

Corcoran High School

Policy and Procedures Regarding Sexual Assault/Hazing

March 22, 2024

Summary

The Kings County Civil Grand Jury (Grand Jury) investigated a complaint regarding an incident of sexual assault/hazing that occurred during the 2022/2023 Corcoran High school year. A year later during the 2023/2024 school year the Corcoran High School Administration as well as the School Resource Officer (SRO) was made aware of the accusation. The victim wished to stay anonymous, a police report was filed but not acted upon. The incident instead was handled by the Corcoran High School Administrative Staff, Interim Superintendent, Administrative Hearing Panel, and the Corcoran Joint Unified School Board of Trustees. After speaking with various witnesses, school and district staff and reviewing relevant portions of the Corcoran Joint Unified School District Policy and Procedures, as well as the California Education Code, the Grand Jury was not able to find any areas where district procedures and the California Education Code were not followed.

Background

Our complainants received information about an incident at Corcoran High School regarding a child a year after it happened. The complainants felt that they had exhausted all avenues with the Corcoran Joint Unified School District. They then reached out to the Grand Jury. In Kings County the charge of the Grand Jury is civil in nature and not criminal. “The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county” Cal. Pen. Code § 925. “Every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the equipment for, or the *method or system of performing the duties of*, the several offices” Cal. Pen. Code § 928. The Grand Jury investigated to make sure that all procedures were followed correctly according to the Corcoran Unified School District policy and the California Education Code.

At the beginning of each new term, students and parents receive a copy of a school handbook. (For Parent Handbook see Appendix A) Both the Parent and Student Handbook may be found respectively at <https://www.corcoranunified.com>. The handbooks lay out the expectations, responsibilities, and rules that apply to a student and the repercussions of their conduct. This gives adequate notification of what is expected of students.

It was brought to the 2023/2024 Grand Jury’s attention that an incident of sexual assault/hazing took place at Corcoran High School during the 2022/2023 school year. Due to fears of retaliation, the victim wanted to remain anonymous and refused to press charges. Policy states that when an incident of sexual assault, bullying, or hazing is reported it is to be investigated by

administration at the school where the incident(s) took place. The Superintendent is also to be kept informed. After the school administration makes a recommendation for expulsion that recommendation goes to the Corcoran Joint Unified School District Administrative Hearing Panel (AHP). The panel then either recommends expulsion or recommends the suspension of expulsion to the School Board. In this case the AHP chose to recommend to the Corcoran School Board to suspend the expulsion. It was stated to the Grand Jury that the Corcoran School Board was swayed by public opinion. The alleged perpetrators were back in school almost immediately.

Persons close to the situation question the justification for the expulsion being suspended. They were shown one of the two cell phone videos and felt that the victim was irreparably harmed. In their mind justice was not served. They never met in person with any Corcoran High School staff administrators or AHP. The only contact they had with Corcoran High School was a phone call from one of the administrators. They spoke with the SRO of the Corcoran Joint Unified School District. They never went to any Board meetings because of the fear that the community would find out who the victim was.

The recommendation of expulsion might have been taken lightly by the AHP and the Corcoran School Board because this was the first offense of these students, several of the accused had graduated, and some are now seniors. An accusation of this severity could keep a student from “walking the line” at graduation. It was reported to the Grand Jury that the community itself was outraged that school administrators suspended coaches and students for an incident that had allegedly happened during the last school year which would result in several students not being allowed to “walk the line” and participate in graduation activities.

Persons close to the situation were told that they could appeal the decision to the Board. They felt that it would be pointless as it would be the same Board that decided to overturn the expulsion. The Grand Jury believes that the complainants did not clearly understand the appeals process and were not fully aware that they could appeal to the *Kings County Board of Education* which has oversight over the Corcoran Joint Unified School District Board.

The Grand Jury applauds the actions taken by the Corcoran High School administration. It appears that every effort was made to investigate, suspend, and expel the appropriate staff and students. There remains the question of whether staff and coaches should have known that this incident and possibly others had taken place. Was justice served? That is a question for the citizens of Corcoran to decide.

