

Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 09/10/2014 | **Last Revised Date:** 01/17/2018

The Board of Education is committed to providing equal opportunity for all individuals in education. District 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, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, 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.

(cf. 1240 - Volunteer Assistance)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials

distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The district'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.

Access for Individuals with Disabilities

District 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. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district 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, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Superintendent

P.O. Box 1227

Weaverville, CA. 96093

(530) 623-6104 Ext. 252

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 4600-4670

Description

Uniform complaint procedures

5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51007	Legislative intent: state policy
Gov. Code 11000	Definitions
Gov. Code 11135	Nondiscrimination; accessibility to state web sites - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKALOEtfQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 54953.2	Brown Act compliance with Americans with Disabilities Act
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes, harassment

Federal References

- 20 USC 1400-1482
- 20 USC 1681-1688
- 20 USC 2301-2414
- 20 USC 6311
- 20 USC 6312
- 28 CFR 35.101-35.190
- 28 CFR 36.303
- 29 USC 794
- 34 CFR 100.1-100.13
- 34 CFR 104.1-104.39
- 34 CFR 106.1-106.61
- 34 CFR 106.9
- 42 USC 12101-12213
- 42 USC 2000d-2000d-7
- 42 USC 2000e-2000e-17

Description

- Individuals with Disabilities Education Act
- Title IX of the Education Amendments of 1972; discrimination based on sex
- Strengthening Career and Technical Education for the 21st Century Act
- State plan
- Local educational agency plan
- Americans with Disabilities Act
- Nondiscrimination on the basis of disability, public accommodations, auxiliary aids and services
- Rehabilitation Act of 1973; Section 504
- Nondiscrimination in federal programs, effectuating Title VI
- Section 504 of the Rehabilitation Act of 1973
- Discrimination on the basis of sex, effectuating Title IX
- Severability
- Americans with Disabilities Act
- Title VI, Civil Rights Act of 1964
- Title VII, Civil Rights Act of 1964, as amended

Management Resources References

- CA Dept of Fair Employment and Housing Publication
- CA Office of the Attorney General Publication
- CSBA Publication
- U.S. Department of Justice Publication
- U.S. Department of Justice Publication
- U.S. DOE, Office for Civil Rights Publication

Description

- California Law Prohibits Workplace Discrimination and Harassment
- Promoting a Safe and Secure Learning Environment for All
- Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017
- Accessibility of State and Local Government Websites to People with Disabilities, June 2003
- 2010 ADA Standards for Accessible Design, September 2010
- Dear Colleague Letter, May 26, 2011

U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Electronic Book Readers, June 29, 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
U.S. DOE, Office for Civil Rights Publication	Nondiscrimination in Employment Practices in Education, August 1991
U.S. DOE, Office for Civil Rights Publication	Notice of Non-Discrimination, Fact Sheet, August 2010
Website	World Wide Web Consortium, Web Accessibility Initiative - https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==
Website	Pacific ADA Center - https://simbli.eboardsolutions.com/SU/uYZsxl72Raxf0FvsX5djWQ==
Website	U.S. Department of Justice, Civil Rights Division, Disability Rights Section - https://simbli.eboardsolutions.com/SU/9sZBTK5qxS65pFYo7h6ktA==
Website	California Office of the Attorney General - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	California Safe Schools Coalition - https://simbli.eboardsolutions.com/SU/WemZSI34fz0YvWHUM4trDg==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	California Department of Fair Employment and Housing - https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==
Website	U.S. Equal Employment Opportunity Commission - https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, December 2008

Cross References

Description

0100	Philosophy - https://simbli.eboardsolutions.com/SU/flplusiSPx89vKZUiUBDgKTKQ==
0415	Equity - https://simbli.eboardsolutions.com/SU/3Oc3oEKVUjVgi96Y6nGwdA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/jTPx5bWZGGrtK5VTxf8E6w==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/hkUARwDIISUR80gl9WXRbQ==
1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/qTTL8XGpg8jhWaVfdS5JYw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/3jdbCCyvErEZ7fSrH0RpxQ==
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1230	School-Connected Organizations - https://simbli.eboardsolutions.com/SU/THJou3gsvyW58prTItDGhw==
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1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/KJohf2UXA0ZwjGekz9EbyQ==
1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/tpz5Qplus9gxmOG4d67u53GzQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/SADjVeaolFq6G6NpHgpluvPA==
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1325	Advertising And Promotion - https://simbli.eboardsolutions.com/SU/UFcbhilgFZDYdXPmLjZakw==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/1cpyB5aY8Vq3PA9pxAsK6g==
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3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/aCXslshOT3loHpUktaXmRA9uw==
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3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/Taq3l7HslshOidlvBs1mYuqfw==
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3311	Bids - https://simbli.eboardsolutions.com/SU/6ZmhZLJcxSVuiepcnatuQ==
3311	Bids - https://simbli.eboardsolutions.com/SU/vU79329aslshVyJ3eSIMY0oeA==
3530	Risk Management/Insurance - https://simbli.eboardsolutions.com/SU/3cQC9P5jfX6AJCwX5oUOIA==
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3540	Transportation - https://simbli.eboardsolutions.com/SU/h9SBEUMfcrao1T9sCfSKJA==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/WBdjNlqgugDKHWtgJzesZg==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/xlloNsb2YnqNeY1v5ZQ1SA==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/Of7VXkMptrOYblgYslshbXDqg==
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3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/ZkSz2a1IBPTWVUT9kRFoBg==
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3600	Consultants - https://simbli.eboardsolutions.com/SU/brwnSZR1rNKuhzXslshnZAzxg==
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4033	Lactation Accommodation - https://simbli.eboardsolutions.com/SU/4Vx424Vj0JBTJxEaA6YGLQ==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Gmysf9uPxe2tGxXUi8YVfQ==
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4111	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/mxOyg9RqQIm3Mx5QVyP2AA==
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4119.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/GwMyoTslsh2PVK6mNQ451Q5tg==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/9I5Z1M4ugzIqEplusyxpcslshQdQ==
4144	Complaints - https://simbli.eboardsolutions.com/SU/AfiCjNEkQoO725rI9wWRLA==
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4211	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/7o0slshzOINafBgTW3n2DFDPQ==
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5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/LKoYDLuqMbsks7Wltauu7g==
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5131.2	Bullying - https://simbli.eboardsolutions.com/SU/rGao3UWwzKtZwslshNCFGjUlG==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/PbMGGFvhDqbn6QtiGsJY2Q==
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5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/yF3XP40GscUR2qdhjM2wyQ==

