

BOARD POLICY

Placentia-Yorba Linda Unified School District

Philosophy/Goals/Objectives

0410 - BP

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Education is committed to providing equal opportunity for all individuals in district programs and activities. 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, ethnicity, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, genetic information, or immigration status; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

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

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, including the use of facilities. 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.

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.

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 the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups. 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 website and, when available, district-supported social media.

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

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 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.

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 unless such provision would result in a fundamental alteration in the nature of a service, program, or activity or would result in undue administrative or financial burdens. 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 websites, note takers, 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 the school-sponsored function, program, or meeting.

The individual (s) responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws are:

- 1.) Employee complaints
 - Assistant Superintendent, Human Resources (714) 985-8408
- 2.) Title IX Sexual Harassment and any other discrimination complaints
 - Executive Director, Educational Services, Title IX Coordinator (714) 985-8656
- 3.) Americans with Disabilities Act complaints
 - Executive Director, Instructional Support (714) 985-8727
- 4.) Bullying, intimidation complaints
 - Administrator, Student Services (714) 985-8671

LEGAL REFERENCE:

<u>Education Code</u>	200-262.4 48980 48985 51007	Prohibition of discrimination Parental notification Notices to parents in language other than English Legislative intent: state policy
<u>Government Code</u>	8310.3 11000 11135 12900-12996 54953.2	California Religious Freedom Act Definitions Nondiscrimination in programs or activities funded by state Fair Employment and Housing Act Brown Act compliance with Americans with Disabilities Act
<u>Penal Code</u>	422.55	Definition of hate crime

<u>Code of Regulations, Title 5</u>	422.6 4600-4687 4900-4965	Interference with constitutional right or privilege Uniform complaint procedures Nondiscrimination in elementary and secondary education programs
<u>United States Code, Title 20</u>	1400–1482 1681–1688 2301-2414 6311 6312	Individuals with Disabilities in Education Act Discrimination based on sex or blindness, Title IX Strengthening Career and Technical Education for the 21 st Century Act State plans Local education agency plans
<u>United States Code, Title 29</u>	794	Section 504 of the Vocational Rehabilitation Act of 1973
<u>United States Code, Title 42</u>	2000d-2000d-7 2000e-2000e-17 2000h-2000h-6 12101-12213	Title VI, Civil Rights Act of 1964 Title VII, Civil Rights Act of 1964, as amended Title IX Americans with Disabilities Act
<u>Code of Federal Regulations, Title 28</u>	35.101-35.190 36.303	Americans with Disabilities Act Auxiliary aids and services
<u>Code of Federal Regulations, Title 34</u>	100.1-100.13 104.1-104.39 106.1-106.61 106.9	Nondiscrimination In federal programs, effectuating Title VI Section 504 of the Rehabilitation Act of 1973 Discrimination on the basis of sex, effectuating Title IX, especially: Dissemination of policy

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