



Education Equity

2019–20 Program Instrument

California Department of Education
August 2019

I. Involvement

EE 01: Prohibition of Discrimination, Harassment, Intimidation, and Bullying

- 1.0 The local educational agency (LEA) shall have a policy that prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived age, ancestry, color, mental or physical disability, gender, gender identity, gender expression, genetic information, immigration status, marital status, medical information, nationality, race, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The policy shall include a statement that it applies to all acts related to school activity or school attendance within a school under the jurisdiction of the superintendent of the school district.
(California *Education Code* [EC] sections 200, 220, 221.5, 234.1[a], 234.7, and 260; California Government Code [GC] Section 11135; California Penal Code [PC] Section 422.55; *California Code of Regulations*, Title 5 [5 CCR] sections 4900, 4902, and 4960)
- 1.1 The LEA must have an implemented complaint process to receive, investigate, and resolve allegations of discrimination, harassment, intimidation, and bullying based on actual or perceived age, ancestry, color, mental or physical disability, ethnicity, gender, gender identity, gender expression, genetic information, immigration status, marital status, nationality, race, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics, and shall include, but is not limited to, the following:
 - (a) Requirement that school personnel take immediate steps to intervene when safe to do so if he or she witnesses an act of discrimination, harassment, intimidation, or bullying.
 - (b) A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the district.

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- (c) Provide an appeal process to the complainant should he or she disagree with the resolution of the complaint.
 - (d) All forms created relative to this process shall be translated pursuant to *EC* Section 48985.
(*EC* sections 221.5, 234.1[b]; 5 *CCR* sections 4610, 4621 and 4960[a]; *GC* Section 11135)
- 1.2 The LEA must publicize policies that prohibit discrimination, harassment, intimidation, and bullying, including information about:
- (a) How to file a complaint, to students, parents, employees, agents of the governing board, and the general public.
 - (b) The person within the district who is responsible for the implementation of the policy prohibiting discrimination, harassment, intimidation, and bullying; and the person responsible for receiving and investigating complaints, as well as ensuring compliance with the following: 5 *CCR* sections 4600 and 4900. The contact information (i.e., name/title, office address, office telephone number, and email address) of the designated compliance officer(s), must also be included.
 - (c) This information is to be translated according to *EC* Section 48985.
(*EC* sections 234.1[c] and [h]; 5 *CCR* sections 4621[b], 4622, 4960[b] and 4961; Title 34, 34 *CFR* sections 106.8[a]–[b] and 106.9)
- 1.3 The LEA must ensure all allegations of discrimination are investigated and corrective actions are implemented whenever necessary and appropriate.
(5 *CCR* sections 4610, 4621, 4631 and 4962)
- (d) All documentation of complaints and their resolution must be maintained for a minimum of one review cycle. (*EC* sections 234.1(f))
 - (e) Ensure that all complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate. (*EC* sections 234.1[g])
- 1.4 The LEA must post the established policies prohibiting discrimination, harassment, intimidation, and bullying in all schools and offices, which include staff lounges and student government meeting rooms.
(*EC* Section 234.1[e]; 5 *CCR* Section 4960[b])

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Evidence Requests

Confirmation of Nondiscrimination Policy Postings

Abbreviation: CnfrmtnNdscrmnPlyPst

Description: Statement certifying all schools and district office have posted the LEA's sexual harassment policy in prominent locations in the main administrative buildings and other areas where LEA notices are posted. Statement must be on LEA letterhead and signed by the District Superintendent.

Item Instructions:

Related Items: EE 01

Onsite Review of Complaints

Abbreviation: OnstRvCmplnts

Description: Onsite review of complaints alleging discrimination, intimidation, harassment, and/or bullying filed within the past 12 months by students and/or parents/guardians. Do not upload complaints into CMT.

Item Instructions:

Related Items: EE 01, EE 02

Publicized Materials

Abbreviation: PblcxdMtrls

Description: Publications and other materials provided to students, parents/guardians, and employees that contain the LEA's nondiscrimination policies. Materials must include a complete nondiscrimination statement and the compliance officer(s) contact information.

