Sacramento City USD
Board Policy
Nondiscrimination/Harassment

BP 5145.3
Students

District programs and activities shall be free from discrimination, including harassment, with respect to ethnic group, religion, gender, color, race, national origin and physical or mental disability.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 6164.6 - Identification and Education under Section 504)

The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

(cf. 1240 - Volunteer Assistance)
(cf. 6145.2 - Interscholastic Competition)
(cf. 6162.5 - Student Assessment)

The schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student’s ability to participate in or benefit from school services, activities or privileges.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)
(cf. 5145.7 - Sexual Harassment)

Students who harass other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
The Board hereby designates the following position(s) as Coordinator(s) for Nondiscrimination:

* Chief Personnel Officer

* Student Behavior and Placement Coordinator

Any student who feels that he/she is being harassed should immediately contact either the nondiscrimination coordinator or the principal or designee. If a situation involving harassment is not promptly remedied by the nondiscrimination coordinator, principal or designee, a complaint may be filed with the Superintendent or designee who shall determine which complaint procedure is appropriate.

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex, especially:
221.5 Prohibited sex discrimination
221.7 School-sponsored athletic programs; prohibited sex discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
49020-49023 Athletic programs
51006-51007 Equitable access to technological education programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5
4621 District policies and procedures
4622 Notice requirements

UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended
2000h-2-2000h-6  Title IX, 1972 Education Act Amendments
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3a  Prohibition of discrimination on basis of race, color or national origin
104.7  Designation of responsible employee for Section 504
106.8  Designation of responsible employee for Title IX
106.9  Notification of nondiscrimination on basis of sex

Management Resources:
OFFICE OF CIVIL RIGHTS
Notice of Non-Discrimination, January, 1999
WEB SITES
OCR:  http://www.ed.gov/offices/OCR

Policy  SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
adopted:  November 16, 1998  Sacramento, California
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