



DATE: June 26, 2024

TO: Board of Education

FROM: Mrs. Kerstin Kramer, Superintendent Chief Learning Officer

SUBJECT: Approve Proposed Revision to Board Policy 5145.3,
Nondiscrimination/Harassment

PRESENTED BY: Dr. Annamarie Cohen, Executive Director of Student Services

ACTION REQUESTED

Approve proposed revision to Board Policy 5145.3, Nondiscrimination/Harassment

BACKGROUND INFORMATION

Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires that the district's policy prohibiting discrimination, harassment, intimidation, and bullying include a statement that the policy applies to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district, and (2) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. Policy also updated to provide that all allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with the district's uniform complaint procedures. Additionally, policy updated to reflect NEW U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS GUIDANCE documents which (1) state that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race, (2) provide that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme, and (3) address discrimination in the use of discipline based on disability, race, and gender expression.

RESOURCES REQUIRED: N/A

PREPARED BY: Becca Wing, Administrative Assistant, for Dr. Annamarie Cohen, Executive Director of Student Services

Attachment:
BP5145.3, Nondiscrimination/Harassment