Item Instructions:

Related Items: EE 01

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Student Complaints and Policy Procedures

Abbreviation:	StdntCmplntsPlcyPrcdr
Description:	Current Board policy, with approval/adoption date(s), and outline of corresponding procedure/process. Policy and process/procedure must include information related to the process for formal and informal complaints. Must include all protected group statuses and the compliance officer(s) contact info.
Item Instructions:	EE 01: Related to discrimination, harassment, intimidation, and bullying.
Related Items:	EE 01, EE 02

Student Nondiscrimination, Harassment, Intimidation, and Bullying Policy

Abbreviation:	StdntNdscrmnHrsmntIntmdtnBlyngPlcy
Description:	Current Board policy, with approval/adoption date(s), prohibiting discrimination, harassment, intimidation, and bullying. Policy must include all protected group statuses and the compliance officer(s) contact information.
Item Instructions:	
Related Items:	EE 01

II. Governance and Administration

EE 02: Prohibition of Sexual Harassment

- 2.0 The LEA shall have a written policy on sexual harassment, which shall include information on where to obtain the specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies. (*EC* sections 231.5 [b] and [c])
- 2.1 A copy of the written policy on sexual harassment shall be displayed in a prominent location in the main administrative building or other area of the campus or school site. “Prominent location” means that location, or those locations, in the main administrative building or other area where notices regarding the LEA’s rules, regulations, procedures, and standards of conduct are posted. (*EC* Section 231.5 [d])
- 2.2 The LEA shall provide a copy of the written policy to all students as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable. (*EC* Section 231.5[e])

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- 2.3 A copy of the LEA’s written policy on sexual harassment shall be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. (EC Section 231.5[f])
- 2.4 A copy of the LEA’s policy shall appear in any publication that sets forth the comprehensive rules, regulations, procedures, and standards for conduct for the LEA. (EC Section 231.5[g])
- 2.5 The LEA shall maintain records of complaints of sexual harassment brought by students and employees of the school district. (EC Section 253[a])

Evidence Requests

Confirmation of Sexual Harassment Policy Postings

Abbreviation: CnfrmtnSxlHrsmntPlcyPstng

Description: Statement certifying all schools and district office have posted the LEA’s sexual harassment policy in prominent locations in the main administrative buildings and other areas where LEA notices are posted. Statement must be on LEA letterhead and signed by the District Superintendent.

Item Instructions:

Related Items: EE 02

Notification of Student Sexual Harassment Policy

Abbreviation: NtfctnStdntSxlHrsmntPlcy

Description: Materials provided to students and employees at the beginning of each quarter/semester and summer session and all publications outlining the LEA’s rules, regulations, procedures, and standards of conduct. Employee materials must also include materials provided at the time of initial hire.

Item Instructions:

Related Items: EE 02

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Onsite Review of Complaints

Abbreviation: OnstRvCmplnts

Description: Onsite review of complaints alleging discrimination, intimidation, harassment, and/or bullying filed within the past 12 months by students and/or parents/guardians. Do not upload complaints into CMT.

Item Instructions:

Related Items: EE 01, EE 02

Student Complaints Policy and Procedure

Abbreviation: StdntCmplntsPlcyPrcdr

Description: Current Board policy, with approval/adoption date(s), and outline of corresponding procedure/process. Policy and process/procedure must include information related to the process for formal and informal complaints. Must include all protected group statuses and the compliance officer(s) contact info.

Item Instructions: EE 02: Related to sexual harassment.

Related Items: EE 01, EE 02

Student Sexual Harassment Policy

Abbreviation: StdntSxlHrsmntPlcy

Description: Current Board policy, with approval/adoption date(s), which (1) prohibits sexual harassment and (2) outlines the complaint procedures for such allegations. Policy and process/procedure must include the compliance officer(s) contact information.

