

NON-DISCRIMINATION NOTICE

AND

NON-DISCRIMINATION/HARASSMENT POLICY

NOTICE OF NON-DISCRIMINATION

Clarksville Charter School “Charter School” prohibits, at any Charter School school or activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, 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; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family 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.

For questions, concerns, or complaints regarding compliance, please contact:

Deanna Moreno
Chief Human Resources Officer
3101 Zinfandel Dr. Suite 350
Rancho Cordova, CA 95670
916-957-5709

Claims of discrimination by students in programs or activities conducted by the School must be processed in accordance with the School’s Uniform Complaint Procedures (“UCP”) required by the California Code of Regulations. 5 C.C.R. § 4610.

ADA/Title II Coordinator: Deanna Moreno

Section 504 Coordinator: Leah Wall

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NON-DISCRIMINATION/HARASSMENT POLICY
BP 0410 & 5145.3 Approved: 02/24/21 Revised: 9/11/25, v5

This policy shall apply to all acts constituting unlawful discrimination or harassment related to Charter School activity or attendance, to acts which occur off the location of the Resource Center or outside of Charter School-related or Charter School-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Board and the Executive Director or designee in enacting policies and procedures that govern the Charter School.

The Board prohibits, at any Charter School school or activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, 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; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family 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.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in Charter School programs or activities, or the provision or receipt of educational benefits or services.

Because unlawful discrimination could occur when disciplining students, including suspension and expulsion, the Executive Director or designee shall ensure that staff enforce discipline rules fairly, consistently, and in a non-discriminatory manner.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates, participates, or refuses to participate in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Executive Director or designee shall facilitate students' access to the educational program by publicizing the Charter School's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Executive Director or designee shall post the Charter School's policies prohibiting discrimination, harassment, intimidation, and bullying, and other required information on the Charter School's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6; 34 CFR 106.8)

The Executive Director or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase understanding of the requirements of law related to discrimination. The Executive Director or designee shall regularly review the implementation of the Charter School's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the Charter School's educational program. The Executive Director or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination related to a Charter School activity, attendance, or Charter School-related or Charter School-sponsored activity, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

When a student has been suspended or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the Executive Director or designee may engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The Executive Director or designee may also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance, and regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate, based on the severity or pervasiveness of the bullying, the Executive Director or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Complaints alleging unlawful discrimination in Charter School programs and activities shall be investigated and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures, when required by law. However, complaints alleging sexual harassment under Title IX shall be investigated and resolved in accordance with the procedures specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Record-Keeping

The Executive Director or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the Charter School to monitor, address, and prevent repetitive prohibited behavior in Charter School schools.

Bullying

Cyber sexual bullying involves the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more effects described in (1) – (4) above. A photograph or other visual recording shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

Social media bullying involves bullying through forums for social media, such as the internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging (such as Snapchat, Tox, FireChat, Orbit, Bleep), internet websites offering comment forums (such as Facebook, Twitter, Reddit), and internet websites offering image or video posting platforms (such as YouTube, Instagram, Twitch, Imgur).

Body shaming: the action or practice of mocking or stigmatizing someone by making critical comments about the shape, size, or appearance of their body.

ADMINISTRATIVE REGULATION: NON/DISCRIMINATION/HARASSMENT

The Charter School designates the individual(s) identified below as the Compliance Officer(s). The employee(s) are responsible for coordinating the Charter School's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the Charter School's nondiscrimination policies. The individual(s) shall also serve as the Compliance Officer(s) specified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination of a student, and the Title IX Coordinator and Investigator specified in Administrative Regulation 5145.7 - Sexual Harassment as the responsible employee to handle complaints alleging unlawful sexual harassment, as permitted by law. The Compliance Officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)



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Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at Charter School schools or activities and to ensure equal access of all students to the educational program, the Executive Director or designee shall implement the following measures:

1. Publicize the Charter School's nondiscrimination policy and related complaint procedures, including the Compliance Officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through school-supported communications
2. Post the Charter School's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the Charter School's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.1, 234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the Charter School's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent location on the Charter School website in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, including the following: (Education Code 221.6, 221.61, 234.6)
 - a. The name and contact information of the school's Title IX Coordinator and Investigator, including the phone number and email address
 - b. The rights of students and the public and the responsibilities of the school under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the websites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

- c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on OCR's website
 - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
 - d. A link to the Title IX information included on the California Department of Education's (CDE) website
5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families (Education Code 234.5, 234.6)

Such resources shall be posted in a prominent location on the school's website in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

6. Provide students with a handbook that contains age-appropriate information that clearly describes the school's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior
7. Annually notify all students and parents/guardians of the school's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students

The notice shall inform students and parents/guardians that they may request to meet with the Compliance Officer to determine how best to accommodate or resolve concerns that may arise from the Charter School's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the school will address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English

proficiency, are notified of how to access the relevant information provided in the Charter School's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, the Charter School's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the Charter School shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the Charter School's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them

Such training and information shall include details of guidelines the Charter School may use to provide a discrimination-free environment for all Charter School students.

