

**North Orange County Regional Occupational Program
NONDISCRIMINATION/HARASSMENT
ROP BP 5145.3**

BP 5145.3 (a)

Policy

Students

This policy shall apply to all acts constituting unlawful discrimination or harassment related to ROP programs and activities or to attendance occurring within a ROP program, and to acts which occur off campus or outside of ROP-related or ROP-sponsored activities but which may have an impact or create a hostile environment.

The Governing Board desires to provide a safe learning environment that allows all students equal access and opportunities in the ROP's academic, extracurricular, and other activities. The Board prohibits discriminatory harassment, intimidation, or bullying, targeted at any student by anyone, based on the student's actual or perceived age, ancestry, color, ethnic group, ethnicity, gender, gender expression, gender identity, genetic information, immigration status, marital status, military status, national origin, nationality, parental status, physical or mental disability, political beliefs, pregnancy, race, religion, sex, sexual orientation, veteran status, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics or identification.

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 includes the creation of a hostile environment through prohibited conduct that 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 to participate in school programs or activities or the provision or receipt of educational benefits or services.

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 a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing ROP's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees.

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In addition, the Superintendent or designee shall post the ROP's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the ROP's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and 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 law related to discrimination. The Superintendent or designee shall regularly review the implementation of ROP's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in ROP. He/she shall report his/her 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.

Record-Keeping

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