Item Instructions:

Related Items: EE 02

EE 03: Suicide Prevention for Students

- 3.0 The governing board or body of a LEA that serves pupils in grades 7 to 12, inclusive, shall, before the beginning of the 2017–18 school year, adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in grades 7 to 12, inclusive. The policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention.

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- 3.1 The policy shall specifically address the needs of high-risk groups, including, but not limited to, all of the following:
- (a) Youth bereaved by suicide.
 - (b) Youth with disabilities, mental illness, or substance use disorders.
 - (c) Youth experiencing homelessness or in out-of-home settings, such as foster care.
 - (d) Lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth.
- 3.2 The policy shall be written to ensure that a school employee acts only within the authorization and scope of the employee’s credential or license. Nothing in this section shall be construed as authorizing or encouraging a school employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so. (*EC Section 215[a]*)
- 3.3 The policy shall also address any training to be provided to teachers of pupils in grades 7 to 12, inclusive, on suicide awareness and prevention. Materials approved by a LEA for training shall include how to identify appropriate mental health services, both at the school site and within the larger community, and when and how to refer youth and their families to those services. Materials approved for training may also include programs that can be completed through self-review of suitable suicide prevention materials. (*EC Section 216[a]*)
- 3.4 Commencing July 1, 2019, a public school, including a charter school, or a private school, that serves pupils in any of grades 7 to 12, inclusive, and that issues pupil identification cards shall have printed on either side of the pupil identification cards the telephone number for the National Suicide Prevention Lifeline, 1-800-273-8255. The LEA may also include the Crisis Test Line, which can be accessed by texting HOME to 741741 and/or a local suicide prevention hotline telephone number, in addition to the National Suicide Prevention Lifeline. (*EC Section 215.5[b]*)

Evidence Requests

Student Identification Cards

- Abbreviation: StdntIdCrds
- Description: Sample of three student identification cards from different grade levels showing the required suicide prevention information.
- Item Instructions:
- Related Items: EE 03

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Suicide Prevention Board Policy

Abbreviation: ScdPrvntnBrdPlcy

Description: Current Board policy, with approval/adoption date(s), for students relating to suicide prevention, intervention, and postvention.

Item Instructions:

Related Items: EE 03

EE 04: Gender Equity

- 4.0 The LEA notifies students, parents, employees, and others that it does not discriminate on the basis of sex in the educational program it operates. (34 *CFR* Section 106.9[a])
- 4.1 The LEA posted the requirements of Title IX in a prominent and conspicuous location on their Internet Web sites which must include all of the following:
- (a) The name and contact information of the Title IX coordinator that public school, school district, county office of education, or charter school which shall include the Title IX coordinator's phone number and email address.
 - (b) The rights of a pupil and the public and the responsibilities of public school, school district, county office of education, or charter school under Title IX, which shall include, but shall not be limited to, Internet Web links to information about those rights and responsibilities located on the Internet web sites of the department's Office for Equal Opportunity and the U.S. Department of Education (ED) Office of Civil Rights (OCR), and the list of rights specified in *EC* Section 221.8.
 - (c) A description of how to file a complaint under Title IX, which must include all of the following:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filed beyond the statute of limitations.
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including, but not limited to, Internet Web links to this information on the U.S. ED OCR's internet web site.
 - iii. An Internet web link to the U.S. ED OCR complaints form, and the contact information for the office, which shall include the phone number and email address for the office. (*EC* Section 221.61).
- 4.2 A student shall be permitted to participate in sex-segregated school programs and activities and use facilities consistent with his or her gender

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identity, irrespective of the gender listed on the student’s records.
(*EC* Section 221.5[f])

