

Policy # 11

Notice of Non-Discrimination Section 504 of the Rehabilitation Act Title IX and Title VII Sexual Harassment Policy

This policy applies to both students and employees.

The District does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability (including but not limited to gender dysphoria) or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

Grievance Procedure

Section 1

If any person believes that the District or any of the District's staff or any third party has failed to apply or has inadequately applied the principles or regulations of (1) Title VII of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3), 504 of the Rehabilitation Act of 1973, or (4) The Boy Scouts of America Equal Access Act of 2001, that person may bring forward a complaint, which shall be referred to as a grievance, to the District's Compliance Officer, Section 504 Coordinator or the United States Office for Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html> .

The Compliance Officer or Section 504 Coordinator will then investigate the substance of the grievance in a thorough and impartial manner. The Complainant may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate.

Further, the District prohibits retaliation against any individual filing a complaint under this policy or participating in any resulting investigation. If you believe you are being retaliated against, you should contact the District's Compliance Officer or Section 504 Coordinator or the United States Office for Civil Rights as noted above.

Conduct in violation of this policy includes, but is not limited to:

- Use of ethnic slurs to insult others on the basis of race, ethnicity, or nationality.
- Unwanted physical contact.
- Willful disregard for an Individualized Educational Plan (IEP) or 504 plan.

- Mockery on the basis of accent.
- Mockery on the basis of clothing resulting from gender, religious, or ethnic bias.
- Mockery on the basis of an actual or perceived disability.

Section 2

Step (a):

The complainant shall discuss the grievance informally with the Compliance Officer or Section 504 Coordinator, or may file a written complaint with the Compliance Officer or Section 504 Coordinator. The Compliance Officer or Section 504 Coordinator will then investigate in an impartial and thorough manner the substance of the grievance in a thorough and impartial manner. The Complainant may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. The Compliance Officer or Section 504 Coordinator will take necessary steps during the investigation to ensure the Complainant's safety. The Compliance Officer or Section 504 Coordinator will reply to the complainant and person alleged to be engaged in the harassment in writing within seven business days of the initiation of the complaint. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate. Such steps will include, as appropriate, offering counseling and academic support services to the Complainant and to the person engaging in the harassment.

Step (b):

If the complainant wishes to appeal the decision of the Compliance Officer or Section 504 Coordinator, the complainant may submit a signed statement of appeal to the Superintendent within seven business days after receipt of the Compliance Officer's or Section 504 Coordinator's response. The Superintendent shall meet with the complainant and any representative and make such other inquiries which the Superintendent deems appropriate. The Superintendent will consider the appeal in an impartial manner. Thereafter, the Superintendent shall set forth a conclusion and respond in writing to the complainant and the person alleged to be engaging in the harassment within 14 business days.

Step (c):

If the complainant is not satisfied with the conclusion of the Superintendent, the complainant may appeal through a signed, written statement to the Board within seven business days of receipt of the Superintendent's response in Step (b). In an attempt to resolve the grievance, the Board shall meet with the complainant and any representative within 30 calendar days of receipt of such an appeal. The Board's written disposition of the appeal shall be sent to the complainant within ten business days of this meeting.

Step (d):

If the grievance has not been satisfactorily settled at Step (c), further appeal may be made to the Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Section 3

The compliance officer, on request, will provide a copy of the District's grievance procedure to any employee or student of the District.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the District's Compliance Officer and Section 504 Coordinator.

The words *person* and *complainant* shall include an employee as well as a student of the District.

Inquiries concerning the non-discrimination policy may be made to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Publication

The District shall promulgate this policy and the sexual harassment policy as follows:

- A copy of this policy and the sexual harassment policy shall be inserted in the first pay envelope of each employee every school year. In relation to an employee hired during the school year, these policies shall be inserted in the first paycheck paid to the employee.
- These policies shall be published as part of the District's student handbook.
- These policies shall be published in any recruitment materials or publications containing general information made available to participants, beneficiaries, applicants, or employees and shall include the contact information for the Compliance Officer and Section 504 Coordinator.
- These policies shall be published annually in the official newspaper of the District.
- These policies shall be provided annually to the president of each bargaining unit.
- These policies shall be published on the District's Website.

Annual publications shall contain the name, business address and telephone number of the District's compliance officer and Section 504 Coordinator.

Employment Application

Each employment application of the District shall contain the following language:

- The district does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

First Reading: January 18, 2017

Second Reading: February 1, 2017

BOE Adoption: