

Davis School District Policy and Procedures

Subject: 11IR-100 Nondiscrimination Policy and Complaint Procedures
Index: Individual Rights and Responsibilities
Revised: ~~June 4, 2024~~ June 2, 2026

1. POLICY STATEMENT OF NON-DISCRIMINATION

- 1.1 The District prohibits discrimination, harassment, and related misconduct based on the protected characteristics of race, color, national origin, sex¹ (including sexual orientation and gender identity), disability and religion. The District prohibits discrimination, harassment, and related misconduct on school property, at District or school activities, or off campus if the conduct has a sufficient nexus to or continuing effect on the school or District. Students in the District shall not be subject to discrimination, harassment, and related misconduct, excluded from participation in, or denied the benefits of school programs or activities on the basis of their actual or perceived protected characteristic (i.e., their actual or perceived membership in a “Protected Class”). The District will promptly investigate all allegations of discrimination, harassment, and related misconduct according to the procedures outlined in this Policy, and a violation of the policy will result in remedial and corrective action, which may include discipline. The District is committed to working with students and parents to prevent all discrimination, harassment, and related misconduct and provide equal access to educational programs and a safe learning environment for all students.
- 1.2 The District defines harassment that violates this Policy as objectively offensive conduct based on a person or group’s actual or perceived membership in a Protected Class that given the totality of the circumstances has a negative impact on one or more persons in that Protected Class or has the purpose or effect of creating an unwelcome environment for a reasonable person in that Protected Class. Harassment need not include intent to harm, be directed at a specific person, or involve repeated incidents.
- 1.2.1 The following list includes examples of harassment when the conduct is *based on a person or group’s actual or perceived membership in a Protected Class*. This is not an exhaustive or comprehensive list and is not intended to cover all acts of harassment.
- 1.2.2 Threatening, intimidating, or aggressive conduct directed at a student
- 1.2.3 Use of discriminatory language, epithets, slurs, negative stereotypes, name calling, verbal abuse, derogatory comments, degrading descriptions, and hostile acts
- 1.2.4 Verbal, written, or graphic material containing comments or stereotypes aimed at degrading students
- 1.2.5 Graffiti containing derogatory language, symbols, or pictures
- 1.2.6 Offensive or degrading communications (whether written, verbal, or sent by electronic or other means)

¹ Sexual harassment, as defined in Policy 5S-102, is prohibited under Policy 5S-102 and procedures for investigating allegations of sexual harassment are found in Policy 5S-102. Also, allegations of sex discrimination in athletic equity and access will be investigated by the District’s Director of Athletics and not by the Office of Equal Opportunity.

- 1.2.7 Jokes, notes, stories, drawings or pictures, gestures, or the display or distribution of offensive or degrading material
 - 1.2.8 Displaying degrading words, pictures, or symbols on clothing
 - 1.2.9 Mocking someone's speech, clothes, hairstyle, or customs
 - 1.2.10 The District may address any of the previous types of harassing behavior that happen outside of school or school-related activities and events when it has a sufficient nexus to or continuing effect on the school environment.
- 1.3 To support an educational environment free from harassment and discrimination, any conduct that is derisive, degrading, or demeaning and on the basis of actual or perceived membership in a Protected Class, regardless of whether it is directed at a person in that Protected Class, ~~is~~ **may be** prohibited under this policy because it creates an unwelcome environment that is disruptive to the educational process.
- 1.4 **All reported conduct under 1.3 will be reviewed by OEO to determine whether it meets the elements of 1.2 under this policy. When the conduct does not meet that definition, but is still based on a protected class, it may be a violation of this policy and will be investigated and addressed through appropriate school or District disciplinary processes. OEO will offer oversight and guidance, which may include mandatory remedial and/or disciplinary actions.**

2. OFFICE OF EQUAL OPPORTUNITY

- 2.1 The Office of Equal Opportunity (OEO) is responsible for responding to, investigating, and resolving complaints of violations of this policy, including student-on-student and staff-on-student harassment and other discrimination.
- 2.2 OEO staff includes a Director, **Assistant Director**, District Coordinators, and School Coordinators. District and School Coordinators will investigate **and address** all complaints of harassment and discrimination in accordance with Section 4 of this Policy.
- 2.3 The OEO is also responsible for:
- 2.3.1 Overseeing the District's handling of complaints of harassment, ~~and~~ discrimination **and other violations under section 1.3.**
 - 2.3.2 Evaluating the District's responses to complaints and determining if additional supports, resources, or training is necessary.
 - 2.3.3 Implementing programs and procedures to address any hostile environment related to or arising from harassment, ~~and~~ discrimination, **and related policy violations to and** ensure students have equal access to educational programs and activities.
 - 2.3.4 Conducting outreach to parents, including educating parents on this policy and the procedures for submitting a complaint through parent nights and other community building events.
 - 2.3.5 Educating students and training staff on recognizing, reporting, responding to, and preventing harassment and discrimination and the District's related policies and

procedures for responding to harassment and discrimination.

OEO has autonomy under this Policy to carry out the responsibilities outlined in this section.

2.3.6

3 COMPLAINT PROCEDURES

3.1 Reporting Complaints

- 3.1.1 All complaints reported to the District, [that allege a violation of this policy](#) are entered in the District's Harassment and Discrimination Reporting System ("HDRS") and an investigation is overseen by the OEO.
- 3.1.2 Complaints that this policy was violated may be reported by:
- [a] Filing a complaint directly through HDRS, available on the home page of the District's website; or
 - [b] Directly reporting to school or District personnel, either in writing or verbally. The report will then be entered into HDRS by the person receiving the report, per 3.1.3. and 3.1.4.
- 3.1.3 All District employees are mandatory reporters of student-on-student and staff-on-student harassment and discrimination. All District employees are required to report information of harassment or discrimination that is known to them or of which they become aware, regardless of whether the information is from a student, parent, third party, or another staff member and regardless of whether the employee witnessed the incident or learned of the event from someone else. Employees may report harassment or discrimination directly through HDRS or may report to their supervisor.
- 3.1.4 When a building level administrator receives information regarding an incident of alleged harassment or discrimination, the administrator will:
- [a] Document the incident in HDRS;
 - [b] Contact OEO to confer, consult, and plan the fact-gathering steps of the investigation, and to discuss appropriate Supportive Measures for the parties. Supportive Measures should be reasonably calculated to help the student feel safe and supported and have access to educational programs, including regular check-ins.
 - [c] Contact parents/guardians of Complainant and of Respondent by phone to inform them of the incident, explain the investigative process, and offer Supportive Measures. The administrator will send written notice in the form of an email following the initial contact and within 24 hours or (1) school day of knowledge of the incident.
 - [d] The administrator will ensure that Supportive Measures are implemented as soon as possible, but no later than two (2) school days after receiving information of a complaint.
 - [e] If the complaint is about the building level administrator, an OEO District Coordinator will oversee notification to parents, communication with the Complainant, and implementation of Supportive Measures.