- 4.3 The LEA has provided, incident to the publicizing of policies against discrimination, harassment, intimidation and bullying described in *EC* Section 234.1(c), to certificated school site employees who serve pupils in any of grades 7 to 12, inclusive, who are employed by the LEA, information on existing school site and community resources related to the support of LGBTQ pupils, or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.
- (a) School site resources may include, but are not limited to, peer support or affinity clubs and organizations, safe spaces for LGBTQ, or other at-risk pupils, counseling services, staff who have received anti-bias or other training aimed at supporting these pupils or who serve as designated support to these pupils, health and other curriculum materials that are inclusive of, and relevant to, these pupils, online training developed pursuant to *EC* Section 32283.5, and other policies adopted pursuant to this article, including related complaint procedures.
- (b) Community resources may include, but are not limited to, community-based organizations that provide support to LGBTQ, or other at-risk pupils and their families, and physical and mental health providers with experience or training in treating or supporting these pupils.
(*EC* sections 234.1[d][1], 2[a–b])

Evidence Requests

Notification of Sex Discrimination Policy

Abbreviation: NtfctnSxDscrmntnPlcy

Description: Publications and other materials provided to students, parents/guardians, and employees that contain the LEA’s sex nondiscrimination policies. Materials must include a complete nondiscrimination statement and the compliance officer(s) contact information.

Item Instructions:

Related Items: EE 04

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School and Community Resources for LGBTQ and Other At-Risk Students

Abbreviation: SchLCmntyRsrcLGBTQOthrAtRskStdnts

Description: Existing school site and community resources provided to certificated staff related to the support of LGBTQ and other at-risk students.

Item Instructions:

Related Items: EE 04

Title IX Webpage

Abbreviation: Title IX Webpage

Description: Legible screenshot(s) of the LEA's Title IX webpage displaying all required components. Web links will not be accepted as evidence.

Item Instructions:

Related Items: EE 04

EE05: Marital, Parental, and Pregnancy Status

- 5.0 The LEA shall notify pregnant and parenting pupils of their rights and options available under the law through the annual school year welcome packets and through independent study packets. (EC Section 222.5[a])
- 5.1 The LEA shall also annually notify parents/guardians of pupils at the beginning of the regular school term of the rights and options available to pregnant and parenting pupils under the law. (EC Section 222.5[b])
- 5.2 The LEA shall apply no rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (EC Section 221.51[a]; 5 CCR Section 4950; 34 CFR Section 106.40[a])
- 5.3 The LEA shall not exclude or deny any student from any educational program or activity solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. (EC Section 221.51[b]; 5 CCR Section 4950[a]; 34 CFR Section 106.40[b][1]).
- 5.4 Pregnant or parenting students are not excluded from participation in their regular school programs or required to participate in pregnant-student programs or alternative educational programs. (EC Section 221.51[d]; 5 CCR Section 4950[c]; 34 CFR Section 106.40[b][1]).

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- 5.5 Pregnant/parenting students who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program.
(EC Section 221.51[d]; 5 CCR Section 4950[c]; 34 CFR Section 106.40[b][3]).
- 5.6 The LEA treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability.
(EC Section 221.51[e]; 5 CCR Section 4950[d]; 34 CFR Section 106.40[b][4]).
- 5.7 The LEA shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A school shall be required to provide the reasonable accommodations specified only if there is at least one lactating pupil on the school campus.
- (a) Reasonable accommodations under this section include, but are not limited to, all of the following:
- i. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
 - ii. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
 - iii. Access to a power source for a breast pump or any other equipment used to express breast milk.
 - iv. Access to a place to store expressed breast milk safely.
- (b) A lactating pupil shall be provided a reasonable amount of time to accommodate her need to express breast milk or breast-feed an infant child.
- (c) A pupil shall not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this section, and shall be provided the opportunity to make up any work missed due to such use. (EC Section 222[a]-[e])

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Evidence Requests

Married, Pregnant, and Parenting Policy

Abbreviation: MrdPrgntPrntgPlcy

Description: Current Board policy, with approval/adoption date(s), related to a student's actual or perceived parental, pregnancy, and/or marital status.

