

BERKELEY UNIFIED SCHOOL DISTRICT

District Civil Rights & Compliance Office

Nondiscrimination Statement

The Berkeley Unified School District is committed to providing a hostile-free working and learning environment. The District prohibits discrimination, harassment, bullying, intimidation, and retaliation, based on actual or perceived race, ethnicity, sex, sexual orientation, gender, gender identity/expression, pregnancy, childbirth, breastfeeding/lactation status (related medical conditions), religion, color, national origin (including language restrictions and possession of a driver's license (issued under Vehicle Code), ancestry, immigration status, physical or mental disability (including clinical depression and bipolar disorder, HIV/AIDS, hepatitis, epilepsy, seizure disorder, diabetes, multiple sclerosis, and heart attack), medical condition (cancer-related and genetic characteristics), military and veteran status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (unless union related), a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment based on a protected characteristic in the context of an educational program, work or activity without a legitimate, nondiscriminatory reason that interferes with or limits the individual's ability to participate in or benefit from the services, activities, or privileges provided by the District or includes an adverse employment action.

Hostile environment harassment occurs when a target is subjected to unwelcome conduct based on a protected characteristic, which is both subjectively offensive to the target and would be offensive to a reasonable person of similar circumstances/characteristics and is sufficiently so severe, and so pervasive to interfere with or limit an individual's ability to effectively work or to participate in or benefit from the services, activities, or opportunities offered by the District. Harassment may take many forms, including but not limited to, verbal remarks and name-calling, graphic and written statements, or any conduct that may be threatening or humiliating. Harassment based on any of the above protected categories is a form of unlawful discrimination and will not be tolerated by the District and can result in disciplinary action against the offending student or employee.

Upon witnessing an act of discrimination, harassment, bullying, intimidation, and retaliation, based on actual or perceived protected characteristics, school personnel are required to take immediate steps to intervene when it is safe to do so. Once a school/office has expressed notice or reason to know of such conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate, determine what occurred, take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created and prevent the conduct from occurring again. These steps should be taken regardless of whether an individual makes a complaint or asks the school/office to take action. Complaints are protected from retaliation. The District prohibits retaliation against any person who files a complaint or an appeal, reports instances of noncompliance, discrimination, harassment, bullying, and intimidation, or who participates in the complaint-filing or investigation process. This nondiscriminatory policy applies to all acts related to school activity or school attendance within any school/office under the jurisdiction of the Berkeley Unified School District. For more information, or to file a complaint please contact:

Stephen Jimenez-Robb, District Title IX Coordinator/Compliance Officer
Berkeley Unified School District, 2020 Bonar Street, Room 117, Berkeley CA 94702
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