

BP 5145.3 NONDISCRIMINATION - STUDENTS

Note: 4 AAC 51.270 mandates districts to adopt policies to assure equal opportunities and nondiscrimination.

Consistent with Board Policy 0410, District programs and activities shall be free from discrimination with respect to sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, and sexual orientation. The School Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education, and other activities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1312.3 - Public Complaints Concerning Discrimination)

(cf. 5145.7 - Sexual Harassment)

Separate arrangements may be made for students according to sex during sex education programs and physical education activities involving bodily contact. (AS 14.18.050)

School staff and volunteers must be especially careful to guard against unconscious sex discrimination and stereotyping in instruction, guidance, and supervision.

Allegations of discrimination against students in violation of District policy should be reported to the site administrator or, if the student prefers, to the school counselor, or in the absence of a school counselor to the person at their school site designated for receiving such reports.

A school counselor or site designee receiving a complaint of discrimination against a student must promptly take steps to notify the site administrator who must appropriately investigate as necessary to determine whether discrimination has occurred and, if so, what remedy would be appropriate to rectify the situation and ameliorate the harmful effects of the discrimination.

The site administrator must submit a written report of their investigation, findings, and recommendation to the Director of Student Services.

If a person who has made a complaint of discrimination indicates to the site administrator, school counselor, or site designee (either orally or in writing) that they are not satisfied with the resolution of their complaint, that employee must so notify the Director of Student Services.

Any students who perceive that the site administrator is a participant in discriminatory conduct may present complaints of discrimination directly to the Director of Student Services for

investigation in the first instance. Complaints of discriminatory conduct by the Director of Student Services should be made to the Assistant Superintendent for investigation.

(cf. 5030 - School Discipline and Safety)

(cf. 6164.2 - Guidance and Counseling Services)

Legal References:

ALASKA STATUTES

AS 14.18.010 - .110 Prohibition against discrimination based on sex or race in public education
~~Discrimination based on sex and race prohibited~~

~~14.18.050 Discrimination in course offerings prohibited~~

~~14.18.090 Enforcement by board of education~~

AS 18.80.255 Unlawful practices by the State or its political subdivisions

ALASKA ADMINISTRATIVE CODE

4 AAC 06.520 Recreational and athletic activities

4 AAC 06.530 Guidance and counseling services

4 AAC 06.540 Course offerings

4 AAC 06.600 Definitions

4 AAC 51.270 Equal opportunities

UNITED STATES CODE

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

Title IX, Education Amendments of 1972, 20 U.S.C. §§ 1681 – 1688

Sections 503 and 504, Rehabilitation Act of 1973

Individuals With Disabilities Education Act, 20 U.S.C. §§ 1401 – 1491

Americans With Disabilities Act as amended by the ADAAA of 2008

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