

## **Philosophy, Goals, Objectives and Comprehensive Plans**

### **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, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender 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. 5145.9 - Hate-Motivated Behavior)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6145 - Extracurricular (Including Interscholastic Athletics) 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)

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.

- (cf. 3540 - Transportation)
- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 5145.13 - Response to Immigration Enforcement)

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

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

The Superintendent or designee shall annually review District programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barriers that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. The Superintendent or designee 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 applicable complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.12 - Title IX Sexual Harassment Complaint Procedures)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Pursuant to Code of Federal Regulations, title 34, sections 104.8 and 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 the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the District. The notification shall also be posted on the District's web site and social media and in District schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(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)

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 (Ed. Code § 234.7).

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

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 designee 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)

**Legal Compliance Specialist**

The following position/individual is responsible for ensuring the District is in compliance with state and federal civil rights laws; coordinating the District's response to complaints alleging unlawful harassment and discrimination; and acting as the District's ADA coordinator.

Kanitra Lopez  
Legal Compliance Specialist/Title IX Coordinator  
Human Resources Department  
9510 Elk Grove-Florin Road  
Elk Grove, CA 95624  
T: (916) 686-7795  
E: [legalcompliance@egusd.net](mailto:legalcompliance@egusd.net)

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

Legal Reference:

**EDUCATION CODE**

200-262.4 Prohibition of discrimination  
48980 Parental notifications  
48985 Notices to parents in language other than English  
51007 Legislative intent: state policy

**GOVERNMENT CODE**

8310.3 California Religious Freedom Act  
11000 Definitions  
11135 Nondiscrimination in programs or activities funded by state  
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- 4670 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1400-1482 Individuals with Disabilities in Education Act  
1681-1688 Discrimination based on sex or blindness, Title IX  
2301-2414 Strengthening Career Technical Education for the 21st Century 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**

2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

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:

**CSBA PUBLICATIONS**

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

**CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS**

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS**

California Law Prohibits Workplace Discrimination and Harassment

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016  
Dear Colleague Letter: Title IX Coordinators, April 2015  
Dear Colleague Letter, May 26, 2011  
Dear Colleague Letter: Harassment and Bullying, October 2010  
Notice of Non-Discrimination, Fact Sheet, August 2010  
Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Nondiscrimination in Employment Practices in Education, August 1991

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

**U.S. DEPARTMENT OF JUSTICE PUBLICATIONS**

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

**WORLD WIDE WEB CONSORTIUM PUBLICATIONS**

Web Content Accessibility Guidelines, December 2008

**WEB SITES**

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.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>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act:

<http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy

adopted: August 16, 2016

revised: May 21, 2019

revised: December 15, 2020

**ELK GROVE UNIFIED SCHOOL DISTRICT**

**Elk Grove, California**