

## Philosophy, Goals, Objectives and Comprehensive Plans

### Nondiscrimination in District Programs and Activities

The Governing Board 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 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)

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 barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall

Philosophy, Goals, Objectives and Comprehensive PlansNondiscrimination in District Programs and Activities (continued)

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 procedures specified in AR 1312.3 - Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 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. (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.

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

Philosophy, Goals, Objectives and Comprehensive PlansNondiscrimination in District Programs and Activities (continued)

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 principal 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)

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 federal civil rights laws is hereby designated as the district's ADA coordinator. He/she 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.

Executive Director, Education Services or  
Coordinator, Pupil Support Services  
1301 N. A Street  
805-742-3310  
UCP@lusd.org

## 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
--------	----------------------------------

Philosophy, Goals, Objectives and Comprehensive PlansNondiscrimination in District Programs and Activities (continued)

## Legal Reference: (continued)

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
<u>PENAL CODE</u>	
422.55	Definition of hate crime
422.6	Interference with constitutional right or privilege
<u>CODE OF REGULATIONS, TITLE 5</u>	
4600-4670	Uniform complaint procedures
4900-4965	Nondiscrimination in elementary and secondary education programs
<i>UNITED STATES CODE, TITLE 20</i>	
1400-1482	Individuals with Disabilities in Education Act
1681-1688	Discrimination based on sex or blindness, Title IX
2301-2414	Strengthening Career and Technical Education for the 21st Century Act
6311	State plans
6312	Local education agency plans
<u>UNITED STATES CODE, TITLE 29</u>	
794	Section 504 of the 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	Title IX
12101-12213	Americans with Disabilities Act
<u>CODE OF FEDERAL REGULATIONS, TITLE 28</u>	
35.101-35.190	Americans with Disabilities Act
36.303	Auxiliary aids and services
<u>CODE OF FEDERAL REGULATIONS, TITLE 34</u>	
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

Lompoc Unified School District Adopted:  
(11/99 7/03 6/12) 1/22