimination, harassment, intimidation, and/or bullying shall be received and investigated in accordance with the District’s uniform complaint procedures set forth in Board Policy 2-204.

**Public Notification of this Policy:**

To promote awareness of this policy, the District shall do all of the following:

1. On or before the start of each school year, the District shall notify students and parents/guardians of this policy as well as any related District policies.
2. Every school site and public space within the District shall prominently post an anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying notice including, but not limited to, the following:
  - A clear statement of this policy and/or its intent
  - A clear reference to this policy and any related District policies
  - How to obtain additional information regarding the District’s policy; and
  - Contact information and instructions for filing a complaint alleging a violation of this policy.
  - The Superintendent shall approve all notification or posting pursuant to this policy.
3. Provide training to District staff regarding this policy and how to effectively identify,



prevent, reduce and/or eliminate unlawful discrimination, harassment, intimidation, and bullying.

4. Strongly encourage students, teachers, and other District staff to positively promote this policy through awareness campaigns, poster contests, artwork, or other appropriate school-related activities.

**Legal References:**

- California Educational Code § 220, 221, 234.1
- California Penal Code § 422.5
- California Government Code § 11135
- Title 5, California Code of Regulations. § 4610



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## Prohibition of Sexual Harassment and Sexual Violence

### Policy 1-103

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#### Scope:

This policy applies to all students, employees, parents, community members, and third parties involved in District activities, whether on or off campus.

Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion, as defined in this policy.

#### Prohibition Conduct:

The District defines discrimination as including, but not limited to, any adverse action based on sexual orientation, gender identity, or sex characteristics.

Retaliation against any individual who files a complaint, participates in investigations, or opposes discriminatory practices is strictly prohibited and will result in disciplinary action.

Prohibited sexual harassment includes, but is not limited to, unwelcomed sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against a person of the same or opposite sex in the workplace or education setting, when made on the basis of sex and under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, or of a student's academic status or progress.
2. Submission to or rejection of the conduct by the individual is used as the basis for an employment decision or academic decision affecting the individual.

#### Purpose

The District is committed to maintaining an educational environment and workplace that is free from harassment and discrimination. Sexual harassment and sexual violence against students, employees, or job applicants are strictly prohibited in all District educational programs and activities. Retaliation against any individual involved in the complaint process is also prohibited.

The District defines sexual harassment as unwelcome conduct of a sexual nature that meets one or more of the following criteria:

- Submission to such conduct is a condition of employment, academic status, or benefits.
- Rejection or acceptance of such conduct is used as a basis for decisions affecting the individual.
- The conduct creates an intimidating, hostile, or offensive environment.

Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion, as defined in California Penal Code Sections 243.4 and 261, et seq.

Conduct that falls within the jurisdiction of the Title IX shall be handled under the Title IX procedures set forth herein.



3. The conduct has a purpose or effect of having a negative impact on an individual's work or a student's academic performance or has the purpose or effect of creating an intimidating, hostile, or offensive work or educational environment. Regardless of whether or not the alleged harasser was motivated by sexual desire, the conduct is so severe, pervasive, and objectively offensive that it denies equal educational access.
4. Submission to or rejection of the conduct by an employee or student is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities at or through any District program or activity.

Examples of the types of conduct which are prohibited at the District, and which may constitute sexual harassment whether committed by a supervisor, a coworker, a student, or a non-employee include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions.
2. Pressure to engage in sexual activity.
3. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, innuendoes, or sexually degrading descriptions.
4. Graphic verbal comments about an individual's body.
5. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, graffiti, or computer-generated images of sexual nature.
6. Spreading sexual rumors.
7. Teasing or making sexual remarks about students enrolled in a predominantly single-sex class.
8. Unwelcome physical contact such as massaging, grabbing, fondling, stroking, or brushing the body.
9. Touching an individual's body or clothes in a sexual way.
10. Cornering, leaning over, impeding, or blocking normal movements or any other physical interference with school activities when directed at an individual on the basis of sex.
11. Displaying sexually suggestive objects.



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## Administrative Regulations

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### Complaint and Reporting Procedures:

1. Filing a Complaint: Any individual who experiences or witnesses' sexual harassment or violence should report the incident promptly to the Title IX Coordinator or any District employee.
2. Title IX Coordinator Contact:
  - Name: Craig Guensler
  - Title: Superintendent
  - Address: 111 Main Street Wheatland CA 95692
  - Phone: 530-633-3130
  - Email: [cguensler@wheatland.k12.ca.us](mailto:cguensler@wheatland.k12.ca.us)
3. Confidentiality: All complaints will be handled confidentially, except as necessary to investigate and resolve the issue or comply with legal requirements.