10. Provide to certificated employees serving students in grades 7-12 information on existing school and community resources related to the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) students, or related to the support of students who may face bias or bullying on the basis of any of the actual or perceived characteristics in Penal Code 422.55, including immigration status; Education Code 220; and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation; or association with a person or group with one or more of these actual or perceived characteristics (Education Code 234.1)
11. For the 2025-2026 school year through the 2029-2030 school year, provide annually to certificated employees serving students in grades 7-12 at least one hour of training to support LGBTQ+ cultural competency in accordance with Education Code 218.3
12. At the beginning of each school year, inform Charter School employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so (Education Code 234.1)
13. At the beginning of each school year, inform each Executive Director or designee of the Charter School's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy

rights

Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in Charter School policy are strongly encouraged to immediately contact the Compliance Officer, Title IX Coordinator and Investigator, Executive Director or designee, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the Compliance Officer, Title IX Coordinator and Investigator, or Executive Director, regardless of whether the alleged victim files a complaint.

Any Charter School employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported, shall report the incident to the Compliance Officer, Title IX Coordinator and Investigator, or Executive Director within one workday, regardless of whether the alleged victim files a complaint.

Any Charter School employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the Executive Director, Compliance Officer, or Title IX Coordinator and Investigator shall notify the student or parent/guardian of the right to file a formal complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the Compliance Officer or Title IX Coordinator and Investigator shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the Executive Director or designee, Compliance Officer, Title IX Coordinator and Investigator, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Executive or designee, who shall determine how the complaint will be investigated.

Support for Intersex, Nonbinary, Transgender, and Gender-Nonconforming Students

Gender refers to a student's sex, and includes a student's gender identity and gender expression. (Education Code 210.7)

Gender identity refers to a student's gender-related identity, appearance, or behavior as

determined from the student's internal sense, regardless of whether that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression refers to a student's gender-related appearance and behavior, regardless of whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming refers to when a student's gender expression differs from stereotypical expectations.

Intersex refers to when a student has natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary refers to when a student's gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Sex refers to the biological condition of being a female or male human being. (5 CCR 4910)

Transgender refers to when a student's gender identity is different from the sex assigned at birth.

The Charter School shall ensure that all students, regardless of sex, gender, gender identity, or gender expression, are afforded the same rights, benefits, and protections provided to students by law and Board policy. To do so, the Executive Director or designee shall address each situation that arises on a case-by-case basis and in accordance with the following guidelines:

1. **Acceptance of a Student's Gender Identity:** The Charter School shall accept the student's assertion of the student's gender identity and treat the student consistent with that gender identity unless Charter School personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose
2. **Use of Names and Pronouns:** Upon request by a student, Charter School personnel shall address the student by the requested name and pronoun(s), without the necessity

of a court order or a change to the student's mandatory permanent student record. Inadvertent slips or honest mistakes by Charter School personnel in the use of the student's name and/or pronouns may not constitute a violation of this administrative regulation or the accompanying Board policy.

3. **Adherence to Uniforms/Dress Code:** A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site, which may not discriminate on the basis of sex, gender, gender identity, or gender expression.
4. **Equal Access to Educational Programs and Activities:** Upon request by a student based on the student's gender identity or gender expression, the Compliance Officer shall identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained.

The Compliance Officer shall consider the rights of all students and how those rights may affect and be affected by the rights of other students. Additionally, the Compliance Officer shall identify the school counselors to whom the student may report any problem related to the student's sex, gender, gender identity, or gender expression so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are providing equal access to programs and activities.

5. **Right to privacy:** A student's sex, gender, gender identity, and gender status are private information.

The Charter School may only disclose such information to others when the disclosure is permitted by law, with the student's prior written consent, or when the Charter School has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. (Education Code 220.3, 220.5; 34 CFR 99.31, 99.36)

6. **Student Records:** A student's sex and legal name shall be maintained as part of a student's mandatory permanent student record as specified in 5 CCR 432 and shall only be changed with proper documentation (Education Code 49061-49072)

When a request to change a student's gender or name is submitted without proper documentation, any change to the student's gender or name shall be applied only to documents not included in the mandatory permanent student record, such as attendance sheets, report cards, and school identification.

The Executive Director, or designee, shall follow this guideline such that it does not

change or alter the obligations of the school to maintain student records.

The Charter School prohibits any act of verbal, nonverbal, or physical aggression, intimidation, or hostility, including any such act based on sex, gender, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature, including, but not limited to:

1. Refusing to address or refer to a student in a manner consistent with the student's gender identity
2. Disciplining a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity
3. Disclosing student records that reveal a student's gender identity to individuals who do not have a legitimate need for the information, except as permitted by law
4. Verbally or physically assaulting a student because of the student's sex, gender, gender identity, or gender expression, including, but not limited to, causing, attempting to cause, threatening to cause, or participating in an act of hate violence on the basis of sex, gender, gender identity, or gender expression