

## Non-Discrimination

# **Statement of Non-Discrimination POLICY STATEMENT REGARDING PREJUDICE AND DISCRIMINATION**

The Twin Ridges Elementary School District is committed to providing a working and learning environment that is free from discrimination and harassment based on an individual's sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, immigration status, age, political belief or mental or physical disability, or any other basis protected by federal, state, local law, ordinance, or regulation. Harassment under Title IX (sex), Title VI (race, color, or national origin), and Section 504 and Title II of the ADA (mental or physical disability) is a form of unlawful discrimination that will not be tolerated by the District. Harassment is intimidation or abusive behavior toward a student/employee that creates a hostile environment. Harassing conduct can take many forms, including verbal acts and name-calling, graphic and written statements, or conduct that is physically threatening or humiliating. All employees and students will so conduct themselves by word, gesture, act, and demeanor so as to assure that all others will be accorded just and equitable consideration, regard, and treatment. Prejudice or discrimination in any form is deemed to be unethical, as well as illegal, and will not be tolerated. Any violation of this policy will result in disciplinary action.

This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities, including vocational education.

The lack of English language skills will not be a barrier to admission and participation in the District's programs or activities.

Additional information prohibiting other forms of unlawful discrimination, harassment, inappropriate behavior, and/or hate crimes may be found in other District policies that are available in all schools and offices. It is the intent of the District that all such policies

are read consistently to provide the highest level of protection from unlawful discrimination in the provisions of educational services and opportunities. The District prohibits retaliation against anyone who files a complaint or participates in a complaint investigation. For assistance or to file a complaints related to discrimination or harassment based on student's sex (Title IX); sexual orientation, or gender identity (Title 5, CCR, §4910); race, color, or national origin (Title VI); or mental or physical disability (Section 504), contact the Main Office at (530) 475-3598.

## **CALIFORNIA EDUCATION CODE SELECTED NON-DISCRIMINATION STATUTES**

### **California Education Code Selected Non-Discrimination Statutes**

**200.** It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

**201.** (a) All pupils have the right to participate fully in the educational process, free from discrimination and harassment. (b) California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity. (c) Harassment on school grounds directed at an individual on the basis of personal characteristics or status creates a hostile environment and jeopardizes equal educational opportunity as guaranteed by the California Constitution and the United States Constitution. (d) here is an urgent need to prevent and respond to acts of hate violence and bias-related incidents that are occurring at an increasing rate in California's public schools. (e) here is an urgent need to teach and inform pupils in the public schools about their rights, as guaranteed by the federal and state constitutions, in order to increase pupils' awareness and understanding of their rights and the rights of others, with the intention of promoting

tolerance and sensitivity in public schools and in society as a means of responding to potential harassment and hate violence. (f) It is the intent of the Legislature that each public school undertake educational activities to counter discriminatory incidents on school grounds and, within constitutional bounds, to minimize and eliminate a hostile environment on school grounds that impairs the access of pupils to equal educational opportunity. (g) It is the intent of the Legislature that this chapter shall be interpreted as consistent with Article 9.5 (commencing with Section 11135) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, Title VI of the federal Civil Rights Act of 1964 (42 U.S.C. Sec. 1981, et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), the federal Equal Educational Opportunities Act (20 U.S.C. Sec. 1701, et seq.), the Unruh Civil Rights Act (Secs. 51 to 53, incl., Civ. C.), and the Fair Employment and Housing Act (Pt. 2.8 (commencing with Sec. 12900), Div. 3, Gov. C.), except where this chapter may grant more protections or impose additional obligations, and that the remedies provided herein shall not be the exclusive remedies, but may be combined with remedies that may be provided by the above statutes.

**210.1.** “Disability” includes mental and physical disability as defined in Section 12926 of the Government Code.

**210.7.** “Gender” means sex, and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

**212.** “Nationality” includes citizenship, country of origin, and national origin.

**212.1.** “Race or ethnicity” includes ancestry, color, ethnic group identification, and ethnic background.

**212.3.** “Religion” includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

**212.6** “Sexual orientation” means heterosexuality, homosexuality, or bisexuality.

**219.** Disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic contained in the definition of hate crimes set forth in Section 422.55

of the Penal Code includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

**220.** No person shall be subjected to discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

**221.5.** (a) It is the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted, without regard to the sex of the pupil enrolled in these classes and courses. (b) A school district may not prohibit a pupil from enrolling in any class or course on the basis of the sex of the pupil, except a class subject to Chapter 5.6 (commencing with Section 51930) of Part 28. (c) A school district may not require a pupil of one sex to enroll in a particular class or course, unless the same class or course is also required of a pupil of the opposite sex. (d) A school counselor, teacher, instructor, administrator, or aide may not, on the basis of the sex of a pupil, offer vocational or school program guidance to a pupil of one sex that is different from that offered to a pupil of the opposite sex or, in counseling a pupil, differentiate career, vocational, or higher education opportunities on the basis of the sex of the pupil counseled. Any school personnel acting in a career counseling or course selection capacity to a pupil shall affirmatively explore with the pupil basis of the sex of the pupil counseled. Any school personnel acting in a career counseling or course selection capacity to a pupil shall affirmatively explore with the pupil the possibility of careers, or courses leading to careers, that are nontraditional for that pupil's sex. The parents or legal guardian of the pupil shall be notified in a general manner at least once in the manner prescribed by Section 48980, in advance of career counseling and course selection commencing with course selection for grade 7 so that they may participate in the counseling sessions and decisions. (e) Participation in a

particular physical education activity or sport, if required of pupils of one sex, shall be available to pupils of each sex.

**221.7.** (a) the Legislature finds and declares that female pupils are not accorded opportunities for participation in school-sponsored athletic programs equal to those accorded male pupils. It is the intent of the Legislature that opportunities for participation in athletics be provided equally to male and female pupils. (b) Notwithstanding any other provisions of law, no public funds shall be used in connection with any athletic program conducted under the auspices of a school district governing board or any student organization within the district, which does not provide equal opportunity to both sexes for participation and for use of facilities. Facilities and participation include, but are not limited to, equipment and supplies, scheduling of games and practice time, compensation for coaches, travel arrangements, per diem, locker rooms, and medical services. (c) Nothing in this section shall be construed to require a school district to require competition between male and female pupils in school-sponsored athletic programs.

**233.** (a) At the request of the Superintendent of Public Instruction, the State Board of Education shall do all of the following as long as the board's actions do not result in a state mandate or an increase in costs to a state or local program: (1) Adopt policies directed toward creating a school environment in kindergarten and grades 1 to 12, inclusive, that is free from discriminatory attitudes and practices and acts of hate violence. [statute continues]

**235.** here shall be no discrimination on the basis of the characteristics listed in Section 220 in any aspect of the operation of alternative schools or charter schools.

**260.** The governing board of a school district shall have the primary responsibility for ensuring that school district programs and activities are free from discrimination based on age and the characteristics listed in Section 220 and for monitoring compliance with any and all rules and regulations promulgated pursuant to Section 11138 of the Government Code.

# FOOD AND NUTRITION STATEMENT OF NONDISCRIMINATION

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) Fax: (202) 690-7442; or (3) E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov). This institution is an equal opportunity provider