

Arcadia USD

Board Policy

Nondiscrimination in District Programs and Activities

BP 0410

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board is committed to creating an atmosphere of mutual respect and an equal educational opportunity for all individuals. District programs and activities shall be free from discrimination based on race, color, religion, ancestry, national origin, ethnic group identification, age, marital or parental status, physical or mental disability, sexual orientation, sex and gender (including gender identity, gender expression, gender transition, transgender status, and nonconformity with sex stereotypes), or genetic information; 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; or any other unlawful consideration.

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4032 – Reasonable Accommodation)

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

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(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 – Vocational Education)

(cf. 6200 – Adult Education)

The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

Promotion of non-discriminatory practices shall include consideration of access to programs and facilities for individuals with disabilities. District program and facilities, viewed in their entirety, shall be readily accessible to and usable by individuals with disabilities. The Superintendent or designee shall ensure that interested persons, including those with impaired vision and hearing, can obtain information about the programs, facilities and activities available to them. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. With reasonable notification given prior to the school-sponsored function, program or meeting, the district shall make every effort to provide the requested assistance or services.

As required by law, 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, application form or other recruitment materials distributed to these groups.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand, and when required by law, in a language other than English.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services where necessary and appropriate to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 – Complaints Concerning Discrimination in Employment)
(cf. 4112.9/4219.9/4312.9 – Employee Notifications)
(cf. 5145.6 – Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48985 Notices to parents in language other than English
51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions
11135 Nondiscrimination in programs or activities funded by state
11138 Rules and regulations
12900-12996 Fair Employment and Housing Act
54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act
1681-1688 Discrimination based on sex or blindness, Title IX
2301-2415 Carl D. Perkins Vocational and Applied Technology Act
6311 State plans
6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000c Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000c et seq.

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2000h-6 Title IX
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:
106.9 Dissemination of policy

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, January 1999
Protecting Students from Harassment and Hate Crime, January 1999
Nondiscrimination in Employment Practices in Education, August 1991

WEB SITES

California Department of Education: <http://www.cde.ca.gov>
Safe Schools Coalition: <http://www.casafeschoolscoalition.org>
Pacific ADA Center: <http://www.adapacific.org>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>