



Regulation 4030: Nondiscrimination In Employment

Status: ADOPTED

Original Adopted Date: 04/04/2016 | **Last Revised Date:** 09/26/2026 | **Last Reviewed Date:** 09/26/2026

All complaints alleging discrimination in employment, as defined in the accompanying Board policy, shall be investigated and resolved in accordance with procedures specified in this administrative regulation. However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Cintia Robinson
Director of Human Resources
Palo Verde Unified School District
825 N. Lovekin Blvd.
Blythe, CA 92225
(760) 922-4164 x1232
cintia.robinson@pvusd.us

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (CRD) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)
2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (Education Code 234.1; 5 CCR 4960; 34 CFR 100.6, 106.8)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's website and providing easy access to them through district-supported social media, when available
3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending a copy via email with an acknowledgment return form
 - c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session

- e. Any other way that ensures employees receive and understand the policy
- 4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior
- 5. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The district may also provide bystander intervention training to employees that includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

- 6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law and Board Policy 4111 - Recruitment and Selection
- 7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

Complaint Procedure

Any complaint alleging unlawful discrimination or harassment covered by this administrative regulation and accompanying Board policy shall be addressed in accordance with the following procedures:

- 1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The employee's direct supervisor may be bypassed in filing a complaint where the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the employee's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

- 2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin

immediately. As part of this investigation, the coordinator should interview the complainant, the person(s) accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation and the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with CRD alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. For filing a complaint with EEOC after first filing a complaint with CRD, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by CRD, whichever is earlier (42 USC 2000e-5)

An employee may also file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the PUMP Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2)

Additionally, an employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 11006-11086	Discrimination in employment
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11027-11028	National origin and ancestry discrimination
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
CA Constitution Article 1, Section 1	Inalienable rights
Civ. Code 51.7	Freedom from violence or intimidation
Ed. Code 200-280	Prohibition of discrimination
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940-12954	Unlawful employment practices
Gov. Code 12960-12976	Unlawful employment practices; complaints
Lab. Code 1030-1034	Lactation Accommodation
Lab. Code 1197.5	Wages, hours, and working conditions
Lab. Code 79-107	Division of Labor Standards Enforcement
Pen. Code 422.56	Definitions; hate crimes
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
29 USC 218d	Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act
29 USC 621-634	Age Discrimination in Employment Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.6	Title VI; Compliance information
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 104.8	Notice of Nondiscrimination on the Basis of Handicap
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
34 CFR 110.1-110.39	Nondiscrimination on the basis of age
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964

Federal

42 USC 2000e-2000e-17

42 USC 2000ff-2000ff-11

42 USC 2000gg-2000gg-6

42 USC 2000h-2-2000h-6

42 USC 6101-6107

U.S. Constitution, First Amendment

Description

Title VII, Civil Rights Act of 1964, as amended

[Genetic Information Nondiscrimination Act of 2008](#)

[Pregnant Workers Fairness Act](#)

Title IX of the Civil Rights Act of 1964

[Age discrimination in federally assisted programs](#)

[Free exercise, free speech, and establishment clauses](#)

Management Resources

CA Civil Rights Department Publication

CA Civil Rights Department Publication

CA Civil Rights Department Publication

CA Civil Rights Department Publication

CA Civil Rights Department Publication

CA Civil Rights Department Publication

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Federal Register

U.S. Department of Education Publication

U.S. DOE, Office for Civil Rights Publication

U.S. Equal Employment Opportunity Comm
Publication

Website

Description

[Sexual Harassment, January 2023](#)

[Family Care and Medical Leave and Pregnancy Disability Leave, January 2023](#)

[California Law Prohibits Workplace Discrimination and Harassment, January 2025](#)

[The Rights of Employees Who Are Transgender or Gender Nonconforming: Fact Sheet, November 2022](#)

[Harassment Prevention Guide for California Employers, 2017](#)

[Your Rights and Obligations as a Pregnant Employee, January 2023](#)

