

## **BOARD POLICY**

Placentia-Yorba Linda Unified School District

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Philosophy/Goals/Objectives

0410 - BP

### **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

The Board of Education is committed to providing equal opportunity for all persons in public education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, 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. 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, 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.

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. 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.

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.

Complaints alleging unlawful discrimination in district programs and activities shall be processed by the District in accordance with the District's Uniform Complaint Procedure set forth in AR 1312.3.

The individual (s) identified in AR 1312.3-Uniform Complaint Procedures as the employee (s) responsible for coordinating the district's response to complaints are:

- 1.) Employee complaints
  - Assistant Superintendent, Personnel (714)985-8406
- 2.) Title IX Sexual Harassment and any other discrimination complaints
  - Director, Educational Services (714)985-8656
- 3.) Americans with Disabilities Act complaints
  - Director, Executive Services (714)985-8727
- 4.) Bullying, intimidation complaints
  - Administrator, Student Services (714)985-8671

The above noted individuals 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.

#### LEGAL REFERENCE:

<u>Education Code</u>	200-262.4 48985  51007	Prohibition of discrimination Notices to parents in language other than English Legislative intent: state policy
<u>Government Code</u>	11000 11135  11138 12900-12996 54953.2	Definitions Nondiscrimination in programs or activities funded by state Rules and regulations Fair Employment and Housing Act Brown Act compliance with Americans with Disabilities Act
<u>Penal Code</u>	422.55 422.6	Definition of hate crime Interference with constitutional right or privilege
<u>Code of Regulations, Title 5</u>	4600-4687  4900-4965	Uniform complaint procedures  Nondiscrimination in elementary and secondary education programs
<u>United States Code, Title 20</u>	1400-1482  1681-1688	Individuals with Disabilities in Education Act  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
<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	Title VI, Civil Rights Act of 1964
	2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
	2000h-2000h-6 12101-12213	Title IX Americans with Disabilities Act
	35.101-35.190 36.303	Americans with Disabilities Act Auxiliary aids and services
<u>Code of Federal Regulations, Title 28</u>	100.1-100.13	Nondiscrimination In federal programs, effectuating Title VI
<u>Code of Federal Regulations, Title 34</u>	104.1-104.39 et seq. 106.1-106.61	Section 504 of the Rehabilitation Act of 1973 Discrimination on the basis of sex, effectuating Title IX, especially:
	106.9	Dissemination of policy

Policy adopted: 8/24/04  
Policy revised: 2/7/17