

NEW POLICY - VOL. 27, NO. 1

**NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex, (~~X~~) (including sexual orientation or transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, "Protected Classes"), in its programs and activities, including employment opportunities.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act is provided to staff members and the general public. ~~Any sections of the District's collectively bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender specific terms should be eliminated from such contracts.~~

M.C.L. 37.2101 et seq., 37.1101 et seq.
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
42 U.S.C. 12112, Americans with Disabilities Act Amendment Act of 1990, as amended
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
20 U.S.C. 1681 et seq., Title IX
29 C.F.R. Part 1635

11/11/13

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NONDISCRIMINATION AND
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M.C.L.A. 37.2101 et seq., 37.1101 et seq.

~~42 U.S.C., 1981 etc.~~

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 200e et seq., Civil Rights Act of 1964

42 U.S.C. 12112, Americans with Disabilities Act Amendment of 1990, as amended

29 U.S.C. 701 et seq.,

Rehabilitation Act of 1973, as amended 29 U.S.C. 701 et seq.

~~Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.~~

~~Civil Rights Act of 1964, 42 U.S.C. 2000 et seq.~~

~~Age Discrimination in Employment Act of 1967, 29 U.S.C. 623 et seq.~~

~~U.S. Constitution, XIV Amendment~~

29 C.F.R. Part 1635

**BOARD OF EDUCATION
VICKSBURG COMMUNITY SCHOOLS**

Revised 7/96

Revised 9/00

Revised 11/12/01

Revised 11/13/06

Revised 4/18/11

Revised 11/11/13

PROFESSIONAL STAFF
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NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

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M.C.L.A. 37.2101 et seq., 37.1101 et seq.

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Rehabilitation Act of 1973 as amended, ~~29 U.S.C. 701 et seq.~~

~~Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.~~

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~~Age Discrimination in Employment Act of 1967, 29 U.S.C. 623 et seq.~~

~~U.S. Constitution, XIV Amendment~~

29 C.F.R. Part 1635

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Revised 4/18/11
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NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

~~The Board of Education does not discriminate on the basis of religion, race, color, national origin, sex, disability, age, or genetic information in its programs, activities or employment.~~

As such, the Board of Education does not discriminate on the basis of the Protected Classes of race, color, national origin, sex X (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or any other statutorily protected category (collectively, "Protected Classes") in its educational programs or activities.

~~Further, it is the policy of this District to provide an equal opportunity for all students, regardless of gender, religion, race, color, national origin or ancestry, age, disability, marital status, place of residence within the boundaries of the District, or social or economic status, and/or any other legally protected characteristic, to learn through the curriculum offered in this District.~~

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, race, color, national origin, sex, disability, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, ~~the Board directs~~ the Superintendent ~~to~~ shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based ~~on any legally protected interest upon~~ Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution

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of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of ~~any legally protected interest or other bias~~ bias based upon Protected Classes in all aspects of the program;

C. Student Access

~~review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of any legally protected interest in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;~~

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 - Use of District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

This language does not prohibit the District from establishing and maintaining a single-gender school, class, or program within a school if a comparable school, class, or program is made available to students of each gender.

D. District Support

~~ensure~~-verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

~~ensure~~-verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of Protected Classes~~any legally protected interest~~.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public.

~~The Superintendent shall appoint and publicize the compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints regarding discrimination or equal access are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 is provided to students, their parents, staff members, and the general public.~~

The Superintendent shall attempt annually to identify children with disabilities, ages 0-25, who reside in the District but do not receive public education.

In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction

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that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225).

The District will endeavor to assist the student and/or his/her parents in their access to District programs by providing notices to the parents and students in a language and format that they are likely to understand.

Materials approved by the State Department of Education describing the benefits of instruction in Braille reading and writing shall be provided to each blind student's individualized planning committee. The District shall not deny a student the opportunity for instruction in Braille, reading, and writing solely because the student has some remaining vision.

~~The Superintendent shall develop administrative guidelines as needed for the proper implementation of this policy.~~

M.C.L.A. 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendments Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
29 U.S.C. Section 794, Rehabilitation Act of 1973
29 C.F.R. Part 1635
42 U.S.C. Section 2000d et seq., Civil Rights Act of 1964
42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 6101 et seq.
34 C.F.R. Part 110 (7/27/93)
Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990

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Revised 11/12/01

Revised 11/13/06

Revised 10/11/10

Revised 11/11/13

FEDERAL GRANT FUNDS

It is the objective of the Board of Education to provide equal educational opportunities for all students within the District. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the District that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential ~~study Federal legislation~~ to provide better educational opportunities, better educational environment, and better physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination. ~~All Federal funds received by the District will be used in accordance with the applicable Federal law. The Superintendent shall require that each draw of Federal monies is as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.~~

No Federal funds received by the District shall be used (1) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) District goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations as well as District policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the grant award.
- D. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the District will be used in accordance with the applicable Federal law. The Superintendent shall require that each draw of Federal monies is as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.
- (x) The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.

Fiscal Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, and grantor rules, regulations, and assurances as well as District policies and administrative guidelines.

The Superintendent shall provide for the following:

- A. Accurate, current, and complete disclosure of the financial results of each Federally-sponsored project in accordance with the reporting requirements of the grant.

- B. Effective control over and accountability for all funds, property, and other assets in their use solely for authorized purposes.
- C. Recordkeeping and written procedures as may be required by Federal, State, and grantor rules and regulations pertaining to the grant award and accountability, including such provisions as may be applicable as cost sharing and matching requirements, budget revisions, audit requirements, reasonableness, allocability, and allowability of costs, procurement, property management and disposition, and payment/repayment requirements.
- D. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Compliance Supplement for Single Audits of State and Local Governments
20 U.S.C. 7906

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