### Investigation and Resolution:

1. The grievance process will include clear timelines for resolution, options for informal resolution when appropriate, and training for decision-makers to ensure neutrality.
2. All parties will be provided with access to supportive measures during the process.
3. All complaints will be investigated promptly and thoroughly under the District's Uniform Complaint Procedures.
4. If a violation is confirmed, corrective actions will be taken to address the misconduct and prevent recurrence.



### **Training and Education:**

1. Employees will receive training on sexual harassment policies and procedures upon hiring and periodically thereafter.
2. Supervisors will undergo specialized training every two years.
3. Students will receive age-appropriate instructions on identifying and reporting sexual harassment and violence.

### **Disciplinary Actions:**

1. For Students: Disciplinary measures may include suspension or expulsion for students in grades 4-12.
2. For Employees: Disciplinary actions may range from warnings to dismissal, depending on the severity of the misconduct.

### **Notifications and Accessibility:**

1. This policy, along with Civil Rights Department Poster, will be displayed prominently:
2. At all district facilities and included in employee handbooks and student code of conduct materials.
3. Be provided to every employee when hired, and at the beginning of each school year.
4. Be included in any publication that sets forth the District's comprehensive rules, regulations, procedures, and standards of conduct, including the annual notice provided to students at the start of each school year.
5. District website will feature detailed information on Title IX rights and complaint procedures.

### **Recordkeeping:**

The Title IX Coordinator will maintain records of all complaints, investigations, and outcomes for no less than seven years.



## **Sexual-Specific Regulations on Sexual Harassment And Sexual Violence**

### **Student Instructions:**

The District will provide reasonable accommodations for pregnant and parenting students, including access to clean and private lactation spaces, modified attendance policies, and excused absences for childbirth or related medical appointments. Please see policy 5-401 Childbirth, Parenting, and Lactation Accommodations.

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

1. What acts and behaviors constitute sexual harassment or sexual violence, including the fact that sexual harassment can occur between people of the same sex.
2. A clear message that sexual harassment and sexual violence are unacceptable and that students do not have to tolerate such behavior.
3. Encouragement to report instance of sexual harassment and sexual violence, even when the victim of the harassment/violence has not complained.
4. The person(s) to whom complaints of sexual harassment and sexual violence should be made.
5. Information about the District's process for investigating complaints.

Any student who feels that he/she is being or has been sexually harassed or a victim of sexual violence perpetrated by a school employee, another student, or a non-employee, in the school's educational program or activity, should immediately contact his or her teacher or any other District employee. An employee who receives such a complaint shall report it using the District's Uniform Complaint Procedures ("UCP") policy. The District's Title IX Coordinator shall ensure that any complaints regarding sexual harassment and sexual violence are immediately investigated in accordance with the District's UCP policy. When the District's Title IX Coordinator has determined that harassment or violence has occurred, the Coordinator shall take prompt, appropriate action to end the harassment or violence and to address its effects on the victim.

California Penal Code makes it a crime to annoy or molest a child. (Can Penal Code 647.6). Any report of a molestation or annoyance should be immediately reported to the Superintendent.



## **Student Disciplinary Actions**

Any Student who engages in sexual harassment of or sexual violence against anyone at school or at a school-sponsored or school-related activity is in violation of this Policy and shall be subject to disciplinary action. For specifics on appropriate levels of discipline, employees should consult the Superintendent and/or legal counsel.

## **Employee-Specific Regulations on Sexual Harassment and Sexual Violence**

The Superintendent or his/her designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment and sexual violence, including but not limited to:

1. Providing training to employees in accordance with law and this Policy.
2. Publicizing and disseminating the District's Sexual Harassment and Sexual Violence policy to staff.
3. Ensuring prompt, thorough, and fair investigation of complaints.
4. Taking timely and appropriate corrective action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of behavior.

Any employee or job applicant who feels that he or she has been sexually harassed or who has knowledge of any incident of sexual harassment or sexual violence by or against another employee, a job applicant, or a student, shall immediately report the incident to his or her supervisor, or the Superintendent. A supervisor, or other administrator who receives a complaint of sexual harassment or sexual violence shall promptly notify the Superintendent or designee.

## **Training and Education**

1. Employee will receive training on sexual harassment policies and procedures upon hiring and periodically thereafter.
2. Supervisor will undergo specialized training every two years.
3. Students will receive age-appropriate instruction on identifying and reporting sexual harassment and violence.



**Sexual Harassment Training shall include:**

1. The definition of sexual harassment under the Fair Employment and Housing Act and Title VII of the federal Civil Rights Act of 1964.
2. The statutes and case-law on prohibiting and preventing sexual harassment.
3. The types of conduct that can be sexual harassment.
4. The remedies available for victims of sexual harassment.
5. Strategies to prevent sexual harassment.
6. Supervisors' obligation to report harassment.
7. Practical examples of harassment.
8. The limited confidentiality of the complaint process.
9. Resources for victims of sexual harassment, including to whom they should report it.
10. How employers must correct harassing behavior.
11. For supervisors, what to do if the supervisor is personally accused of harassment.
12. The elements of an effective anti-harassment policy and how to use it.
13. "Abusive conduct" under Government Code § 12950.1 (g)(2).

