

*Riverside County Office of Education*  
*Board Policy 0410 Non-Discrimination in Programs and Activities*

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**PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS**

**SUBJECT: Non-Discrimination in Programs and Activities**

The County Office of Education is committed to equal opportunity for all individuals in education. County Office of Education programs, activities, and practices shall be free from unlawful discrimination, including discrimination based on race, color, religion, ancestry, national origin, immigration status, ethnic group identification, marital or parental status, pregnancy, 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. The County Superintendent of Schools shall promote programs, which ensure that discriminatory practices are eliminated in all County Office of Education activities.

- (cf. 4030 - Non-Discrimination in Employment)
- (cf. 4032 - Reasonable Accommodation)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
- (cf. 5145.3 - Non-Discrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.4 - Identification of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education under Section 504)
- (cf. 6178 - Vocational Education)
- (cf. 1240 - Volunteer Assistance)
- (cf. 4033 - Lactation Accommodation)
- (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
- (cf. 5131.2 - Bullying)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6164.6 - Identification and Education Under Section 504)
- (cf. 6178 - Career Technical Education)
- (cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of County Office of Education services. Personally identifiable information collected in the implementation of any County Office of Education 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 County Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the County Office of Education 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.

- (cf. 3541.31 – Home to School Transportation)
- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 5145.13 - Response to Immigration Enforcement)

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County Office of Education programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Annually, the County Superintendent or designee shall review County Office of Education programs and activities to ensure the removal of any 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 County Office of Education programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in County Office of Education programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

#### Access for Individuals with Disabilities

County Office of Education programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations. When structural changes to existing County Office of Education 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.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The County Superintendent or designee shall ensure that the County Office of Education provides 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, assistive technology, or other modifications to increase accessibility to County Office of Education and school web sites, note takers, written materials, taped text, and Braille or large print materials.

(cf. 5124 - Communication with Parents/Guardians)

Individuals with disabilities shall notify the County Superintendent or site administrator 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.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

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The County Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the County Office of Education's policy on nondiscrimination and related complaint procedures. As appropriate, such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups, and shall be posted in County Office of Education schools and offices, including staff lounges, student government meeting rooms, and other prominent locations, and shall be posted on the County Office of Education's web site and, when available, County Office of Education-supported social media. (34 CFR 104.8, 106.9)

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 County Superintendent or designee. (Education Code 234.7)

The County Office of Education'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.

(cf. 1113 - County Office of Education and School Web Sites)  
(cf. 1114 - County Office of Education-Sponsored Social Media)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)

As required by law, the County Superintendent or designee shall notify County Office of Education personnel of the County Office of Education's policy on nondiscrimination and related complaint procedures.

(cf. 1312 Uniform Complaint Procedures)  
(cf. 4030 Non-Discrimination in Employment)  
(cf. 5145.3 Non-Discrimination)  
(cf. 5145.6 Notification Required by Law)  
(cf. 5146 - Married/Pregnant/Parenting Students)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the County Office of Education's response to complaints and for complying with state and federal civil rights laws is hereby designated as the County Office of Education'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 County Office of Education programs, services, activities, or facilities.

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**Legal Reference:**

**EDUCATION CODE**

200-262.4 Prohibition of discrimination  
 48985 Notices to parents in language other than English

**GOVERNMENT CODE**

11000 Definitions  
 11138 Rules and regulations  
 12900-12996 Fair Employment and Housing Act  
 54953.2 Brown Act compliance with Americans with Disabilities Act

**PENAL CODE**

422.6 Interference with constitutional right or privilege

**CODE OF REGULATIONS, TITLE 5**

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

**UNITED STATES CODE, TITLE 20**

1400-1487 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

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**Management Resources:**

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

**WEB SITES**

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

Pacific Disability and Business Technical Assistance Center: <http://www.pacdbtac.org>