Item Instructions:

Related Items: EE 05

Notification of Rights for Pregnant and Parenting Students

Abbreviation: NtfctnRgtsPrgntPrntStdnts

Description: Annual notifications to students and parents/guardians outlining the rights and options available to pregnant and/or parenting students.

Item Instructions:

Related Items: EE 05

Reasonable Accommodation of Lactating Students

Abbreviation: RsnblAcmdtnLctngStdnts

Description: Process and/or procedure outlining the accommodations available to lactating students.

Item Instructions:

Related Items: EE 05

Statement regarding Lactating Students

Abbreviation: StmntRgrdngLctngStdnts

Description: Statement outlining the number of lactating students currently enrolled in the school district. Statement must be on LEA letterhead and signed by the District Superintendent.

Item Instructions:

Related Items: EE 05

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Student Schedules

Abbreviation: StdntSchdls

Description: Schedules for three pregnant and/or parenting students and three non-pregnant/non-parenting students in the same grade levels. Student names and other personally identifiable information must be redacted.

Item Instructions:

Related Items: EE 05

EE 06: Immigration and Citizenship

- 6.0 School officials and employees of an LEA shall not collect information or documents regarding citizenship or immigration status of pupils and their family members, except as required by law or required to administer a state or federally supported educational program. (*EC* Section 234.7[a])
- 6.1 The LEA shall report to the responsible governing board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures confidentiality and privacy of any potentially identifying information. (*EC* Section 234.7[b])
- 6.2 If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian. (*EC* Section 234.7[c])
- 6.3 The LEA's governing board shall do both of the following:
 - (a) Provide information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to "know your rights" immigration enforcement established by the Attorney General and may be provided in the annual notification to parents and guardians pursuant to *EC* Section 48980 or any other cost-effective means determined by the LEA. (*EC* Section 234.7[d][1])
 - (b) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs. (*EC* Section 234.7[d][2])

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- 6.4 All LEAs shall adopt policies based on the model policies developed by the Attorney General’s Office (*Guidance*), or equivalent policies.
(EC Section 234.7[g])

Evidence Requests

“Know Your Educational Rights”

Abbreviation: KnwYrEdctnlRghts

Description: Materials with required “Know Your Educational Rights” distributed to parents/guardians and proof of distribution.

Item Instructions:

Related Items: EE 06

Annual Notification – General Information Policy

Abbreviation: AnlNtfctnGnrllnfmtnPly

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), related to student privacy and the parent/guardian ability to inspect student information. Reference Attorney General’s Guidance, page 21.

Item Instructions:

Related Items: EE 06

Annual Notification – Student Directory Information

Abbreviation: AnlNtfctnStdntDrctryInfmtn

Description: Annual notification sent to students and parents/guardians which includes a description of the information identified as “directory information,” the ability for parents/guardians to refuse the release of information, and the time frame for a written refusal.

Item Instructions: EE 06: Reference Attorney General’s Guidance, page 22.

Related Items: EE 06

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Collecting and Retaining Student Information

Abbreviation: ClctngRtngStdntInfmtn

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which outlines how the LEA collects and retains student information. Reference Attorney General's Guidance, page 12.

Item Instructions:

Related Items: EE 06

Immigration Status, Citizenship Status, and National Origin Information

Abbreviation: ImgrtnStsCtznspsStsNtnlOrgnInfmtn

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes how the LEA handles inquiries related to immigration status, citizenship status, and/or national origin. Reference Attorney General's Guidance, pages 12-13.

Item Instructions:

Related Items: EE 06

Information Sharing

Abbreviation: InfmtnShrng

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes how the disclosure of student and family information is monitored. Reference Attorney General's Guidance, pages 20-21

Item Instructions:

Related Items: EE 06

Monitoring and Receiving Visitors onto Campus

Abbreviation: MntrngRcvngVstrsCmps

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which outlines the process for receiving visitors onto school sites. Reference Attorney General's Guidance, page 29.

Item Instructions:

Related Items: EE 06

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Parental Notifications of Immigration-Enforcement Actions

Abbreviation: PrntlNftctnlmgrtnEnfrcmntActns

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes the process for parent/guardian notifications of immigration-enforcement actions. Reference Attorney General's Guidance, page 31.

