

Philosophy-Goals-Objectives and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

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

The 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; 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)

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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 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. 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 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. 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 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

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be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

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. (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 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 1312.3 - Uniform

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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. 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.

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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

Description

Uniform complaint procedures
Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-262.4

[Prohibition of discrimination](#)

Ed. Code 48980

[Parent/Guardian notifications](#)

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](#)

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Federal

20 USC 1400-1482

20 USC 1681-1688

20 USC 2301-2414

20 USC 6311

20 USC 6312

28 CFR 35.101-35.190

28 CFR 36.303

29 USC 794

34 CFR 100.1-100.13

34 CFR 104.1-104.39

34 CFR 106.1-106.82

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

Management Resources

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

CSBA Publication

CSBA Publication

Description

Individuals with Disabilities Education Act

*Title IX of the Education Amendments of 1972;
discrimination based on sex*

[Strengthening Career and Technical Education for the
21st Century Act](#)

State plan

Local educational agency plan

Americans with Disabilities Act

*Nondiscrimination on the basis of disability, public
accommodations, auxiliary aids, and services*

Rehabilitation Act of 1973; Section 504

*Nondiscrimination in federal programs; effectuating Title
VI*

Section 504 of the Rehabilitation Act of 1973

Discrimination on the basis of sex; effectuating Title IX

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended

Description

[California Law Prohibits Workplace Discrimination and
Harassment, January 2024](#)

[Policy and Procedures Letter No. 21-017R, December
2021](#)

[Policy and Procedures Letter No. 23-004, February 2023](#)

[Guidance to School Officials re: Legal Requirements for
Providing Inclusive Curricula and Books, January 2024](#)

[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](#)

[Reference: State Roles, Responsibilities, and Process for
Instructional Materials Adoption, February 2024](#)

[Fact Sheet: Instructional Materials Adoption: Local
governing board responsibilities, February 2024](#)

[Instructional Materials Adoptions: State and local
governing board processes, roles, and responsibilities,
February 2024](#)

[Parental and Student Rights in Relation to Transgender
and Gender Nonconforming Students, Recently Asked
Questions, August 2023](#)

[Legal Guidance on Rights of Transgender and Gender
Nonconforming Students in Schools, October 2022](#)

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<i>Federal Register</i>	<u>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>
<i>U.S. Department of Education Publication</i>	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
<i>U.S. DOE & U.S. DOJ Civil Rights Divisions Pub</i>	<u>Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>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>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Supporting Transgender Youth in School, June 2021</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Nondiscrimination in Employment Practices in Education, August 1991</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Dear Colleague Letter: Race and School Programming, August 2023</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Dear Colleague Letter: Electronic Book Readers, June 29, 2010</u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
<i>U.S. DOJ, Civil Rights Division Publication</i>	<u>Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments, April 2024</u>
<i>U.S. DOJ, Civil Rights Division Publication</i>	<u>Guidance on Web Accessibility and the ADA, March 2022</u>
<i>U.S. DOJ, Civil Rights Division Publication</i>	<u>Accessibility of State and Local Government Websites to People with Disabilities, February 2020</u>
<i>U.S. DOJ, Civil Rights Division Publication</i>	<u>2010 ADA Standards for Accessible Design, September 2010</u>
<i>Website</i>	<u>CSBA District and County Office of Education Legal Services</u>
<i>Website</i>	<u>California Office of the Attorney General</u>
<i>Website</i>	<u>World Wide Web Consortium, Web Accessibility Initiative</u>
<i>Website</i>	<u>Pacific ADA Center</u>

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Website	<u>U.S. Department of Justice, Civil Rights Division, Disability Rights Section</u>
Website	<u>California Safe Schools Coalition</u>
Website	<u>CSBA</u>
Website	<u>California Department of Education</u>
Website	<u>California Civil Rights Department</u>
Website	<u>Equal Employment Opportunity Commission</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>California Department of Health Care Services</u>
World Wide Web Consortium Publication	<u>Web Content Accessibility Guidelines, September 2023</u>

Cross References

Policy	Description
0100	<u>Philosophy</u>
0415	<u>Equity</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
1100	<u>Communication With The Public</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1230	<u>School-Connected Organizations</u>
1230	<u>School-Connected Organizations</u>
1240	<u>Volunteer Assistance</u>
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1260	<u>Educational Foundation</u>
1312.2	<u>Complaints Concerning Instructional Materials</u>
1312.2	<u>Complaints Concerning Instructional Materials</u>
1312.2-E(1)	<u>Complaints Concerning Instructional Materials</u>
1312.3	<u>Uniform Complaint Procedures</u>
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1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(1)	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(2)	<u>Williams Uniform Complaint Procedures</u>
1325	<u>Advertising And Promotion</u>
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>

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3515.3	<i>District Police/ Security Department</i>
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3530	<i>Risk Management/ Insurance</i>
3530	<i>Risk Management/ Insurance</i>
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3541.2	<i>Transportation For Students With Disabilities</i>
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3553	<i>Free And Reduced Price Meals</i>
3553	<i>Free And Reduced Price Meals</i>
3555	<i>Nutrition Program Compliance</i>
3555-E(1)	<i>Nutrition Program Compliance</i>
3600	<i>Consultants</i>
4030	<i>Nondiscrimination In Employment</i>
4030	<i>Nondiscrimination In Employment</i>
4032	<i>Reasonable Accommodation</i>
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4040	<i>Employee Use Of Technology</i>
4040-E(1)	<i>Employee Use Of Technology</i>
4111	<i>Recruitment And Selection</i>
4111.2	<i>Legal Status Requirement</i>
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4119.11	<i>Sex Discrimination and Sex-Based Harassment</i>
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4119.22	<i>Dress And Grooming</i>
4131	<i>Staff Development</i>
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5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment</u>
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Policy

PASADENA UNIFIED SCHOOL DISTRICT

Adopted: August 22, 1995

Pasadena, California

Revised: 2/98, 11/00, 4/14; 2/17; 6/18; 3/24; 05/2025;