Methodology

The Corcoran Unified School Student Handbook was studied and can be found at: https://corcoranhs.corcoranunified.com/accnt_277311/site_277316/Documents/Student-Handbook.pdf

The Corcoran Unified School Parent Handbook was studied and can be found at: https://www.corcoranunified.com/accnt_277311/site_292030/Documents/Parent-Handbook.pdf

A signed receipt letter regarding the parent handbook is required of Parents by the Corcoran Unified School District. A copy of this form letter may be found at:
https://www.corcoranunified.com/accnt_277311/site_292030/HandbookReceiptCorcoran2017.pdf

The Corcoran Joint Unified School Boards website was visited.
<https://www.corcoranunified.com/Governing-Board>

Research was conducted online regarding the California Education Code.
State of California Education Code - Corcoran School Board Policy and procedures
<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031096&revid=RiSg8WkGsxkywu8oyljmrA==&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHzTHxaaYMVf6zKpJz3Q==&PG=6&IRP=0&isPndg=false>.

Multiple interviews were conducted with the complainants, persons close to the situation, staff of the school (present and past), administrators, staff of the police department and individuals with knowledge of the events.

Discussion

The Grand Jury investigated the policy and procedures of the Corcoran Joint Unified School District and the California Education Code. The California Education Code states that at the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980) The Corcoran Joint Unified School District accomplishes this regulation by giving every student a Student Handbook and all parents a Parent Handbook at the beginning of each new school year.

The Student Handbook may be found at:
https://corcoranhs.corcoranunified.com/accnt_277311/site_277316/Documents/Student-Handbook.pdf.

The Parent Handbook may be found at:
https://www.corcoranunified.com/accnt_277311/site_292030/Documents/Parent-Handbook.pdf
(Parents in the Corcoran Joint Unified School District are required to sign and return a form letter where they confirm that they have received the Parent Handbook).

A copy of this form letter may be found at:
https://www.corcoranunified.com/accnt_277311/site_292030/HandbookReceiptCorcoran2017.pdf.

The Corcoran Joint Unified School District Board policies and procedures may be found at:
<https://www.corcoranunified.com/Governing-Board>.

The State of California's Education Code requirements (that the Corcoran Unified School District follows) may be found at:

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031096&revid=RiSg8WkGsxkywu8oyljmrA==&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHzTHxaaYMVf6zKpJz3Q==&PG=6&IRP=0&isPndg=false>.

The 2023/2024 Grand Jury was made aware of an alleged incident of sexual assault/hazing that occurred on the Corcoran High School campus during the 2022/2023 school year.

Sexual assault is defined per the Education Code §48900 as “Sexual assault, defined as actual or attempted sexual contact with another person without that person's consent, regardless of the victim's affiliation with the community college, including, but not limited to, any of the following:

- (1) Intentional touching of another person's intimate parts without that person's consent or other intentional sexual contact with another person without that person's consent.
- (2) Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent.
- (3) Rape, which includes penetration, no matter how slight, without the person's consent, of either of the following:
 - (A) The vagina or anus of a person by any body part of another person or by an object.
 - (B) The mouth of a person by a sex organ of another person

The Corcoran High School administration and the SRO became aware of the alleged incident via students and cell phone videos, not by coaches. Policy states that certain steps be followed when an incident such as was reported takes place. School administration investigates, the superintendent is kept informed, any recommendations made by the school in question are heard by the AHP who then makes a recommendation to the School Board. The School Board does have the final decision.

The Corcoran High School administration and the Grand Jury were told that the victim wanted to stay anonymous because of the fear of retaliation and to have the school authorities handle the accusation. School administration investigated by interviewing staff and students in addition to watching the videos. The Corcoran High School administration recommended that the perpetrators be expelled from school. (Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel). (Education Code 48925).

An evaluation of that decision was made by the AHP and their recommendation to the Corcoran School Board was that the expulsion be suspended.

According to Board Policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall consider the following criteria:

- a. The student's pattern of behavior*
- b. The seriousness of the misconduct*
- c. The student's attitude toward the misconduct and willingness to follow a rehabilitation program.*

During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917).