3.2 Assignment and Notice of Investigation [for Harassment or Discrimination](#)

- 3.2.1 Upon receipt of the complaint by the OEO, an OEO Coordinator will be assigned to oversee the investigation of the complaint.
- 3.2.2 District Coordinators will investigate complaints of harassment and discrimination, including discriminatory administration of discipline if the complaint involves:
- [a] instances of recurring harassment for either the student being subjected to harassment or for the student alleged to have engaged in the harassment;
 - [b] complaints of physical harm or threats of physical harm;
 - [c] allegations that a School Coordinator, the Principal, Assistant Principal, Administrative Intern, or another District Coordinator engaged in discrimination other than harassment; and
 - [d] all allegations of staff-on-student harassment.
- 3.2.3 School Coordinators will oversee all other investigations not identified in 3.2.2.
- 3.2.4 For complaints that allege harassment or discrimination based on multiple protected classes, including allegations of discrimination other than harassment based on disability or language, OEO will coordinate between the District Coordinator and the appropriate compliance officer(s) to address the other allegations.²
- 3.2.5 No later than two (2) school days following receipt of complaint through the HDRS, the OEO Coordinator overseeing the investigation (“Investigating Coordinator”) will begin:
- [a] Conferencing, counseling, and planning with the building administrator at the school where the incident occurred; (See 3.1.4.[b]).
 - [b] Ensuring that the administrator:
 - (i) interviews the Complainant and Respondent separately using trauma-informed interviewing skills. Both may be interviewed multiple times, as necessary;
 - (ii) interviews appropriate witnesses;
 - (iii) collects any physical or electronic evidence, such as screenshots of images or text on a person’s personal electronic device, security video footage, police reports (if any); and
 - (iv) uploads summaries of interviews and physical or electronic evidence to HDRS;
 - (v) for discrimination complaints, gathers information about other similarly situated students who are not members of the Complainant’s protected class.
 - [c] Review summaries of interviews and physical evidence, and make factual determinations regarding:

For harassment complaints:

 - (i) whether the conduct occurred as alleged; *and*
 - (ii) whether the conduct constituted harassment as defined in this policy, namely, whether the conduct was:
 - a. objectively offensive;
 - b. based on a person or group’s actual or perceived membership in a Protected Class; *and*

² For example, if a Black student with an IEP alleges he is routinely the subject of jokes based on both race and disability, the investigator will work with the student’s Special Education Coordinator to make them aware of the report and allow the IEP team to determine if certain measures need to be implemented in the student’s IEP to allow the student to continue to access FAPE both during and after the investigation. The Special Education Coordinator may also have information regarding the student’s

disability and IEP history that may be relevant to the investigator's investigation.

- c. given the totality of the circumstances has a negative impact on one or more persons in that Protected Class or
- d. has the purpose or effect of creating an unwelcome environment for a reasonable person in that Protected Class.

For discrimination complaints:

- (i) whether the Complainant was treated unfairly or unequally; *and*
- (ii) whether that treatment was based on actual or perceived membership in a Protected Class.

[d] Each finding will be made using a preponderance of the evidence standard (more likely than not).

3.2.6 Complaints of off-campus harassment that have a continuing effect on District programs and activities will also be investigated according to the procedures outlined here.

3.2.7 Law enforcement officers, including the school’s resource officer (“SRO”), will not be involved in any aspect of the OEO investigation, although there may be an ongoing separate criminal investigation into an incident that is the basis for the complaint to OEO. Investigating Coordinators may rely on SROs as witnesses and may request police reports as part of the evidence, but will not rely solely on SRO testimony and/or a police report, and will not include an SRO in any interviews with complainant, respondent, or witnesses.

3.2.8 If a student engages in conduct that poses a serious threat to another student or staff, including, the possession, control, or actual or threatened use of a real weapon or look alike weapon with intent to intimidate another person or disrupt normal school activities, or engages in a physical altercation that, if committed by an adult would be a felony or class A misdemeanor, the school building administrator may immediately remove involved students for no more than (1) full school day to guarantee school safety, unless the threat is severe and ongoing as determined by the OEO Director in consultation with the building administrator. If a student involved in the conduct described in this paragraph alleges harassment as a motivating factor for the conduct, the building administrator will, in addition: contact OEO and the OEO Coordinator; OEO will investigate the allegation consistent with this policy; and the building administrator will determine appropriate measures to ensure student safety during OEO’s investigation.

3.2.9 At any time during the investigation, Respondent may be temporarily removed to an online educational setting, pending the outcome of the investigation, if the Investigating Coordinator determines removal is necessary to ensure the emotional and/or physical safety of the Complainant or a witness, or to maintain the integrity of the investigation.

