

**CLOVIS UNIFIED  
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS  
NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

**PURPOSE:** To set forth the District's policy regarding nondiscrimination in District programs and activities.

The District recognizes the increasing diversity of its students, staff, and community. The Board directs the Superintendent to create a school environment that provides a safe school environment for persons of all backgrounds.

The Board is committed to providing equal opportunity for all individuals in District programs and activities. District programs, activities, and practices shall not unlawfully discriminate based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code section 200 or 220, Government Code section 11135, or Penal Code section 422.55, or any other bases prohibited by law, or the 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.

Appropriate means for the continuing evaluation of District programs and activities, including the co-curricular program, shall be established and maintained to ensure compliance with this policy and applicable laws.

Employees shall observe all applicable laws, policies, and regulations prohibiting discrimination and harassment.

The Board encourages all personnel and students to assist in the accomplishment of the District's mission through their personal commitment to providing an equal educational opportunity for all students and employment opportunities for all applicants. Any allegations of unlawful discrimination in District programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation No. 1312.3 - Uniform Complaint Procedures.

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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. (34 CFR 104.8, 106.9) Such notification shall be included in the annual parental notification distributed pursuant to Education Code section 48980 and, as required by applicable laws, on the District's website and in other materials distributed by the District.

As specified in Education Code section 234.7, the District shall also notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs in the annual parent notification or any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

As specified in Education Code section 48985, 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 comply 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 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. 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.

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.

Associate Superintendent, School Leadership  
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Adopted: 01/11/1989  
Reviewed: 12/06/2005  
Amended: 04/10/1991, 12/09/1991, 08/02/1995, 09/22/1999, 05/29/2001, 06/13/2001,  
04/13/2005, 07/18/2007, 01/15/2014, 09/23/2020 (BP 2108 renumbered as BP  
0410)

**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  
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

**PENAL CODE**

422.55 Definition of hate crime  
422.6 Interference with constitutional right or privilege

**CODE OF REGULATIONS, TITLE 5**

4600-4670 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  
2301-2414 Strengthening Career and Technical Education for the 21st Century 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

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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

Doc# 41129-6 (08/2020, 05/2018)