

Policy Information

Series 4000 - Personnel

Equal Opportunity/Nondiscrimination

Policy # 4110

The Board of Education reaffirms its commitment to nondiscrimination and equal educational and employment opportunities in all of its decisions, programs and activities, as follows:

The Board of Education, its officers, employees and agents, shall not discriminate in its programs and activities on the basis of race, color, national origin, creed, religion (including but not limited to anti-Semitism), marital status, military status, political affiliation, sexual orientation, predisposing genetic characteristics, gender, age, disability, domestic violence victim status, criminal arrest or conviction record or any other basis prohibited by state or federal nondiscrimination laws in its educational programs or employment practices.

This policy of nondiscrimination includes, but is not limited to: access by students to educational programs, counseling services, course offerings and student activities; recruit and appointment of employees, as well as their compensation, benefits, opportunities for advancement and/or termination.

This policy applies equally to discrimination or harassment of a student or employee by a student, employee, Board member or any individual who foreseeably may come in contact with such individual on school grounds or at school activities.

The Board of Education, its officers and employees, shall not discriminate against students on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

Any student or employee who believes that he or she has been the subject of discrimination or harassment or who knows or has reason to believe that another student or employee is or has been subject to discrimination or harassment is required to inform the appropriate official designated by the School District to hear such complaints of alleged discrimination. The designated official shall provide complainant with information regarding the School District's policy prohibiting discrimination and the grievance/complaint procedures available to such individual.

All complainants and those who participate in the investigation of a complaint in accordance with law and Board policies, who have acted reasonable and in good faith, have the right to be free from retaliation of any kind.

The following individuals are designated as compliance officers to hear complaints of alleged discrimination:

Title IX Officer - Gender/Sexual Orientation - Students –Assistant Superintendent for Instruction and Director of Guidance

Title VII Officer - Gender/Sexual Orientation - Employees – Assistant Superintendent for Instruction and Director of Guidance

Title VI Officer - Race, Color, National Origin, Creed, Religion – Assistant Superintendent for Instruction

Section 504/Title II ADA Responsible Person - Disability – Assistant Superintendent for Pupil Personnel Services

EEO Officer - All Other Discrimination – Superintendent of Schools

In the event that the specific compliance officer is the alleged offender, a complaint shall be directed to another compliance officer or the Superintendent of Schools.

At the beginning of each school year, the District shall publish a notice of the established grievance procedures for resolving complaints of discrimination and harassment to parents/guardians, employees, students and the community. This notice shall:

- Inform parents, students and the community that educational programs are offered without regard to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (including gender identity and expression);
- include the names, addresses and telephone numbers of the individuals responsible for handling complaints and grievances regarding discrimination.

This notice will be included in announcements, bulletins, and applications made available by the District.

Nothing in this Policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

The Superintendent of Schools is authorized to establish such rules, regulations and procedures necessary to implement this policy.

Policy References:

Ref:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375 Equal Pay Act, as amended by the Education Amendments of 1972

Title IX, Education Amendments of 1972

Rehabilitation Act of 1973, §504

Individual with Disabilities Education Act (IDEA)

Americans with Disabilities Act (ADA)

Age Discrimination in Employment Act of 1967(ADEA)

Genetic Information Nondiscrimination Act of 2008 (GINA)

EEOC Guidelines (29 CFR Part 1609.1 and 1609.2)

New York State Human Rights Law (Executive Law, Article 15)

The Dignity for All Students Act (Education Law, Article 2)

Civil Rights Law Section 40-c

Civil Service Law Section 75-B

Corrections Law Sections 752-754

Military Law Sections 242 and 243

Policy Cross References:

- » 5110 - Equal Opportunity/Nondiscrimination

Adoption Date: 1/17/2002, Revised: 3/19/2015; 11/18/2004, 12/04/2003, 8/1020/06/06/14/2012
4000 - Personnel