3.3 Investigative Reports and Responses to Complaints **Regarding Harassment or Discrimination**

3.3.1 Within ten (10) school days³ of the receipt of a complaint, the Investigating Coordinator will prepare a written report (“Investigative Report”) through HDRS, which will include:

4 If an investigation will exceed (10) school days due to extenuating circumstances, the Investigator will notify both parties in writing of the need to extend the investigation, the reason for the extension, and an estimated dated by which the investigation will conclude. For example, investigating allegations of

- [a] a statement of the allegation, with the policy definition of the alleged conduct;
- [b] a summary of the interviews and evidence including a description of the impact of the alleged conduct;
- [c] findings of fact, based on a preponderance of the evidence standard, with a rationale for each finding;
- [d] a determination of whether a policy was violated; and
- [e] if Policy 11IR-100 was violated, the appropriate remedial or disciplinary measures; or
- [f] if Policy 11IR-100 was not violated, a determination of whether proactive steps to prevent future violations are necessary.

4.1.2 If the investigation results in a finding that harassment or discrimination has occurred, the OEO will work with the building administrator to ensure disciplinary measures are implemented. The building administrator will also be responsible for implementing, at the direction of the OEO, all remedial measures for the Complainant.

4.1.3 If the evidence does not support a finding of harassment or discrimination, the OEO may send the Investigative Report to the school or any other department to determine whether the factual findings should be addressed under any other District policy.

4.1.4 All Investigative Reports involving employees as the Respondent will also be sent to the Director of Human Resources for review with the Administrative Consultation Team (ACT) disciplinary committee and final determination regarding employment discipline, if any, in accordance with Policy 2HR-004.

4.2 Notice of Conclusion

4.2.1 Upon completion of the Investigative Report in HDRS, the parties involved will receive notice that the investigation has concluded (Notice of Conclusion) by electronic mail.

4.2.2 The Notice of Conclusion will include:

- [a] the outcome of the investigation and the rationale for that outcome;
- [b] the remedial measures for the Complainant and the disciplinary measures for the Respondent;
- [c] that retaliation is strictly prohibited with information about how to report retaliation; and
- [d] notice that if either party disagrees with the District's findings, they can appeal pursuant to Section 6. **All appeals must be received within (10) school days of receipt of Notice of Conclusion.**

4.2.3 Disciplinary measures, if any, will be provided to the Respondent and only shared with the Complainant to the extent that the discipline involves the Complainant (e.g., removal of the Respondent from the Complainant's class, bus, or activity).

conduct that occurred more than six months prior to the report may create extenuating circumstances that require an extension of time to investigate.

4.3 **All reports of sexual harassment will follow District Policy 5S-102.**

5 **RETALIATION**

5.1 The District will not tolerate retaliation or intimidation of any kind towards anyone making a complaint of harassment and/or discrimination or participating in an investigation of such an allegation. Such retaliation and intimidation not only violates District policy, but also may violate state and federal law. All parties shall be informed of their right to be free from retaliation and intimidation.

5.2 Complaints of retaliation will be investigated in accordance with the procedures outlined in Section 4 of this policy.

5.3 The District will take swift and strict disciplinary action against any individual who retaliates against a Complainant, or any other person who testifies, assists, or participates in an investigation, proceeding, or hearing in connection with a complaint.

6 **DISCIPLINARY AND REMEDIAL MEASURES**

6.1 Violations of this Policy will result in measures intended to end the harassment and/or discrimination and to prevent it from happening again to ensure the Complainant and all students have equal access to educational opportunities.

6.1.1 Students who violate this Policy will be disciplined in accordance with the procedures in this Policy and not Policy 5S-100.

6.1.2 Employees who violate this Policy will be disciplined subject to the recommendation of the ACT upon receipt of OEO Investigative Report.