The Superintendent shall retain the records of any training provided to supervisory employees for no less than seven years. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider.

**Employee Disciplinary Actions**

Any employee who engages in or participates in sexual harassment or sexual violence, or who aids, abets, incites, compels, or coerces another to commit sexual harassment or sexual violence against an employee, job applicant, or student is in violation of this Policy and is subject to disciplinary action, up to and including dismissal.



## **Notifications and Accessibility**

1. All District employees will receive annual Title IX training, which includes the expanded definitions of harassment, reporting obligations, and updates to grievance procedures.
2. This policy and related resources will be prominently displayed on the District's website and provided in multiple languages as needed.
3. This policy will be displayed prominently at all District facilities and included in employee handbooks and student code of conduct materials.
4. The District's website will feature detailed information on Title IX rights and complaint procedures.
5. The District shall post the following information on its website:
  - The Title IX Coordinator's name, title, phone number, and email address
  - The rights of the students and members of the public, and the responsibilities of the District, under Title IX, including internet links to relevant resources.
  - Instructions on how to file a complaint under Title IX, including timelines, investigation procedures, and links to federal complaint forms.

## **Recordkeeping**

The Title IX Coordinator will maintain records of all complaints, investigations, and outcomes for no less than seven years.



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## Prohibition of Derogatory Native American Terms as School or Athletic Team Names, Mascots, or Nicknames Policy 1-104

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### Scope:

The Governing Board is committed to promoting equity, inclusion, and respect for all communities. In compliance with the California Racial Mascots Act (AB 3074), the district prohibits the use of derogatory Native American terms as school or athletic team names, mascots, or nicknames to honor the diverse cultures and histories within our community.

### Definitions:

#### **Derogatory Native American Terms as Defined by the**

**State of California:** Terms, symbols, or imagery that perpetuate stereotypes, cultural appropriation, or disrespect toward Native American communities, including their traditions, history, or identity. These terms include, but are not limited to, names such as Apaches, Big Reds, Braves, Chiefs, Chieftains, Chippewa, Comanches, Indians, Savages, Squaw, and Tribe. Additional terms may be identified by the Superintendent or designee as necessary to uphold this policy's purpose.

### Prohibitions:

1. Effective July 1, 2026, all schools in the district shall cease the use of any derogatory Native American term as a school or athletic team name, mascot, or nickname.
2. Schools must refrain from the following activities related to derogatory Native American terms:
  - Purchasing or acquiring uniforms, yearbooks, newspapers, programs, or other materials that include or bear the prohibited term.

### Purpose

The intent of this policy is to promote equity, inclusion, and respect for all communities. In compliance with the California Racial Mascots Act (AB3074), the District prohibits the use of derogatory Native American terms as school or athletic team names, mascots, or nicknames to honor the diverse cultures and histories within our community.



- Constructing new or replacement fixtures, including marquees, signs, and gymnasium floors, that display the prohibited term.
3. Schools may continue to use uniforms purchased before July 1, 2026, under the following conditions:
    - The school selects a new name, mascot, or nickname.
    - Uniforms with the prohibited term may be replaced up to 20% of the total number used during the 2025–26 school year to account for damage or loss until January 1, 2028.

**Implementation:**

1. Transition Plan:

Each school currently using a prohibited term shall develop a transition plan, approved by the Superintendent, that includes:

- Selection of a new name, mascot, or nickname
- Timeline for phasing out the prohibited term in compliance with legislative requirements.
- Budget and timeline for updating materials and fixtures.

2. Community Engagement:

The District encourages input from students, parents, and community members in selecting a new name, mascot, or nickname.

3. Exceptions:

- Schools operated by an Indian tribe or tribal organization are exempt from this policy.
- Schools may continue to use a derogatory Native American term, as defined by the State of California, if written consent is obtained from a local federally recognized tribe.

4. Uniform Complaint Procedures:

Complaints regarding violations of this policy may be filed using the District’s Uniform Complaint Procedures.

**Compliance:**

This District will ensure compliance with all state requirements, including:

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1. Removal of prohibited names, mascots, and nicknames from all materials and fixtures no later than the next scheduled maintenance or replacement cycle.
2. Completion of all transitions before the 2028-2029 school year.

**Accountability and Monitoring:**

The Superintendent or designee shall oversee the implementation of this policy, ensuring adherence to timelines and legislative requirements. Regular updates will be provided to the Board regarding the status of compliance efforts.

**Legal References:**

- California Education Code § 221.3
- California Racial Mascots Act (AB 3074)