Item Instructions:

Related Items: EE 06

Response to Hate Crimes and Bullying

Abbreviation: RpsnsHtCrmsBlyng

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), prohibiting discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, and/or immigration status.

Item Instructions: EE 06: Reference Attorney General's Guidance, pages 37–38.

Related Items: EE 06

Response to On-Campus Immigration Enforcement

Abbreviation: RspnsOnCmpslmgrtnEnfrcmnt

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes the LEA's response to on-campus immigration enforcement. Reference Attorney General's Guidance, pages 30–31.

Item Instructions:

Related Items: EE 06

Response to the Detention and Deportation of a Student's Family Member

Abbreviation: RspnsDtntnDprtnStdntFmMmbr

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes the process for responding to the detention and deportation of a student's family member. Reference Attorney General's Guidance, page 34.

Item Instructions:

Related Items: EE 06

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Social Security Numbers or Cards

Abbreviation: SSNsCrds

Description: Current Board policy, procedure, and/or process, with approval/adoption date(s), which describes how the LEA handles inquiries related to Social Security numbers and cards. Reference Attorney General's Guidance, page 13.

Item Instructions:

Related Items: EE 06

Training related to Hate Crimes and Bullying

Abbreviation: TrngRltdHtCrmsBlyng

Description: Training provided to students and staff related to hate crimes and bullying on the basis of a student's actual or perceived immigration status and/or their religious beliefs or customs. Reference Attorney General's Guidance, page 38.

Item Instructions:

Related Items: EE 06

VI. Opportunity and Equal Educational Access

EE 07: Curriculum Instruction and Counseling Materials

- 7.0 All counseling staff and materials do not discriminate against any student based on ancestry, color, mental or physical disability, gender, national origin, race, ethnic group identification, religion, sex, or sexual orientation in the counseling or guidance of pupils or in the use of materials for testing, appraising, or counseling pupils. (EC Section 221.5; 5 CCR sections 4930, 4931; 34 CFR Section 106.36).
- 7.1 The LEA develops and uses an internal procedure to ensure that different counseling materials for students are not used on the basis of sex or the use of materials does not permit or require different treatment of students based on sex. (5 CCR Section 4931; 34 CFR Section 106.36[b]).
- 7.2 The LEA shall not permit any course or activity labeling or scheduling which results in the separation of students on the basis of ancestry, color, mental or physical disability, gender, national origin, race, ethnic group identification, religion, sex, or sexual orientation. If students have the opportunity to select a specific activity for a physical education course, the course title and description shall be gender neutral. (5 CCR Section 4940[d])

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- 7.3 In determining required courses for any student, such determination shall be made without regard to ancestry, color, mental or physical disability, gender, national origin, race, ethnic group identification, religion, sex, or sexual orientation. (5 CCR Section 4940[h])
- 7.4 The LEA takes action to ensure that any disproportionate number of students of one sex enrolled in a particular class is not the result of counseling or appraisal materials.
(CCR sections 4931[c] and [d]; 34 CFR Section 106.36[c]).

Evidence Requests

Academic, Career, and Guidance Counseling Materials

Abbreviation: AcdmcCrGdnCnslngMtrls
Description: All materials provided to students related to academic, career, and/or guidance counseling.
Item Instructions:
Related Items: EE 07

Course Announcements

Abbreviation: CrsAncmnts
Description: Current year course announcements for all grade levels served. Announcements must include a complete nondiscrimination statement and the compliance officer(s) contact information.
Item Instructions:
Related Items: EE 07

Master Course Scheduling Process

Abbreviation: MstrCrsSchdngPrce
Description: Written description of the process used to identify and resolve disproportionate number of students of one sex in a particular course. Statement must be on LEA letterhead and signed by the District Superintendent.
Item Instructions:
Related Items: EE 07

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New Classes of Instruction

Abbreviation: NwClsInstrctn

Description: Current Board policy and/or procedure, with approval/adoption date(s), related to adding new classes of instruction. Policy should allow course access to all students.