6.2 Disciplinary and remedial measures that may be taken for a violation of this Policy include, but are not limited to:

6.2.1 Exclusionary removal of Respondent from school (e.g., suspension)

6.2.2 Regular observation of the Complainant's or Respondent's classes and activities

6.2.3 Changes in supervision of the activity in which the harassment occurred, including increased adult supervision or video monitoring

6.2.4 Transfer or change of transportation, class, or school assignment for Respondent

6.2.5 Exclusion of Respondent from or limitations on Respondent's participation in particular extracurricular activities

6.2.6 Increased parental involvement for Respondent, requiring parent-administrator conference weekly to review Respondent's conduct

6.2.7 Required sensitivity training (for the Respondent, a class, or the entire grade or school)

- 6.2.8 Counseling, including specialized counseling for students who have experienced trauma from racial harassment and a hostile educational environment
- 6.2.9 An apology from Respondent
- 6.2.10 Community service
- 6.2.11 Psychological or medical assessment of Respondent
- 6.2.12 No contact order
- 6.2.13 Additional opportunities for Complainant to participate in or try out for activities, programs, sports, or to form student groups

6.3 The OEO will work with the building level administrator to ensure that disciplinary and remedial measures included in the final notice to parties are implemented and effective in ending the harassment and/or remedying any hostile environment. Depending on the remedial measure, a deadline may be required for completion of the remedial measure or for assessing its effectiveness.

7 APPEAL

7.1 ~~An investigation will be reviewed on appeal if the person requesting the appeal alleges:~~ Appeal rights arise only when disciplinary or corrective action results in a material impact on a student's access to education or a staff member's employment, including suspension or removal from a class or program, or other material restrictions. Appeals will be processed as outlined in accordance with the procedures outlined in this section. Minor or short-term interventions, including warnings, educational measures, or restorative practices, do not constitute grounds for appeal under this policy.

~~7.1.1 — misstatements of fact or failure to include relevant facts that improperly impacted factual findings;~~

~~7.1.2 — newly discovered evidence that was not reasonably available to the parties during the investigation;~~

~~7.1.3 — procedural irregularity that affected the outcome; or~~

~~7.1.4 — bias of OEO personnel or District or school employee that affected the outcome of the matter.~~

7.2 An appeal may be submitted in writing to the Director of OEO or designee within ten (10) school days of receipt of the Notice of Conclusion. All requests for appeal will be forwarded for informational purposes to the District Superintendent, as well.

7.3 The appeal will include an explanation for the basis of the appeal, as outlined ~~in Paragraph 6.1~~ below.

7.3.1 misstatements of fact or failure to include relevant facts that improperly impacted factual findings;

7.3.2 newly discovered evidence that was not reasonably available to the parties during the investigation;

7.3.3 procedural irregularity that affected the outcome; or

~~7.3~~7.3.4 bias of OEO personnel or District or school employee that affected the outcome of the matter.

7.4 The appeal will be heard by an appeals panel comprised of the following individuals:

7.4.1 Assistant Superintendent over OEO

7.4.2 Area Director for the school where the student filing appeal is enrolled

7.4.3 Assistant Superintendent over Family and Student Resources Department

7.4.4 If the matter involves a student on an IEP, the Director of Special Education

7.5 A member of the appeals panel will be recused if directly involved in the investigation or if named as a respondent in the harassment or discrimination complaint that is the subject of the appeal.

7.6 The OEO Director or designee will forward the written appeal, the investigation report, the notice of the outcome of the investigation, and the underlying file (including notes or recording of interviews and documentary evidence) to the appeals panel.

7.7 The appeal panel may take any of the following actions after reviewing the appeal and/or hearing from the student requesting the appeal:

7.7.1 send the investigation report back for further investigation;

7.7.2 reverse the determination of whether there was a policy violation;

7.7.3 uphold the OEO findings and remedial measures; or

7.7.4 amend sanctions or remedial measures.

