

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN
SCHOOL AND CLASSROOM
PRACTICES

ADOPTED: May 10, 2016

REVISED:

CENTENNIAL SCHOOL DISTRICT

<p>1. Authority 24 P.S. § 13-1310 22 Pa.Code § 4.4, 12.1, 12.4, 15.1 et seq 24 P.S. § 5004 43 P.S. § 951 et seq Title IX 20 U.S.C. § 1681 et seq 20 U.S.C. § 6321 29 U.S.C. § 794 Title VI 42 U.S.C. § 2000d et seq 42 U.S.C. § 12101 et seq Pol. 103.1</p> <p>2. Delegation of Responsibility</p>	<p>103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES</p> <p>1. <u>Prohibitions.</u> There shall be no unlawful discrimination or unlawful harassment of any student; nor shall there be any or unlawful retaliation against any person.</p> <p>2. <u>Equal Educational Opportunity.</u> The Board declares it to be the policy of this District to provide an equal opportunity for all students to achieve their potential through the programs and activities offered in the schools regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.</p> <p>3. <u>Equitable Distribution.</u> The District shall provide to students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of District resources is one means the District shall use to ensure all students receive a quality education.</p> <p>4. <u>Accommodations, Specially Designed Instruction and Related Services.</u> The District shall make reasonable accommodations, specially designed instruction, and/or related services for identified physical and mental impairments that constitute disabilities consistent with the requirements of federal and state laws and regulations.</p> <p>5. <u>Complaints and Reports Encouraged.</u> The Board encourages students who have been subject to unlawful discrimination, unlawful harassment, or unlawful retaliation to report such incidents promptly to designated employees or officials. The Board encourages students, employees and others who may have witnessed unlawful discrimination, unlawful harassment, or unlawful retaliation to report such incidents promptly to designated employees or officials.</p>
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6. Compliance Officer. In order to maintain a program of nondiscrimination practices that is in compliance with Applicable Law, the Board designates the Assistant Superintendent as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. The annual notice shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

- a. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
- b. Training - Provision of training for students and staff to identify and alleviate problems of discrimination and harassment.
- c. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by Applicable Law or regulation.
- d. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas.
- e. Student Evaluation - Review of tests, procedures, guidance and counseling materials for stereotyping and discrimination.

The Compliance Officer may be assisted in these duties by forming a District committee of appropriate representatives.

The Compliance Officer shall inform the Board of any lack of compliance with this policy within the District.

7. Principals and Assistant Principals (“Principals”). Principals are required to report any complaints or reports of discrimination, harassment or retaliation promptly to the Compliance Office and shall be responsible to complete the following duties when receiving a complaint of discrimination:
- a. Inform the student or witness of the right to file a complaint and the complaint procedure.

<p>3. Guidelines</p>	<ul style="list-style-type: none"> b. Inform the student or witness s/he may be accompanied by his/her parent or guardian, guidance counselor, legal counsel or a union representative, as applicable during all steps of the complaint procedure. c. Refer the student or witness to the Compliance Officer. d. Submit a written report describing the information received, identifying the alleged perpetrator, identifying the complainant or witness and describing what the Principal did. <p>8. <u>Complaint Procedure</u></p> <p><u>Step 1 – Complaints and Reports</u></p> <p>A student who believes that he or she has been the victim of unlawful discrimination, unlawful harassment, or unlawful retaliation or that he or she has witnessed unlawful discrimination, unlawful harassment, or unlawful retaliation is encouraged to report the incident to the Principal and/or the Compliance Officer immediately; however, a complaint will be accepted at any time regardless of when the unlawful conduct is alleged to have occurred.</p> <p>A school employee who suspects, witnesses or is notified that a student has been subject to conduct that constitutes unlawful discrimination, unlawful harassment, or unlawful retaliation shall immediately report the incident to the Principal.</p> <p>If the Principal is the subject of a complaint, the student, third party or employee may file the complaint directly with the Compliance Officer, an Assistant Principal of the school, and/or the Solicitor of the School District.</p> <p>The complainant or reporting employee or individual is encouraged to use the report form available from the building Principal, but oral complaints shall be acceptable.</p> <p>Upon receiving a complaint, the Principal, Assistant Principal, Solicitor or any other employee, shall notify the Compliance Officer immediately and shall document that the Compliance Officer has been notified with a written notice to the Compliance Officer.</p> <p><u>Step 2 – Investigation</u></p> <p>The Compliance Officer shall ensure that an investigation is conducted promptly. The Compliance Officer may utilize the services of the Solicitor or other legal counsel authorized by the School Board in order to investigate the complaint or report and may direct the Principal or Assistant Principal to conduct the investigation. The</p>
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	<p>investigation shall consist of such investigative techniques as will ensure a prompt and thorough investigation.</p> <p>If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the Compliance Officer shall inform law enforcement authorities about the incident(s).</p> <p>The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.</p> <p><u>Step 3 – Investigative Report</u></p> <p>Upon the completion of the investigation, the Compliance Officer shall ensure that a written report is promptly prepared. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether the conduct at issue is in violation of this policy, and a recommended disposition of the complaint.</p> <p>The Compliance Officer shall ensure that a written report is provided to the complainant or victim, as may be appropriate, and the accused, as may be appropriate. To the extent that there are interests of confidentiality that should be recognized, the report that is provided to the complainant, victim or accused may be modified from the written report prepared following the investigation.</p> <p><u>Step 4 – District Action</u></p> <p>If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Compliance Officer shall ensure that the School District takes prompt corrective action reasonably calculated to ensure that such conduct ceases and will not recur.</p> <p>Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and administrative regulations, District procedures, applicable collective bargaining agreements, and state and federal laws.</p> <p><u>Step 5 – Appeal Procedure</u></p> <ol style="list-style-type: none">1. If the complainant or victim is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a further investigation. <p>The Compliance Officer shall prepare a written response to the appeal within fifteen</p>
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	<p>Pennsylvania Human Relations Act – 43 P.S. § 951 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. § 6321</p> <p>Section 504 of the Rehabilitation Act – 29 U.S.C. § 794</p> <p>Americans With Disabilities Act – 42 U.S.C. § 12101 et seq.</p> <p>Federal Anti-Discrimination and Civil Rights Laws –</p> <p> 20 U.S.C. § 1681 et seq. (Title IX)</p> <p> 42 U.S.C. § 2000d et seq. (Title VI)</p> <p>Federal Anti-Discrimination and Civil Rights Regulations –</p> <p> 28 CFR Part 35, Part 41</p> <p> 34 CFR Part 100, Part 104, Part 106, Part 110</p> <p>Board Policy – 000, 103.1, 701, 906</p>
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