

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Board of Trustees and the Superintendent in enacting policies and procedures that govern the District.

The Board of Trustees is committed to providing equal opportunity for all individuals in education. 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; age; religion; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; reproductive health decision-making; physical or mental disability; medical condition; sex, sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; veteran or military status; 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.

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.

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

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

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

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 barrier 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 the findings and recommendations to the Board after each review.

Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in District programs and activities shall be brought, investigated, and resolved in accordance with the procedures specified in Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures for students, and Administrative Regulation 4030 – Nondiscrimination in Employment, for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

Pursuant to 34 CFR 104.8 and 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 each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. 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 District Policy Manual CSBA Policy Management Console Policy Reference Disclaimer: 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. (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

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

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, program, 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 websites, 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 Administrative Regulation (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.

Assistant Superintendent, Instruction and Support Services
 Beaumont Unified School District
 350 W. Brookside Avenue
 Beaumont, CA 92223
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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

5 CCR 4600-4670
 5 CCR 4900-4965

Ed. Code 200-262.4

DESCRIPTION

Uniform complaint procedures
 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
 Prohibition of discrimination Ed. Code 48980 Parent/Guardian notifications

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Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51007	Legislative intent; state policy
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Gov. Code 11000	Definitions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 54953	Meetings; Americans with Disabilities Act accessibility
Gov. Code 54953.2	Brown Act compliance with Americans with Disabilities Act
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment

FEDERAL

20 USC 1400-1482	DESCRIPTION Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
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

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

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

CA Civil Rights Department Publication

CA Department of Health Care Services Publication

CA Department of Health Care Services Publication

CA Office of the Attorney General Publication

CA Office of the Attorney General Publication

CSBA Publication

CSBA Publication

CSBA Publication

DESCRIPTION

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964,
as amendedCalifornia Law Prohibits Workplace
Discrimination and HarassmentPolicy and Procedures Letter No. 21-
017R, December 2021Policy and Procedures Letter No. 23-
004, February 2023Promoting 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 2018Guidance to School Officials re:
Legal Requirements for Providing
Inclusive Curricula and Books,
January 2024Instructional Materials Adoptions:
State and local governing board
processes, roles, and responsibilities,
February 2024Fact Sheet: Instructional Materials
Adoption: Local governing board
responsibilities, February 2024Reference: State Roles,
Responsibilities, and Process for
Instructional Materials Adoption,
February 2024

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MANAGEMENT RESOURCES (continued)

CSBA Publication

DESCRIPTION

Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023

CSBA Publication

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

Federal Register

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896

U.S. DOE

Publication Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023

U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024

U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023

U.S. DOE & U.S. DOJ Civil Rights Divisions Publication

Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

U.S. DOE, Office for Civil Rights Publication

Supporting Transgender Youth in School, June 2021

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MANAGEMENT RESOURCES (continued)

U.S. DOE, Office for Civil Rights Publication

DESCRIPTION

Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011

U.S. DOE, Office for Civil Rights Publication

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Race and School Programming, August 2023

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. DOE, Office for Civil Rights Publication

Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments, April 2024

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

World Wide Web Consortium Publication

Web Content Accessibility Guidelines, September 2023

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

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	DESCRIPTION
Website	Pacific ADA Center
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
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

CROSS REFERENCES-CODES

	DESCRIPTION
0100	Philosophy
0415	Equity
0450	Comprehensive Safety Plan
1100	Communication With The Public
1113	District And School Websites
1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
1230	School-Connected Organizations
1240	Volunteer Assistance
1260	Educational Foundation
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures

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CROSS REFERENCES-CODES (continued)	DESCRIPTION
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1330	Use Of School Facilities
3260	Fees And Charges
3270	Sale And Disposal Of Books, Equipment And Supplies
3311	Bids
3515.3	District Police/Security Department
3515.31	School Resource Officers
3530	Risk Management/Insurance
3540	Transportation
3541.2	Transportation For Students With Disabilities
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
3600	Consultants
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4033	Lactation Accommodation
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4111	Recruitment And Selection
4111.2	Legal Status Requirement
4119.11	Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.22	Dress And Grooming
4131	Staff Development
4144	Complaints

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CROSS REFERENCES-CODES (continued)	DESCRIPTION
4161.8	Family Care And Medical Leave
4211	Recruitment And Selection
4211.2	Legal Status Requirement
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4219.11	Sex Discrimination and Sex-Based Harassment
4219.12	Title IX Sex Discrimination and Sex-Based Complaint Procedures
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.22	Dress And Grooming
4244	Complaints
4261.8	Family Care And Medical Leave
4311	Recruitment And Selection
4311.2	Legal Status Requirement
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4319.11	Sex Discrimination and Sex-Based Harassment
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.22	Dress And Grooming
4331	Staff Development
4344	Complaints
4361.8	Family Care And Medical Leave
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.2	Involuntary Student Transfers
5126	Awards For Achievement
5131.2	Bullying
5141.22	Infectious Diseases
5141.6	School Health Services
5145.12	Search And Seizure
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications

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CROSS REFERENCES-CODES (continued)	DESCRIPTION
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sex Discrimination and Sex-Based Harassment
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71-E(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5146	Married/Pregnant/Parenting Students
5148	Child Care And Development
5148.2	Before/After School Programs
6000	Concepts And Roles
6020	Parent Involvement
6141	Curriculum Development And Evaluation
6141.2	Recognition Of Religious Beliefs And Customs
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.3	Civic Education
6142.5	Environmental Education
6142.7	Physical Education And Activity
6143	Courses Of Study
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6152.1	Placement In Mathematics Courses
6158	Independent Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6162.5	Student Assessment

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CROSS REFERENCES-CODES (continued)	DESCRIPTION
6163.1	Library Media Centers
6163.2	Animals At School
6164.2	Guidance/Counseling Services
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.6	Identification And Education Under Section 504
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.4	Education For American Indian Students
6175	Migrant Education Program
6178	Career Technical Education
6181	Alternative Schools/Programs Of Choice
6184	Continuation Education
6200	Adult Education
7110	Facilities Master Plan
7111	Evaluating Existing Buildings
7310	Naming Of Facility
9150	Student Board Members
9220	Governing Board Elections
9320	Meetings And Notices
9322	Agenda/Meeting Materials