The Corcoran School Board took that recommendation and subsequently the expulsion was suspended. The accused were back in school almost immediately. The parents were told at a later date that they could appeal the decision.

Following are the sections of the California Education Code that apply to this incident. The California Education Code 5144.1: Suspension and Expulsion/Due Process is as follows:

In regard to sexual assault:

Education Code 48900(n) section 13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n)).

In Corcoran High School the discipline for sexual assault would be:

- a. First offense - Suspension following discipline code, based upon severity which may include recommendation to AHP for expulsion, parent contacted, police department notified.
- b. Second offense – Dependent upon severity, may include referral to AHP for possible recommendation for expulsion, parent contacted, police department notified.
- c. Third offense – Automatic expulsion recommendation.

In regard to hazing:

Education Code 48900(q) section 16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q)). Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events (Education Code 48900(q)).

In Corcoran High School the discipline for hazing would be:

- a. First offense - Suspension following site discipline code, dependent upon severity, police department contacted dependent upon severity, parent contacted.
- b. Second offense - Suspension which may include referral to AHP for possible expulsion, police department contacted dependent upon severity, parent conference, discipline dependent upon severity.
- c. Third offense – Automatic expulsion recommendation.

In regard to bullying:

Education Code 48900(r) section 17. Engaged in an act of bullying. Bullying means any severe or pervasive physical or verbal act or conduct, including

communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school (Education Code 48900(r)).

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

In Corcoran High School the discipline for bullying would be:

- a. First offense - Suspension following site discipline code, dependent upon severity, police department contacted dependent upon severity, parent contacted.
- b. Second offense – Suspension which may include referral to AHP for possible expulsion, police department contacted dependent upon severity, parent conference, discipline dependent upon severity.
- c. Third offense – Automatic expulsion recommendation.

For a 12th grade student disciplinary actions have additional consequences. “When a 12th grade student is expelled, this student will lose the privilege of participating in the graduation ceremony. This includes any 12th grade student that is on “suspended expulsion” status for any offense. Corcoran Unified School District must grant a diploma to a student that completes diploma requirements: however, the graduation ceremony is a privilege not an entitlement.”

The Corcoran Unified School District Governing Board consists of a group of elected trustees who work together to create an environment consistent with the district’s mission. The board meets regularly to address school policies, evaluate staff, set educational goals, and ensure our district is managing its finances responsibly. <https://www.corcoranunified.com/Governing-Board>. The school board meets on the 2nd and 4th Wednesday of each month (subject to adjustments due to holidays or special circumstances) in the CUSD boardroom located at 1520 Patterson Corcoran California.

Findings

F1. At the beginning of every school year parents and students are provided with handbooks that lay out the expectations, responsibilities, and rules that apply to a student and the repercussions of their conduct. This gives adequate notification of what is expected of students and parents.

F2. The Corcoran administrator in charge of the original investigation followed the Corcoran Joint Unified School Policy and Procedures.

F3. The Corcoran High School website does have a link/method for students to report incidents of bullying, sexual assault, etc. anonymously.

F4. The complainants were not made aware or did not clearly understand the appeals process. Decisions made by the Local School Board may be appealed to the County Board of Education.

F5. The Administrative Hearing Panel did not follow the school administrator's recommendations regarding this incident.

F6. The School Board did not follow the school administrator's recommendations regarding this incident.

Recommendations

R1. Parents should read and take seriously the Parent Handbook that is provided at the beginning of each school year to know what is expected as well as what resources and recourses are available.

R2. School administrators should continue to be familiar with and follow the Corcoran Joint Unified School Policy and Procedures.

R3. Open communication should be continuous and made a priority between students, parents, and school staff/administration.

R4. Parents should be encouraged to read and understand the parent handbook. Parents should contact the school when questions arise.

R5. The Administrative Hearing Panel should follow the recommendations of the administrators and staff of their schools.

R6. The school board should follow the administrators and staff's recommendations of their schools and not be swayed by the rumblings of the general public.

REQUIRED RESPONSE

Pursuant to Penal Code Section § 933 (c), provided in part: “No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county officer or agency head for which the Grand Jury had responsibility pursuant to Section § 914.1 shall comment within 60 days to the presiding judge of the superior court...”

