

## **BP 0410 NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

*Note: District policies must assure equal opportunities and nondiscrimination as required by federal and state law. Discrimination in education programs and activities is prohibited by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Vocational Rehabilitation Act of 1973, the Individuals with Disabilities Education Act and the Americans with Disabilities Act. The Office for Civil Rights of the U.S. Department of Education has authority to enforce these laws in all programs and activities that receive federal funds. AS 14.18.010-.100 prohibit discrimination on the basis of gender and race. AS 14.18.090 provides that the State Board shall withhold state funds from districts determined to be out of compliance with state nondiscrimination laws, when measures ordered to remedy the situation have been ineffective.*

The School Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on age, gender, race, color, religion, national origin, ethnic group, marital or parental status, genetic information, physical or mental disability, or any other unlawful consideration. The Board shall promote programs that ensure that discriminatory practices are eliminated in all district activities. District programs and facilities, viewed in their entirety, shall be readily accessible to individuals with disabilities. The Superintendent shall ensure that interested persons, including individuals with disabilities, can obtain information about the programs, facilities, and activities available to them.

*Note: Federal Regulations (45 CFR, Section 86.9) require federal aid recipients to take "continuing steps" to notify applicants for admission, students and parents that, in compliance with Title IX, they do not discriminate on the basis of gender in their educational programs or activities. Title VI mandates that prior to the beginning of each school year, recipients of federal funds advise students, parents and the general public that all vocational opportunities will be offered without regard to race, color, national origin, gender or disability. Pursuant to Title VI, if the district serves a community of limited-English speaking persons, the notification must also be published in the language of that community and include a statement that lack of English skills will not be a barrier to participation in vocational education programs.*

The School Board recognizes that the district has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The Superintendent or designee shall establish procedures to investigate and seek to resolve complaints alleging unlawful discrimination related to educational programs and activities.

The Board acknowledges and respects student and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights.  
(cf. 1340 - Access to District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Records)  
(cf. 5125 - Student Records)

Discrimination against employees should be reported and addressed in accordance with Board Policy 4030.

Discrimination against students should be reported and addressed in accordance with Board Policy 5145.3.

Discrimination against individuals other than students and employees should be reported to the local site administrator to be appropriately investigated and addressed, save complaints that a site administrator has engaged in discrimination which should be reported to the Assistant Superintendent.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures.

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

(cf. 1312.1 - Public Complaints Concerning School Personnel)

(cf. 1312.2 - Public Complaints Concerning Instructional Materials)

(cf. 5141.4 - Child Abuse and Neglect (Reporting Procedures))

The Superintendent shall annually notify staff, students, and parents of the district's policy on nondiscrimination and related complaint procedures.

(cf. 1312.3 - Public Complaints Concerning Discrimination)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.3 - Nondiscrimination)

(cf. 6141.3 - Multicultural Education)

(cf. 6164.2 - Guidance and Counseling Services)

(cf. 6178 - Vocational Education)

Legal References:

ALASKA STATUTES

AS 14.18.010 - 14.18.1100 Prohibition Against Sex and Race Discrimination in Public Education

AS 14.20.035 Evaluation of training and experience

AS 18.80.200 - .255-.225, .255

AS 47.80.010 Rights of persons with disabilities

ALASKA ADMINISTRATIVE CODE

4 AAC 06.500 - 4 AAC 06.600 Prohibition of Gender or Race Discrimination

UNITED STATES CODE

Title VI and Title VII, Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-7

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

Vocational Rehabilitation Act of 1973, Sections 503 and 504, 29 U.S.C. § 794

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

Americans With Disabilities Act, Title II, as amended by the ADA of 2008, 42 U.S.C. §§ 12101-12213

Age Discrimination In Employment Act, 29 U.S.C. §§ 621-634

Vietnam Era Veterans Act, 38 USC 2011 et seq.

Age Discrimination Act of 1975

Equal Pay Act of 1963

Genetic Information Nondiscrimination Act of 2008

Family Education Rights and Privacy Act, 20 U.S.C. 1232g

Adopted 6/01

Revised 9/97 - AASB

Reviewed 7/02

Revised /22