Item Instructions:

Related Items: EE 07

EE 08: Student Activities, Clubs, and Programs

8.0 LEA programs, activities, and student clubs are available to all persons without regard to actual or perceived age, ancestry, color, disability, ethnicity, gender, gender identity, gender expression, immigration status, nationality, race, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.
(*EC* sections 200, 220, and 260; 5 *CCR* sections 4925–4926)

8.1 All student clubs shall have equal access to LEA facilities to conduct a meeting and a fair opportunity to meet. (5 *CCR* Section 4927)

Evidence Requests

Activities, Clubs, and Program Materials

Abbreviation: ActvtsClbsPrgmMtrls

Description: All materials used related to student activities, clubs, and programs. Materials must indicate availability to all students. Screenshots of social media or other web-based materials must be legible.

Item Instructions:

Related Items: EE 08

Student Activities, Clubs, and Programs Policy

Abbreviation: StdntActvtsClbsPrgmsPlcy

Description: Current Board policy and/or procedure, with approval/adoption date(s), related to student participation and selection criteria for extracurricular and co-curricular activities, clubs, and programs. Policy must indicate availability of activities, clubs, and programs to all students.

Item Instructions:

Related Items: EE 08

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EE 09: Athletics

- 9.0 The LEA accommodates the interests and abilities in athletics of both sexes by any one of the following means:
- (a) Opportunities for interscholastic-level participation for male and female students are provided in numbers substantially proportionate to their respective enrollments. (*EC Section 230[d][1]*)
 - (b) The history of the program and continuing practice of program expansion are demonstrably responsive to the developing interest and abilities of members of the sex that has been and is underrepresented among interscholastic athletes. (*EC Section 230[d][2]*)
 - (c) Interests and abilities of the members of the underrepresented sex have been fully and effectively accommodated by the present program. (*EC Section 230[d][3]*)
- 9.2 The LEA ensures that each public elementary school, secondary school, and charter school offering competitive athletics shall make all of the following information publicly available at the end of the school year and shall reflect the total number of players on a team roster on the first official day of team competition: total enrollment of the school, classified by gender; number of pupils enrolled at the school who participate in competitive athletics, classified by gender; number of boys' and girls' teams, classified by sport and competition level. (*EC sections 221.9[a–b]*)
- (a) This information shall be posted on the Internet and be listed by individual school. (*EC Section 221.9[c]*)
 - (b) All data utilized to compile each school's information shall be retained by the school for a minimum of three years after the information is posted on the Internet. (*EC Section 221.9[d]*)
- 9.3 Facilities, equipment, and opportunity provided for students are comparable and equitable to both sexes consistent with his or her gender identity, irrespective of the gender listed on the pupil's records. (*EC Section 221.5[f]; 5 CCR sections 4922[a][1–9]; 34 CFR Section 106.33*)
- 9.4 Athletic programs supported by public funds provide equal opportunity for participation by all students and ensure equitable use of such funds. (*EC Section 221.7[b]; 5 CCR sections 4900[b], 4920, and 4922; 34 CFR Section 106.41*)
- 9.5 If the LEA reduces its athletic budget, it does so consistent with state and federal gender equity laws. (*EC Section 230[e]; 5 CCR Section 4922[b]; 34 CFR Section 106.41[c]*)

2019–20 Education Equity Program Instrument (Continued)

Evidence Requests

Athletic Competition Schedules

Abbreviation: AthlCmptnSchdls

Description: Previous academic year's athletic competition schedules, classified by sport and gender.

Item Instructions:

Related Items: EE 09

Athletic Facility Site Maps

Abbreviation: AthlCfcltyStMps

Description: Scaled maps of the LEA's locker room and athletic facilities, classified by gender. Maps must include locker room/facility square footage, locker count, and toilet/urinal, sink, and shower count.