7.8 Within five (5) school days of receiving the appeal, the appeals panel will issue its decision on the appeal.

8 OTHER AVENUES OF REDRESS

The complaint procedures of this policy do not preclude a Complainant from seeking alternative forms of redress. At any time, if a student, parent, employee, or member of the public believes that he/she has been subjected to discrimination in violation of the law, the individual may file a complaint with the appropriate state or federal agency.

8.1 U.S. Department of Justice (DOJ)
Civil Rights Division
Educational Opportunities Section
(202) 514-4092
1-877-292-3804 (toll-free)
Email: Community.Davis@usdoj.gov
<https://civilrights.justice.gov/report/>

8.2 U.S. Department of Education; Office for Civil Rights (OCR), Region VII
Cesar E. Chavez Memorial Building
1244 Speer Blvd. Suite #310, Denver CO 80204-3582

(303) 844-4303
TDD-Hearing Impaired (800) 877-8339
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

9 CRIMINAL ACTS (REPORTING REQUIREMENTS)

- 9.1 Where a complaint contains evidence that may involve child abuse or criminal activity, the OEO Director shall immediately report the conduct to appropriate law enforcement authorities or the Division of Child and Family Services (DCFS).
- 9.2 When a report of harassment that occurred at school or a school-sponsored event has been referred to law enforcement, the OEO will work with law enforcement to ensure the obligations under this Policy are met. Regardless of the outcome of the criminal investigation, the OEO will pursue its own neutral investigation of the allegations and ensure a prompt and appropriate response to reports of harassment.
- 9.3 If a school investigation is delayed at the request of law enforcement during a criminal investigation, OEO, through the building administrator, will offer interim Supportive Measures reasonably calculated keep all parties involved in allegations of harassment safe and able to equitably access educational opportunities.
- 9.4 When a report of harassment that occurred off school grounds and not at a school-sponsored event has been referred to law enforcement, the OEO, in coordination with the school administrator will work to ensure the students involved have continued equal access to educational programs and or opportunities. In such circumstances, OEO will evaluate whether the alleged conduct had a continuing effect, or otherwise created a hostile environment, within the District's education program or activity, and in such case, OEO will respond to the incident consistent with this policy.
- 9.5 The District encourages any individual who has knowledge of discriminatory acts involving violence or criminal activity to independently report the information to law enforcement authorities.

10 MAINTENANCE OF RECORDS.

- 10.1 All records of complaints, including all electronic and paper records must be retained by the District for at least five (5) years from the date of the complaint.

11 POLICY DISSEMINATION

- 11.1 This policy will be posted on the District's homepage, and on every homepage of each school in the District.
- 11.2 The policy will also be part of the District's policy manual.

DEFINITIONS

“Discrimination” means the unjust or prejudicial treatment of individuals or groups based on an actual or perceived membership in a Protected Class. When the conduct is based on a person or group’s actual or perceived membership in a Protected Class, the following are examples of discrimination. This is not an exhaustive or comprehensive list and is not intended to cover all acts of discrimination.

- [a] Disciplining a student more harshly than other students who engage in similar conduct.
- [b] Denying privileges or opportunities to students, such as the opportunity to form a club or to participate in extracurricular activities
- [c] Denying students with a disability access to Free Appropriate Public Education (FAPE)
- [d] Assigning students to an inadequate or inferior building, facility, bus, program, class, project, teachers, activity, school, or grouping of any kind
- [e] Denying access to programs or facilities, including access facilitated by appropriate interpretation and translation services
- [f] Denying reasonable accommodations to students with disabilities

“Harassment” is objectively offensive conduct based on a person or group’s actual or perceived membership in a Protected Class that given the totality of the circumstances has a negative impact on one or more persons in that Protected Class or has the purpose or effect of creating an unwelcome environment for a reasonable person in that Protected Class.

“Complainant” means a person alleged to have been subjected to conduct that could constitute discrimination or harassment. There may be more than one complainant to a complaint.