Corcoran Joint Unified School District Board of Trustees
1520 Patterson Avenue
Corcoran, Ca 93212

Andre Pecina, Superintendent
Corcoran Joint Unified School District
1520 Patterson Avenue
Corcoran, Ca 93212

INVITED RESPONSES

Kings County Board of Education
c/o Todd Barlow, Superintendent
1144 West Lacey Boulevard
Hanford, Ca 93230

SEND FINAL REPORT RESPONSES TO:

Original to:
Judge Jennifer Giuliani, Presiding Judge
Kings County Superior Court
1640 Kings Court Drive
Hanford, CA 93230

Copy to:
Kings County Civil Grand Jury
P O Box #1562
Hanford, CA 93230

Appendix A

Corcoran Unified School District Parent Handbook 2023/2024: Student Behavior and Conduct

The Board and staff of our school district believe that all pupils are accountable for their behavior and conduct while attending school and school sponsored activities. This accountability extends to any actions of pupils at any time, which are related to school activities or school attendance. Pupils are obligated to follow the directions of their teachers and other members of the school staff. Failure on the part of a pupil to follow school and district rules or the specific directions of a member of the school staff can result in disciplinary action.

Mandatory recommendation for expulsion:

A student who commits any of the following offenses while under the school's jurisdiction shall be recommended for expulsion: Possession of knife, gun, explosive devices, weapons, drugs or alcohol, committing sexual assault, causing serious injury, robbery/extortion, or assault or battery upon any school official.

Suspensions

If it becomes necessary to suspend your child, you have the following rights and obligations:

1. Parents are to respond to the principal's request to attend a conference concerning the suspension without delay.
2. Whenever a student is suspended from class the teacher of that class may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee.
3. Parents and pupils have the right to inspect the school's records concerning the suspension.
4. Parents and pupils have the right to request a meeting with the superintendent or his designee if they question the appropriateness of the suspension. This request may be made after first conferring with the principal.
5. Pupils are to be allowed to complete all assignments and tests missed during the suspension that can be reasonably provided, and that the suspended pupil receive full credit for satisfactory work.

The district's procedures and each school's rules concerning pupil conduct and disciplinary actions are available for your inspection in the office where your child attends.

GROUND FORS SUSPENSION AND EXPULSION

E.C. 48900 General

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (t), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.

- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. 32
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
(3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
(4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil’s physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.

(D) Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image.

(ii) A post on a social network internet website, including, but not limited to:

(I) Posting to or creating a burn page. “Burn page” means an internet website created for the purpose of having one or more of the effects listed in paragraph (1). 33

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) (I) An act of cyber sexual bullying.

(II) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- (III) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

SEXUAL HARASSMENT

Students

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or

at school-sponsored or school-related activities. The Board also retaliatory behavior or action against any person who files a complaint, testifies, or otherwise participates in the district complaint process.

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

1. What act and behavior constitutes sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence's.
2. A clear message that the students do not have to endure sexual harassment.
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as Applicable Corcoran Joint Unified School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact a school site, district administrator, or the Title IX Coordinator:

Helen

Copeland at (559) 992-8888 x1248 or by email at helencopeland@corcoranunified.com.

Complaint forms are available in each school office and at the District Office. (EC §231.5)

30 Prohibited sexual harassment includes, but not limited to, unwelcome sexual advances, unwanted request for sexual favors, or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite sex in the education setting, when made on the basis of sex and under any of the following conditions: (EC 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile or offensive educational or work environment.
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtation, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexual descriptions.
3. Graphic verbal comments about an individual's body or overly personal conversation.

4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures,
or computer-generated images of a sexual nature
 5. Spreading sexual rumors
 6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
 7. Messaging, grabbing, fondling, stroking, or brushing the body
 8. Touching an individual's body or clothes in a sexual way
 9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
 10. Displaying sexually suggestive objects
 11. Sexual assault, sexual battery, or sexual coercion
- Restrictions on freedom of students' dress will be imposed whenever the mode of dress is in question.