

NONDISCRIMINATION IN OFFICE OF EDUCATION PROGRAMS AND ACTIVITIES

The Humboldt County Board of Education (HCOE) is committed to equal opportunity for all individuals in education. Humboldt County Office of Education programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, immigration status, ethnic group identification, ethnicity, age, religion, pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery, marital, family or parental status, reproductive health decision-making, physical or mental disability, medical condition, sex, sex stereotypes, sex characteristics, sexual orientation, gender, gender identity or expression, veteran or military status, 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 HCOE services. Personally identifiable information collected in the implementation of any HCOE 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 Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on any other category identified above.

Office of Education 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 curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the County Board of Education 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.

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the County Board of Education if the use would subject a student to unlawful discrimination as specified in Education Code 220.

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

Annually, the Superintendent or designee shall review 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 programs and activities, including the use of facilities. Prompt, reasonable actions shall be taken to remove any identified barrier.

Except for allegations of sex discrimination or sex-based harassment, allegation of unlawful discrimination if Office of Education programs and activities shall be investigated and resolved in accordance with law, Board policy on uniform complaint procedures, and related Superintendent approved procedures. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45.

Pursuant to 34 CFR 104.8 and 34 CFR 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the Office of Education'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, application form, or other recruitment materials distributed to these groups. The notification shall also be posted on the Office of Education's website and social media and in Office of Education program sites 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 Superintendent or designee.

The 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.

Access for Individuals with Disabilities

Policy

Adopted: February 13, 2013

Revised: July 11, 2018

**HUMBOLDT COUNTY OFFICE OF EDUCATION
Eureka, California**

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 Office of Education facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, a transition plan shall be developed that sets forth the steps for completing the changes.

The Superintendent has designated the following ADA Coordinator to receive requests for accommodation and to receive and investigate complaints regarding access to HCOE facilities, programs, services, and activities:

Assistant Superintendent – Business Services
901 Myrtle Avenue, Eureka, CA 95501
707-445-7000
cweber@hcoe.org

HCOE shall ensure that web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate 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 HCOE websites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the ADA Coordinator 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.

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 education 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

Policy

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Adopted: February 13, 2013

Eureka, California

Revised: July 11, 2018

April 16, 2025

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

Policy

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