“Harassment and Discrimination Reporting System” is a central reporting and management system through which all complaints of harassment and discrimination will be filed and recorded with the Office of Equal Opportunity.

“Respondent” means a person alleged to have engaged in harassment and/or discrimination and against whom a complaint has been filed. There may be more than one Respondent in a complaint.

“Supportive measures” means measures the school takes that are reasonably calculated to ensure a Complainant or Respondent feels safe and supported at school, based on the facts known at the time, upon reporting harassment. Examples of Supportive Measures include, but are not limited to:

- [a] counseling;
- [b] extensions of deadlines or other course-related adjustments;
- [c] modifications of class schedules;
- [d] altering work arrangements, changes in work locations, or leaves of absence for student-employees;
- [e] school safety plan;
- [f] mutual restrictions on contact between the parties (no contact orders);
- [g] increased security and monitoring of certain areas of the school; and
- [h] other similar measures.

“Investigating Coordinator” means the coordinator from the Office of Equal Opportunity overseeing the investigation. At times, that may be a School Coordinator from the Office of Equal Opportunity or it may be a District Coordinator from the Office of Equal Opportunity, depending on the nature of the allegation.

“Retaliation” means any form of sanction or adverse treatment, including but not limited to intimidation, reprisal, or harassment of any individual because that individual has asserted, or assisted another individual to assert, a complaint in either a formal or informal manner with the District or with any state or federal

agency; or has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to a complaint.

“Disciplinary measures” means sanctions that impose corrective action for misconduct, including but not limited to, school suspension, removals from class, bus, or school activities, including extracurricular activities the Respondent is involved in. Disciplinary measures are intended to prevent prohibited conduct from recurring. As applied to this Policy, disciplinary measures are those sanctions taken against a Respondent where the investigation results in a finding of a violation of this Policy.

“Remedial measures” means steps taken to restore the Complainant to equal educational access, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct.

REFERENCES

[Title IV of the Civil Rights Act of 1964 \(42 U.S.C. § 2000\(d\) et seq.\)](#)

[Title VI of the Civil Rights Act of 1964 \(42 U.S.C. § 2000\(d\) et seq.\)](#)

[Title IX of the Education Amendments Of 1972 \(20 U.S.C §§ 1681-86\)](#)

[Section 504 of the Rehabilitation Act of 1973 \(29 U.S.C. § 794\)](#)

[Office for Civil Rights, U.S. Department of Education Regulations \(34 C.F.R. § 106.8\)](#)

[Office for Civil Rights, U.S. Department of Education Regulations \(34 C.F.R. § 104.7\)](#)

[Office for Civil Rights Regulations, U.S. Department of Education Regulations \(34 C.F.R. -Part 100\)](#)

[U.S. Department of Justice Regulations \(28 C.F.R. § 35.107\)](#)

[Implementing Title II of the Americans with Disabilities Act \(42 U.S.C. § 12131\)](#)

DOCUMENT HISTORY:

Adopted: January 17, 2012 – Combines previous policies 11IR-102 Designation of Compliance Officer and 11IR-103 Civil Rights Grievance Procedure. Renamed and renumbered to 11IR-100 Nondiscrimination Policy and Complaint Procedure. Simplifies the Complaint Procedure for students, employees, and patrons.

Revised: January 28, 2016 - Updated consistent with changes in State law. Sexual orientation and gender identify included as protected classes in employment decisions.

Revised: March 2, 2021 - Five-year review. Added reference to sexual harassment policies. Additional nonsubstantive changes.

Revised: August 2, 2022 – Updated to comply with Federal, and State law, as well as the Department of Justice settlement. Policy reflects District reporting, investigation, supports, and training practices.

Revised: August 1, 2023- Amended language and definition of harassment.

Revised: June 4, 2024 – Clarified that review of the complaint begins within 2 days (section 3.2.5)

Revised: June 2, 2026 – Revised appeal process to ensure OEO oversight when violation allegation does not meet definition of harassment or discrimination.