

NON-DISCRIMINATION NOTICE AND POLICY

This policy represents a combined Notice of Non-Discrimination required by various federal laws, including Title VI, Title IX, Section 504, Title II of the Americans with Disabilities Act and the Age Discrimination Act. Each of the laws requires a slightly different set of information to be contained in the required notices. This Notice incorporates those different requirements into one so that the school need not adopt Notices for each law.

The combined non-discrimination notice should contain 2 basic elements: 1) a statement of non-discrimination that specifies the basis for non-discrimination; and 2) identification by name or title, address, and telephone number of the employee(s) responsible for coordinating the compliance efforts.

Claims of discrimination by students in programs or activities conducted by the School must be processed in accordance with the School's Uniform Complaint Procedures ("UCP") required by the California Code of Regulations. 5 C.C.R. § 4610.

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Governing Board and the Executive Director in enacting policies and procedures that govern the school. The Board is committed to providing equal opportunity for all individuals in school programs and activities.

Feather River Charter School does not discriminate on the basis of race, color, national origin, sex, disability, age, or any other legally protected category in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

School programs, activities, and practices shall be free from unlawful discrimination, including discrimination against the following **categories**:

1. 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.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities or participation in school programs or activities or the provision or receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Executive Director or designee shall ensure that staff enforce discipline rules fairly, consistently, and in a non-discriminatory manner. The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as discrimination complaints.

The Executive Director or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of the law related to discrimination. The Executive Director or designee shall regularly review the implementation of the school's nondiscrimination policy. The Executive Director or designee shall facilitate students' access to the educational program by publicizing the school's nondiscrimination policy and related complaint procedures to students, parents/guardians/caregivers, and employees. In addition, the Executive Director or designee shall post the school's policies prohibiting discrimination, harassment, intimidation, bullying, and other required information on the school's website in a manner that is easily accessible to parents/guardians/caregivers and students, in accordance with the law and the accompanying administrative regulations. (Education Code 234.1, 234.6) policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the school's educational program. The Executive Director or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

School 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 curricula for instruction, or any book or other resource in a school library shall not be rejected by the school 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. (Education Code 243)

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

All individuals shall be treated equitably in the receipt of school services. Personally identifiable information collected in the implementation of any school program, including, but not limited to, student and family information for the free and reduced-price lunch program or any other educational program, shall be used only for the purposes of the program, except when the Executive Director or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the school 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, immigration status, or any other category identified above.

The Executive Director or designee shall annually review school 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 school programs and activities. The Executive Director or designee shall take prompt, reasonable actions to remove any identified barrier. The Executive Director or designee shall report the findings and recommendations to the Board after each review.

All allegations of unlawful discrimination in school programs and activities shall be brought, investigated, and resolved in accordance with the Uniform Complaint Procedures.

Pursuant to 34 CFR 104.8 and 34 CFR 106.8, the Executive Director or designee shall notify students, parents/guardians/caregivers, employees, applicants for admission and employment, and sources of referral for applicants about the school'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, catalogs, handbooks, application forms, or other materials distributed by the school. The notification shall also be posted on the school's website, social media and at the resource center, and other prominent locations as appropriate.

In addition, the annual parental notification shall inform of their student'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 Executive Director or designee. (Education Code 234.7).

The school's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians/caregivers 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. (Education Code 48985; 20 USC 6312).

Feather River Charter School prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, actual or potential parental, family, marital status, or association with a person or a group with one or more of these actual or perceived characteristics. For questions, concerns, or complaints regarding compliance with Title IX student

issues, please contact the Title IX Coordinator and Investigator, Darcy Belleza, Director of Governance and Accountability, 4305 South Meridian Road, Meridian, CA 95957, 530.927.5137.

Record-Keeping:

The Executive Director or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the school to monitor, address, and prevent repetitive prohibited behavior in school.

Access to Individuals with Disabilities:

School 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. When structural changes to existing resource centers are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Executive Director or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Executive Director or designee shall ensure that the school provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities an 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 school and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Executive Director or designee 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 Administrative Regulation 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the school's response to complaints and for complying with state federal civil rights laws is hereby designated as the school'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 school programs, services, activities, or facilities.

Questions, concerns or complaints regarding compliance with Title IX employee issues, please contact Human Resources, 4305 South Meridian Road, Meridian, CA 95957, (916) 957-5802 or hr@sequoiagrove.org. Questions, concerns, or complaints regarding harassment, discrimination, intimidation and bullying, please contact Darcy Belleza, 4305 South Meridian Road, Meridian, CA 95957, 530.927.5137.

For further information on notice of non-discrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Student Rights Under Title IX

- (a) You have the right to fair and equitable treatment, and you shall not be discriminated against based on your sex
- (b) You have the right to be provided with an equitable opportunity to participate in all

academic extracurricular activities

- (d) You have the right to apply for athletic scholarships
- (e) You have the right to receive equitable treatment and benefits in the provision of all of the following: (1) Equipment and supplies and publicity
- (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws
- (g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws
- (h) You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex
- (i) You have the right to pursue civil remedies if you have been discriminated against
- (j) You have the right to be protected against retaliation if you file a discrimination complaint

If you have a complaint about Title IX, contact the Title IX Coordinator listed above. You have 180 days from the date of the alleged discrimination, unless the time for filing is extended for good cause by the Title IX Coordinator. Although you are not required to utilize the School's internal grievance procedure, you may do so prior to filing a complaint with the Office of Civil Rights (OCR). If you use the School's internal grievance process, our Title IX complaint must be filed with the Office of Civil Rights within 60 days after the last act of School's grievance process.

If using the School's grievance process, the School will investigate student Title IX claims of discrimination using the processes adopted through the Uniform Complaint Procedure. A copy of the School's Uniform Complaint Procedures is available on the School's website.

You may further pursue the complaint by contacting the OCR directly: <https://www2.ed.gov/about/offices/list/ocr/index.html>. The Web link for the OCR complaint form is found at <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

You may further contact the OCR directly at 800-421-3481 or by emailing ocr@ed.gov.

Feather River
CHARTER SCHOOL