Burlington Northern and Santa Fe Ry. Co. v. White (2006) 548 U.S. 53

Tennessee v. Cardona (2024) 737 F.Supp.3d 510

Olmstead v. L.C. ex rel. Zimring (1999) 527 U.S. 581

McDonnell Douglas Corp v. Green (1973) 411 U.S. 792

John T. D. v. River Delta Joint Unified School District (2021) WL 5176356

[Burlington Industries, Inc v. Ellerth \(1998\) 524 U.S. 742](#)

[Faragher-Ellerth v. City of Boca Raton \(1998\) 524 U.S. 775](#)

[Gross v. Feltner \(2001\) 501 U.S. 151](#)

[Kennedy v. Bremerton \(2022\) 142 S.Ct. 2407](#)

[Shepherd v. Loyola Marymount \(2002\) 102 Cal.App. 4th 837](#)

[Thomson v. North American Stainless LP \(2011\) 62 U.S. 170](#)

[Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579](#)

[Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, February 2026](#)

[Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025](#)

[EEOC Compliance Manual](#)

[U.S. Department of Labor, Office of Federal Contract Compliance Program](#)

Management Resources

Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Equal Employment Opportunity Commission

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1113-E(2)	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1240	Volunteer Assistance
1240-E PDF(1)	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.1-E PDF(1)	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1313	Civility
3312	Contracts
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3580	District Records
3580	District Records
3600	Consultants
4000	Concepts And Roles
4032	Reasonable Accommodation
4033	Lactation Accommodation
4111	Recruitment And Selection
4111.2	Legal Status Requirement
4112.4	Health Examinations

Cross References

4112.41
4112.5
4112.6
4112.8
4112.8
4112.9
4112.9-E(1)
4113.5
4114
4114
4118
4118
4119.1
4119.11
4119.11
4119.12
4119.12-E(1)
4119.22
4119.23
4119.41
4131
4131
4144
4144
4151
4154
4154
4161.5
4161.8
4161.8-E PDF(1)
4211
4211.2
4212.4
4212.41
4212.5

Description

[Employee Drug Testing](#)
[Criminal Record Check](#)
[Personnel Files](#)
[Employment Of Relatives](#)
[Employment Of Relatives](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Working Remotely](#)
[Transfers](#)
[Transfers](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Civil And Legal Rights](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Dress And Grooming](#)
[Unauthorized Release Of Confidential/Privileged Information](#)
[Employees With Infectious Disease](#)
[Staff Development](#)
[Staff Development](#)
[Complaints](#)
[Complaints](#)
[Employee Compensation](#)
[Health And Welfare Benefits](#)
[Health And Welfare Benefits](#)
[Military Leave](#)
[Family Care And Medical Leave](#)
[Family Care And Medical Leave](#)
[Recruitment And Selection](#)
[Legal Status Requirement](#)
[Health Examinations](#)
[Employee Drug Testing](#)
[Criminal Record Check](#)

Cross References

4212.6
4212.9
4212.9-E(1)
4213.5
4218
4218
4219.1
4219.11
4219.11
4219.12
4219.12-E(1)
4231
4244
4251
4254
4254
4261.5
4261.8
4311
4311
4311.2
4312.41
4312.6
4312.9
4312.9-E(1)
4313.5
4319.1
4319.11
4319.11
4319.12
4319.12-E(1)
4331
4344
4351
4354

Description

[Personnel Files](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Working Remotely](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Civil And Legal Rights](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Staff Development](#)
[Complaints](#)
[Employee Compensation](#)
[Health And Welfare Benefits](#)
[Health And Welfare Benefits](#)
[Military Leave](#)
[Family Care And Medical Leave](#)
[Recruitment And Selection](#)
[Recruitment And Selection](#)
[Legal Status Requirement](#)
[Employee Drug Testing](#)
[Personnel Files](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Working Remotely](#)
[Civil And Legal Rights](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Staff Development](#)
[Complaints](#)
[Employee Compensation](#)
[Health And Welfare Benefits](#)

Cross References

4354

4361.5

4361.8

5145.71

5145.71-E(1)

9000

9321

9321-E(1)

9321-E(2)

Description[Health And Welfare Benefits](#)[Military Leave](#)[Family Care And Medical Leave](#)[Title IX Sexual Harassment Complaint Procedures](#)[Title IX Sexual Harassment Complaint Procedures](#)[Role Of The Board](#)[Closed Session](#)[Closed Session](#)[Closed Session](#)