

VENTURA COUNTY BOARD OF EDUCATION

BOARD POLICY NO. 0410

ADOPTED: 11/25/13

**CLASSIFICATION: Philosophy, Goals &
Comprehensive Plans**

**REVISED: 06/25/18
02/19/19**

SUBJECT: Nondiscrimination in VCOE Operated Programs and Activities

The County Board of Education is committed to equal opportunity for all individuals in education and notification consistent with applicable law. VCOE programs, activities, and practices shall be free from unlawful discrimination, intimidation, harassment, and bullying, including discrimination against an individual or group based on race, color, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, 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.

All individuals shall be treated equitably in the receipt of VCOE services. Personally identifiable information collected in the implementation of any VCOE 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 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.

VCOE programs and activities shall be free of any racially derogatory or discriminatory school names, mascots, or nicknames.

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

Pursuant to 34 CFR 104.8 and 32 CFR 106.9, the County Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about VCOE's policy on nondiscrimination and related complaint procedures. Such notification shall be included in 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 VCOE. The notification shall also be posted on the VCOE web site and social media and in 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 County Superintendent or designee.

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, 20 USC 6311 and 6312, requires that Local Educational Agencies receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

VCOE's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English. 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

VCOE 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 facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the County Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that VCOE 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 technologies or other modifications to increase accessibility to VCOE and school websites, notetakers, written materials, taped text, and Braille or large-print materials.

Individuals with disabilities shall notify the County Superintendent or designee 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 VCOE AR 1312.3, Uniform Complaint Procedures, as the employee responsible for coordinating VCOE's response to complaints and for complying with state and federal civil rights laws is hereby designated as VCOE'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 VCOE programs, services, activities or facilities.

Teri Gern (or designee)
Chief Human Resources Officer
5189 Verdugo Way
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805-383-1910

Regina Reed (or designee)
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5189 Verdugo Way
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Legal Reference:

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 ed 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
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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