

RANCHO SANTA FE SCHOOL DISTRICT

Board Policy No. 5000: NONDISCRIMINATION

1. It is the policy of the District to provide to every pupil an equal opportunity to receive an education as required by federal and/or state law in any District program or activity. The Board desires to provide a safe educational environment that allows all pupils equal access to and opportunities in the District's academic, extracurricular, and other educational programs, services, and activities. This Policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Governing Board, and all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the District.
2. No person shall illegally discriminate against, harass, intimidate or bully a pupil 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, or related conditions or recovery, or any other characteristic that is contained in or identified in Section 422.5 of the Penal Code and Section 220 of the Education Code; 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 Section 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12926; 20 USC 1681-1688, 42 USC 2000d-2000d-7).
3. Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed in Paragraph B, above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a pupil'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 pupil's academic performance; or otherwise adversely affects a pupil's educational opportunities.
4. Unlawful discrimination also includes disparate treatment of pupils based on one of the categories listed in Paragraph B, above, with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.
5. It is the policy of the District to support accurate, equitable, and inclusive education in its schools. District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources. No teacher shall give any instruction, nor shall there be any activity or textbook or

instructional materials used which reflect adversely upon persons because of any of the protected characteristics set forth in Paragraph B of this Policy, or because another perceives that a pupil has one or more of the characteristics of the above protected groups. No textbook or other instructional materials shall be used which contain any matter reflecting adversely upon persons in the above-identified protected groups. 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 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 sections 51204.5 and 60040, unless such study would violate Education Code sections 51501 or 60044. (Education Code section 243.)

6. The Governing Board 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 or participates 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.

7. The filing of a complaint that alleges unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified under Education Code sections 200 and 220 and Government Code section 11135, including any actual or perceived characteristic as set forth in Penal Code Section 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by the District, shall be filed, investigated, and resolved in accordance with Board Policy 6006, *Uniform Complaint Procedures*.

Legal Reference:

20 U.S.C. section 1681-1688, 42 USC 2000d-2000d-7

42 U.S.C. section 2000c and 2000d

Education Code sections 200, 201, 202, 210-212.6, 220, 221.5, 221.7, 224, 225, 229, 230, 231, 231.5, 233.5, 234.1, 241, 242, 243, 51004, 51500, 51501

Government Code sections 11135, 12926, 51930 *et seq.*

Penal Code section 422.55

5 C.C.R. section 4900 *et seq.*

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: February 10, 1999, March 20; 2002, January 13, 2005, May 17, 2007, June 5, 2008, July 18, 2013, June 22, 2018, July 9, 2020, October 14, 2022; November 19, 2024, October 14, 2025