



Chico Unified School District

1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

Board Policy:

#0410

Section: 0000

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NONDISCRIMINATION IN DISTRICT PROGRAMS, ACTIVITIES, AND CLUBS

The Board of Education is committed to providing equal opportunity for all individuals in district programs, activities, and student clubs.

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Board and the Superintendent in enacting policies and procedures that govern the district. (Education Code 234.1)

District programs, activities, student clubs, and practices shall be free from unlawful discrimination against an individual or group based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; religious creed; age; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; reproductive health decision-making; breastfeeding or related medical conditions; parental, marital, and family status; and veteran or military status; 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. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12920, 12926, 12940; 20 USC 1681-1688, 29 USC 621, 42 USC 2000d-2000d-7, 2000e-2)

All student clubs shall have equal access to District facilities to conduct a meeting and a fair opportunity to meet. (5 CCR section 4927.)

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 any of the categories identified above.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

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

Derogatory Native American terms, including Apaches, Big Reds, Braves, Chiefs, Chieftains, Chippewa, Comanches, Indians, Redskins, Savages, Squaw, and Tribe, shall not be used for any school or athletic team name, mascot, or nickname, unless permitted in accordance with Education Code 221.3.



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The Superintendent or designee shall work to ensure district policies, procedures, programs, activities, and student clubs do not utilize derogatory or discriminatory names, images, 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.

All complaints alleging unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, for students, and Administrative Regulation 4030 – Nondiscrimination in Employment, for employees.

Pursuant to 34 CFR 104.8 and 34 CFR 106.8, 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 annual parental notification distributed in accordance with Board Policy 5145.6 – Parent/Guardian Notifications 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.

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

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. (Education Code 48985; 20 USC 6312)

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.

The Superintendent or designee shall ensure that the district's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of district services, programs, or activities. 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.

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. The compliance officer 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.

Kristine Keene

Policy Adopted: 07/18/07; 06/20/12; 08/20/14; 05/03/17; 03/06/19; 11/20/19; 04/03/24; 10/02/24; 08/19/26



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Assistant Superintendent, Educational Services

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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	Description
5 CCR 4600-4670	<i>Uniform complaint procedures</i>
5 CCR 4900-4965	<i>Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance</i>
Ed. Code 200-262.4	<u><i>Prohibition of discrimination</i></u>
Ed. Code 48980	<u><i>Parent/Guardian notifications</i></u>
Ed. Code 48985	<u><i>Notices to parents in language other than English</i></u>
Ed. Code 51007	<u><i>Legislative intent: state policy</i></u>
Ed. Code 51204.5	<u><i>Social sciences instruction; contributions of specified groups</i></u>
Ed. Code 51501	<u><i>Nondiscriminatory subject matter</i></u>
Ed. Code 60010	<u><i>Instructional materials; definition</i></u>
Ed. Code 60040-60052	<u><i>Requirements for instructional materials</i></u>
Gov. Code 11000	<u><i>Definitions</i></u>
Gov. Code 11135	<u><i>Prohibition of discrimination</i></u>
Gov. Code 12900-12996	<u><i>Fair Employment and Housing Act</i></u>
Gov. Code 54953	<i>Meetings; Americans with Disabilities Act accessibility</i>
Gov. Code 54953.2	<u><i>Brown Act compliance with Americans with Disabilities Act</i></u>
Gov. Code 8310.3	<u><i>California Religious Freedom Act</i></u>
Pen. Code 422.55	<u><i>Definition of hate crime</i></u>
Pen. Code 422.6	<u><i>Crimes; harassment</i></u>
Federal	Description
20 USC 1400-1482	<i>Individuals with Disabilities Education Act</i>
20 USC 1681-1688	<i>Title IX of the Education Amendments of 1972; discrimination based on sex</i>



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Federal	Description
20 USC 2301-2414	<u>Strengthening Career and Technical Education for the 21st Century Act</u>
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources	Description
CA Civil Rights Department Publication	<u>California Law Prohibits Workplace Discrimination and Harassment</u>
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 21-017R, December 2021
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 23-004, February 2023
CA Office of the Attorney General Publication	<u>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</u>
CSBA Publication	Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023
CSBA Publication	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<u>Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Supporting Transgender Youth in School, June 2021</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</u>
U.S. DOE, Office for Civil Rights Publication	<u>Nondiscrimination in Employment Practices in Education, August 1991</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Race and School Programming, August 2023</u>

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Management Resources

Description

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. DOJ, Civil Rights Division Publication

[Guidance on Web Accessibility and the ADA, March 2022](#)

U.S. DOJ, Civil Rights Division Publication

[Accessibility of State and Local Government Websites to People with Disabilities, February 2020](#)

U.S. DOJ, Civil Rights Division Publication

[2010 ADA Standards for Accessible Design, September 2010](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Office of the Attorney General](#)

Website

[World Wide Web Consortium, Web Accessibility Initiative](#)

Website

[Pacific ADA Center](#)

Website

[U.S. Department of Justice, Civil Rights Division, Disability Rights Section](#)

Website

[California Safe Schools Coalition](#)

Website

[CSBA](#)

Website

[California Department of Education](#)

Website

[California Civil Rights Department](#)

Website

[U.S. Equal Employment Opportunity Commission](#)

Website

[U.S. Department of Education, Office for Civil Rights](#)

Website

[California Department of Health Care Services](#)

World Wide Web Consortium Publication

[Web Content Accessibility Guidelines, December 2008](#)