Item Instructions:

Related Items: EE 09

Athletic Fiscal Records

Abbreviation: AthlCfscfRcrds

Description: Previous academic year's athletic fiscal records for school site funding of athletic programs, classified by sport and gender. Records must show expenditures for program equipment, facilities, coaches' salary/stipend, transportation/travel, publicity/fundraising, and medical services.

Item Instructions:

Related Items: EE 09

Athletic Recruitment and Participation Materials

Abbreviation: AthlCRcrtmntPrtpnMtrls

Description: All materials used in the promotion, recruitment, and participation of athletics at the LEA. Materials must indicate availability to all students. Screenshots of social media or other web-based materials must be legible.

Item Instructions:

Related Items: EE 09

2019–20 Education Equity Program Instrument (Continued)

Athletic Rosters

Abbreviation: AthlRstrs

Description: Previous academic year's athletic rosters classified by sport, competition level, and gender. Student names and other personally identifiable information must be redacted.

Item Instructions:

Related Items: EE 09

Athletics Webpage

Abbreviation: AthlWbpg

Description: Legible screenshot(s) of the LEA's entire athletic webpage(s) which includes a complete nondiscrimination statement and the required athletic data. Web links will not be accepted as evidence.

Item Instructions: EE 09: Must include a complete nondiscrimination statement and the required athletic data.

Related Items: EE 09, EE 10

EE10: California Racial Mascots Act

10.0 Public schools are prohibited from using the term Redskins for school or athletic team names, mascots, or nicknames. (*EC* Section 221.3[a])

10.1 A school may continue to use uniforms or other materials bearing the term Redskins as a school or athletic team name, mascot, or nickname that were purchased before January 1, 2017, if all of the following requirements are met:

- (a) The school selects a new school or athletic team name, mascot, or nickname.
- (b) The school refrains from purchasing or acquiring, for the purpose of distribution or sale to pupils or school employees, any uniform that includes or bears the name Redskins. Notwithstanding the previous statement, prior to January 1, 2019, a school using uniforms that bear the term Redskins may purchase or acquire a number of uniforms equal to up to 20 percent of the total number of uniforms used by a team or band at that school during the 2016–17 school year for the purposes of replacing damaged or lost uniforms.
- (c) The school refrains from purchasing or acquiring, for the purpose of distribution or sale to pupils or school employees, any yearbook,

2019–20 Education Equity Program Instrument (Continued)

newspaper, program, or other similar materials that includes or bears the prohibited team name, mascot, or nickname in its logo or cover title.

- (d) The school refrains from purchasing or constructing a marquee, sign, or other new or replacement fixture that includes or bears the prohibited team name, mascot, or nickname. If facilities currently bear the prohibited team name, mascot or nickname, the school shall remove the prohibited name no later than the next time the associated part of the facility is replaced in the normal course of maintenance. (*EC* Section 221.3[b])

Evidence Requests

Athletics Webpage

Abbreviation: AthltcsWbpg

Description: Legible screenshot(s) of the LEA's entire athletic webpage(s) which includes a complete nondiscrimination statement and the required athletic data. Web links will not be accepted as evidence.

Item Instructions: EE 10: Must show the team/mascot name(s) and nickname(s) for all school sites.

Related Items: EE 09, EE 10

Purchase Records

Abbreviation: PrchsRcrds

Description: Fiscal records for athletic and band uniforms, equipment, signs, and publicized materials.

Item Instructions:

Related Items: EE 10

Team/Mascot Name Selection

Abbreviation: TmMsctNmSlctn

Description: Written description of the LEA's process for selecting a new team/mascot name or nickname. Statement must be on LEA letterhead and signed by the District Superintendent.

Item Instructions:

Related Items: EE 10

2019–20 Education Equity Program Instrument (Continued)

Uniforms

Abbreviation: Unfrms

Description: Legible picture(s) of LEA's athletic, band, and activity uniforms.

Item Instructions:

Related Items: EE 10