

## **Nondiscrimination/Equal Opportunity**

The Board is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The school, Elite Scholar STEAM Academy, is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of race, color, religion, national origin, ancestry, creed, age, pregnancy, sex, gender identity/expression, marital status, sexual orientation, genetic information or disability or need for special education services.

Accordingly, no otherwise qualified student, employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any school program or activity on the basis of race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services. Discrimination against employees and applicants for employment based on age and genetic information is also prohibited in accordance with state and/or federal law.

This policy and regulation shall be used to address all concerns regarding unlawful discrimination and harassment, except those regarding sexual harassment which are addressed in policies GBAA and JBB.

### **Annual notice**

The school shall issue a written notice prior to the beginning of each school year that advises students, parents, employees and the general public that the educational programs, activities and employment opportunities offered by the school are offered without regard to race, color, sex (which includes marital status), sexual orientation, religion, national origin, ancestry, creed, disability or need for special education services. With respect to employment practices, the school shall also issue written notice that it does not discriminate on the basis of age or genetic information. The annual notice shall be issued by the Head of School's Office on behalf of the Board of Education and should include the name/title, address, email address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities.

The notice shall appear on a continuing basis in school media containing general information, including: teachers' guides, school publications, the school website, recruitment materials, application forms, vacancy announcements, student handbooks, annual letters to parents, etc.

### **Harassment is prohibited**

Harassment based on a person's race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, gender identity/expression, age, pregnancy, marital status, genetic information, disability or need for special education services is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work, and members of the public can access and receive the benefit of school facilities and programs. All such harassment, by school employees, students and third parties, is strictly prohibited.

All school employees and students share the responsibility to ensure that harassment does not occur at any school, on any school property, at any school-sanctioned activity or event, or off

school property when such conduct has a nexus to the school, or any school curricular or non-curricular activity or event.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at a person's race, color, national origin, ancestry, creed, religion, sex, sexual orientation, disability or need for special education services that: (1) results in physical, emotional or mental harm, or damage to property; (2) is sufficiently severe, persistent, or pervasive that it interferes with an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or threatening environment; or (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment (GBAA for employees and JBB\* for students) will apply to complaints alleging sexual harassment.

Harassing conduct may take many forms, including but not limited to:

1. verbal acts and name-calling;
2. graphic depictions and written statements, which may include use of cell phones or the Internet;
3. other conduct that may be physically threatening, harmful or humiliating.

### **Reporting unlawful discrimination and harassment**

Any student who believes he or she has been a victim of unlawful discrimination or harassment as defined in Board policy, or who has witnessed such unlawful discrimination or harassment, shall immediately report it to an administrator, counselor, teacher or the district's compliance officer and file a complaint as set forth in the regulation which accompanies this policy.

Any employee, applicant for employment or member of the public who believes he or she has been a victim of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, shall file a complaint with either an immediate supervisor or the district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, the complaint shall be made to the superintendent who shall designate an alternate compliance officer to investigate the matter.

### **School action**

All school employees who witness unlawful discrimination or harassment shall take prompt and effective action to stop it, as prescribed by the district.

The school shall take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end identified unlawful behavior, to prevent the recurrence of such identified behavior and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation.

To the extent possible, all reports of unlawful discrimination or harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee or member of the public shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy.

### **Notice and training**

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy to all employees and departments. The policy and complaint process shall be referenced in student and employee handbooks and otherwise available to all students, staff and members of the public through electronic or hard-copy distribution.

Revised October 6, 2016

LEGAL REFS.:

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681

Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §621 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §701 et seq.

Americans with Disabilities Act, 42 U.S.C. §1201 et seq.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex

ACE, Nondiscrimination on the Basis of Handicap/Disability

GBA, Open Hiring/Equal Opportunity Employment and Affirmative Action

GBAA, Sexual Harassment

JB, Equal Educational Opportunities

JBB, Sexual Harassment

ELITE SCHOLARS STEAM ACADEMY