Cross References

Code

Description

0100

Philosophy

0415

Equity

0450

Comprehensive Safety Plan

0470

COVID-19 Mitigation Plan

1100

Communication With The Public

1113

District And School Websites

1114

District-Sponsored Social Media

1230

School-Connected Organizations



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1240	<i>Volunteer Assistance</i>
1260	<i>Educational Foundation</i>
1312.2	<i>Complaints Concerning Instructional Materials</i>
1312.3	<i>Uniform Complaint Procedures</i>
1312.4	<i>Williams Uniform Complaint Procedures</i>
1325	<i>Advertising And Promotion</i>
1330	<i>Use Of School Facilities</i>
3260	<i>Fees And Charges</i>
3270	<i>Sale And Disposal Of Books, Equipment And Supplies</i>
3311	<i>Bids</i>
3515.3	<i>District Police/Security Department</i>
3515.31	<i>School Resource Officers</i>
3530	<i>Risk Management/Insurance</i>
3540	<i>Transportation</i>
3541.2	<i>Transportation For Students With Disabilities</i>
3551	<i>Food Service Operations/Cafeteria Fund</i>
3552	<i>Summer Meal Program</i>
3553	<i>Free And Reduced Price Meals</i>
3555	<i>Nutrition Program Compliance</i>
3600	<i>Consultants</i>
4030	<i>Nondiscrimination In Employment</i>
4032	<i>Reasonable Accommodation</i>
4033	<i>Lactation Accommodation</i>
4040	<i>Employee Use Of Technology</i>
4111	<i>Recruitment And Selection</i>
4111.2	<i>Legal Status Requirement</i>
4119.11	<i>Sexual Harassment</i>
4119.21	<i>Professional Standards</i>
4119.22	<i>Dress And Grooming</i>
4131	<i>Staff Development</i>
4144	<i>Complaints</i>



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4161.8	<i>Family Care And Medical Leave</i>
4211	<i>Recruitment And Selection</i>
4211.2	<i>Legal Status Requirement</i>
4212.9	<i>Employee Notifications</i>
4219.11	<i>Sexual Harassment</i>
4219.21	<i>Professional Standards</i>
4219.22	<i>Dress And Grooming</i>
4244	<i>Complaints</i>
4261.8	<i>Family Care And Medical Leave</i>
4311	<i>Recruitment And Selection</i>
4311.2	<i>Legal Status Requirement</i>
4312.9	<i>Employee Notifications</i>
4319.11	<i>Sexual Harassment</i>
4319.21	<i>Professional Standards</i>
4319.22	<i>Dress And Grooming</i>
4331	<i>Staff Development</i>
4344	<i>Complaints</i>
4361.8	<i>Family Care And Medical Leave</i>
5113.1	<i>Chronic Absence And Truancy</i>
5116.2	<i>Involuntary Student Transfers</i>
5126	<i>Awards For Achievement</i>
5131.2	<i>Bullying</i>
5141.22	<i>Infectious Diseases</i>
5141.6	<i>School Health Services</i>
5145.12	<i>Search And Seizure</i>
5145.13	<i>Response To Immigration Enforcement</i>
5145.3	<i>Nondiscrimination/Harassment</i>
5145.6	<i>Parent/Guardian Notifications</i>
5145.7	<i>Sexual Harassment</i>
5145.71	<i>Title IX Sexual Harassment Complaint Procedures</i>
5145.9	<i>Hate-Motivated Behavior</i>



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5146	<i>Married/Pregnant/Parenting Students</i>
5148	<i>Child Care And Development</i>
5148.2	<i>Before/After School Programs</i>
6000	<i>Concepts And Roles</i>
6020	<i>Parent Involvement</i>
6141	<i>Curriculum Development And Evaluation</i>
6141.2	<i>Recognition Of Religious Beliefs And Customs</i>
6141.4	<i>International Baccalaureate Program</i>
6141.5	<i>Advanced Placement</i>
6142.1	<i>Sexual Health And HIV/AIDS Prevention Instruction</i>
6142.3	<i>Civic Education</i>
6142.5	<i>Environmental Education</i>
6142.7	<i>Physical Education And Activity</i>
6143	<i>Courses Of Study</i>
6144	<i>Controversial Issues</i>
6145	<i>Extracurricular And Cocurricular Activities</i>
6145.2	<i>Athletic Competition</i>
6152.1	<i>Placement In Mathematics Courses</i>
6158	<i>Independent Study</i>
6161.1	<i>Selection And Evaluation Of Instructional Materials</i>
6161.11	<i>Supplementary Instructional Materials</i>
6162.5	<i>Student Assessment</i>
6163.1	<i>Library Media Centers</i>
6163.2	<i>Animals At School</i>
6164.2	<i>Guidance/Counseling Services</i>
6164.4	<i>Identification And Evaluation Of Individuals For Special Education</i>
6164.6	<i>Identification And Education Under Section 504</i>
6172	<i>Gifted And Talented Student Program</i>
6173	<i>Education For Homeless Children</i>
6173.1	<i>Education For Foster Youth</i>
6173.4	<i>Education For American Indian Students</i>



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6175	<i>Migrant Education Program</i>
6178	<i>Career Technical Education</i>
6181	<i>Alternative Schools/Programs Of Choice</i>
6184	<i>Continuation Education</i>
6200	<i>Adult Education</i>
7110	<i>Facilities Master Plan</i>
7111	<i>Evaluating Existing Buildings</i>
7310	<i>Naming Of Facility</i>
9150	<i>Student Board Members</i>
9220	<i>Governing Board Elections</i>
9320	<i>Meetings And Notices</i>
9322	<i>Agenda/Meeting Materials</i>