

Nondiscrimination in Educational Curriculum - (FAIR Act) Policy

Purpose

Pursuant to state law, Redwood Preparatory Charter School (“Charter School”) has a right and obligation to address diversity within its curriculum. The Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act amends California Education Code sections addressing diversity and nondiscrimination within required courses of study, classroom instruction, and instructional materials. Accordingly, Charter School Board of Directors (“Board”) adopts this Policy to implement the requirement of the FAIR Act.

While a parent/guardian may opt a student out from all or portions of, comprehensive sexual health education (CA Healthy Youth Act), the opt-out provision of the California Healthy Youth Act does not apply to instruction or materials outside the context of comprehensive sexual health education, including those that may reference gender, gender identity, sexual orientation, discrimination, bullying, relationships, or family but do not discuss human reproductive organs and their functions and which fall within the scope of this general education Policy. (CA Education Code section 51932(b))

Charter School retains its discretion (in conjunction with teacher, staff, and community input) to determine how FAIR Act content, instruction, and materials shall be incorporated into each grade level/class in a developmentally appropriate manner.

Policy

Definitions

“Curricular instruction” is the planned education experiences and teaching methods used to help students meet learning goals.

“Informal instruction” is a teaching method that is individualized and responsive to the needs of each learner or group of learners.

Instructional Materials

In accordance with California law, the Charter School Board shall not refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction or any book or other resource in a school library or classroom library on the basis that it includes a study of the role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, or members of other ethnic, cultural, religious, or socioeconomic status groups unless the study of the role and contributions violates Education Code section 51501 or 60044. (CA Education Code Sections 243(a))

When adopting instructional materials for use in Charter School, the Board shall include only instructional materials that, in their determination, accurately portray the cultural and racial diversity of our society, including:

- (a) The contributions of people of all genders in all types of roles, including professional, vocational, and executive roles.
- (b) The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the total development of California and the United States.
- (c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

Classroom Instruction and Curriculum

A teacher shall not give instruction (formal or informal) and Charter School shall not sponsor any activity that promotes a discriminatory bias on the basis of race, nationality, ethnicity, immigration status, gender, gender expression, sexual orientation, religion, or disability. (CA Education Code Section 51500)

Teachers of students in any grade level may, within their professional discretion and judgment and in a developmentally appropriate manner:

- 1) Answer direct student questions regarding LGBTQ+ issues.
- 2) Engage the class in a discussion regarding a specific student's social transitioning, including use of the preferred name and/or gender pronouns, with the prior knowledge and consent of the student in question.

These types of informal instruction are focused on building empathy, fostering inclusivity and non-discrimination, and do not constitute formal curricular instruction as that term is defined within this Policy.

Teachers of students in grades TK-4 (inclusive), may provide formal instruction on the topics of sexual identity, family relationships, romantic relationships, and gender identity and expression only with the prior written approval of the curriculum committee.

Instruction in social sciences shall include the early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society. (CA Education Code Section 51024.5)

Complaints

A complaint pursuant to this Policy may be filed with the Charter School pursuant to Charter's School's Uniform Complaint Procedures Policy, which is available for review in the main office and on the school website. (CA Education Code 243(c))