

**Philosophy, Goals, Objectives, and Comprehensive Plans**

**Nondiscrimination in District Programs and Activities**

The ~~Governing Board~~ **Board of Education** is committed to providing equal opportunity for all individuals in education. ~~District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the 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.~~ **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, reproductive health decision making, physical or mental disability, medical condition, sex, 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 race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category 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.**

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

**Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including the use of facilities. He/she shall 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.~~ 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.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 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 ~~each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups.~~ 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 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.

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.

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, note takers, 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 the school-sponsored function, program, or meeting.

The individual identified in Rule 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. 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.

Compliance Coordinator, Positive School Climate  
1305 E Vine Street, Lodi CA 95240  
(209) 331-7976 or (209) 331-2245  
[compliance@lodiUSD.net](mailto:compliance@lodiUSD.net)

## **LEGAL REFERENCES**

### **EDUCATION CODE**

~~200-262.4 Prohibition of discrimination~~

~~48985 Notices to parents in language other than English~~

~~51007 Legislative intent: state policy~~

### **GOVERNMENT CODE**

~~11000 Definitions~~

~~11135 Nondiscrimination in programs or activities funded by state~~

~~11138 Rules and regulations~~

~~12900-12996 Fair Employment and Housing Act~~

~~54953.2 Brown Act compliance with Americans with Disabilities Act~~

### **PENAL CODE**

~~422.55 Definition of hate crime~~

~~422.6 Interference with constitutional right or privilege~~

### **CODE OF REGULATIONS, TITLE 5**

~~4600-4687 Uniform complaint procedures~~

~~4900-4965 Nondiscrimination in elementary and secondary education programs~~

### **UNITED STATES CODE, TITLE 20**

~~1400-1482 Individuals with Disabilities in Education Act~~

~~1681-1688 Discrimination based on sex or blindness, Title IX~~

~~2301-2415 Carl D. Perkins Vocational and Applied Technology Act~~

~~6311 State plans~~

~~6312 Local education agency plans~~

### **UNITED STATES CODE, TITLE 29**

~~794 Section 504 of the Rehabilitation Act of 1973~~

## **UNITED STATES CODE, TITLE 42**

~~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~~

## **CODE OF FEDERAL REGULATIONS, TITLE 28**

~~35.101-35.190 Americans with Disabilities Act~~

~~36.303 Auxiliary aids and services~~

## **CODE OF FEDERAL REGULATIONS, TITLE 34**

~~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~~

## **MANAGEMENT RESOURCES**

### **CSBA Publications**

~~*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014*~~

~~*Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013*~~

~~*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*~~

### **U.S. Department Of Education, Office For Civil Rights Publications**

~~*Notice of Non-Discrimination, January 1999*~~

~~*Protecting Students from Harassment and Hate Crime, January 1999*~~

~~*Nondiscrimination in Employment Practices in Education, August 1994*~~

### **U.S. Department of Justice Publications**

~~*2010 ADA Standards for Accessible Design, September 2010*~~

## LEGAL REFERENCES

### EDUCATION CODE

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

200-262.4 Prohibition of discrimination

48980 Parent/Guardian notifications

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

51204.5 Social sciences instruction; contributions of specified groups

51501 Nondiscriminatory subject matter

60010 Instructional materials; definition

60040-60052 Requirements for instructional materials

### GOVERNMENT CODE

11000 Definitions

11135 Prohibition of discrimination

12900-12996 Fair Employment and Housing Act

54953 Meetings; Americans with Disabilities Act accessibility

54953.2 Brown Act compliance with Americans with Disabilities Act

8310.3 California Religious Freedom Act

### PENAL CODE

422.55 Definition of hate crime

422.6 Crimes; harassment

### UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

2301-2414 Strengthening Career and Technical Education for the 21st Century Act

6311 State plan

6312 Local educational agency plan

### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

## CODE OF REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

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

## CODE OF REGULATIONS, TITLE 29

794 Rehabilitation Act of 1973; Section 504

## CODE OF REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs; effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.82 Discrimination on the basis of sex; effectuating Title IX

## CODE OF REGULATIONS, TITLE 42

12101-12213 Americans with Disabilities Act

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

## MANAGEMENT RESOURCES

### **CA Civil Rights Department Publication**

California Law Prohibits Workplace Discrimination and

### **CA Department of Health Care Services Publication**

Policy and Procedures Letter No. 21-017R, December 2021

Policy and Procedures Letter No. 23-004, February 2023

### **CA Office of the Attorney General Publication**

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

### **CSBA Publication**

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

### **U.S. DOE & U.S. DOJ Civil Rights Divisions Publications**

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

Supporting Transgender Youth in School, June 2021

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

Nondiscrimination in Employment Practices in Education, August 1991

[Dear Colleague Letter: Race and School Programming, August 2023](#)

[Dear Colleague Letter: Electronic Book Readers, June 29, 2010](#)

[Dear Colleague Letter: Harassment and Bullying, October 2010](#)

[Guidance on Web Accessibility and the ADA, March 2022](#)

[Accessibility of State and Local Government Websites to People with Disabilities, February 2020](#)

[2010 ADA Standards for Accessible Design, September 2010](#)

### **WEBSITES**

[CSBA District and County Office of Education Legal Services](#)

[California Office of the Attorney General](#)

[World Wide Web Consortium, Web Accessibility Initiative](#)

[Pacific ADA Center](#)

[U.S. Department of Justice, Civil Rights Division, Disability Rights Section](#)

[California Safe Schools Coalition](#)

[CSBA](#)

[California Department of Education](#)

[California Civil Rights Department](#)

[U.S. Equal Employment Opportunity Commission](#)

[U.S. Department of Education, Office for Civil Rights](#)

[California Department of Health Care Services](#)

[Web Content Accessibility Guidelines, December 2008](#)