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5146	Married/Pregnant/Parenting Students - https://simbli.eboardsolutions.com/SU/7CRmBawMSG6fkr7ka2biQ==
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5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/gVFBm4VC1GYuqplusdNLR7JplusA==
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6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/luUgRRD4PD5slshf2YchLUS5Q==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/EhiBFqH6TaEMslsh9vCqEQGbw==
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6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/FtQk3Y5jyK1ixs9nQtPY0Q==
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6141.2	Recognition Of Religious Beliefs And Customs - https://simbli.eboardsolutions.com/SU/YwO5ktWM3sinuRUwOd5oCA==
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6141.5	Advanced Placement - https://simbli.eboardsolutions.com/SU/XBilKbADWi1RplusxNIVnslsh40Q==
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6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/sMiuMLZuPANaMfSQn4dICA==
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6142.3	Civic Education - https://simbli.eboardsolutions.com/SU/yWbslshs33f7q8NgIpneY7zaA==
6142.5	Environmental Education - https://simbli.eboardsolutions.com/SU/fO9YKSyAhys70quZJ0dNxxw==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/lslshZLxWlpnuB9nrIXGtAh3Q==

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6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/eZ5pAsLk2ra3po0VrD1v1Q==
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6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/2u3ixadRkbGmoUplusv4MFHzg==
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6158	Independent Study - https://simbli.eboardsolutions.com/SU/fNyd8rUyDYmoYL36OTxa3w==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/HmnKYnOLBxOmOceeBpa7AQ==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/R3hkQFBHWEr4ZDslshF9Paplusnw==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/9r7Q7ZWM3PeGoBpluscslshd2Olq==
6163.2	Animals At School - https://simbli.eboardsolutions.com/SU/tnrANNyOQbWh3gpJWYyervA==
6163.2	Animals At School - https://simbli.eboardsolutions.com/SU/9xjBhvMajXDShISMqj1hnw==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/2zI3wKAtF8JXrw8UgIX4ZQ==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/MeAe9tsUklvIEsMeDhQXkg==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/PMY69hmsoDEYgtNGlplusslshg==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/iMh3UnMjg5lE0nwyS85mZw==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/YpsOKQjKuzF68i8RVMCuzA==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/NbeFuu1hi31cciM0XgplusedEA==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/rm422mD48yvAE81qEnSqaw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/FzTLs3QbvqItOx5zyT5Tfw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/V2slsh7vdxuOZuwtpusKcYdQieQ==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/5vgrdDSM92qacnZLiy8kqw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/6uFU49WXzYJ8mZ8h18cAaw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/f8IMC8uM70t1jmUxLXChaA==

6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/2hPaXDxRKF77BOge0waXdQ==
6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/YjEeVACuCRCV3db7QNluOA==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/plusLpxrt5egOE4ZGyHE6pWsA==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/plus21CPs0ASjyQjekxmFJZCg==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/rKDXVCcUINbiGz5oX5hAHA==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/49mOF7GuMNqb6OuDvdoufw==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/Hv4n2fdUPLWKEzDqmEqy9g==
7111	Evaluating Existing Buildings - https://simbli.eboardsolutions.com/SU/NjUeYMRhqkENFYO1mjKrQ==
7310	Naming Of Facility - https://simbli.eboardsolutions.com/SU/slshhY5sBspXslshYxbgyDGdhplusFQ==
9220	Governing Board Elections - https://simbli.eboardsolutions.com/SU/t1GloRRutWslsh1J4GXUCqslshmw==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/xcoWLW8i6N0YxSpLosgQkQ==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/lq10plusqOkyyYQjDKBplusLplus8sQ==