

BP 5145.3 NONDISCRIMINATION

Note: AS 14.18.010 prohibits discrimination on the basis of sex against an employee or a student in public education. Under Title IX, all students in schools receiving any federal funding are protected from discrimination based on sex. Sex includes male, female, straight, gay, lesbian, bisexual, and transgender. In 2014, the United States Department of Education issued its *Questions and Answers on Title IX and Sexual violence*. This guidance provides that "Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation." U.S. Dept. of Educ., Office for Civil Rights (Apr. 29, 2014). *Questions and Answers on Title IX and Sexual Violence*, accessible at <http://www2.ed.gov/about/offices/list/ocr/>

District programs and activities shall be free from discrimination with respect to sex, race, color, religion, national origin, sexual orientation, gender identity, ethnic group, pregnancy, marital or parental status, and physical or mental disability. The 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*)

(cf. 1312.3 – *Uniform Complaint Procedures*)

(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.

(cf. 6164.2- *Guidance Services*)

Legal Reference:

ALASKA STATUTES

14.18.010-14.18.100 Prohibition Against Sex and Race Discrimination

14.18.010 Discrimination based on sex and race prohibited

14.18.050 Discrimination in course offerings prohibited

14.18.090 Enforcement by board of education

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 06.500 - 4 AAC 06.600 Prohibition of Gender or Race Discrimination

4 AAC 51.270 Equal opportunities

UNITED STATES CODE

Title VI, 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, 42 U.S.C. §§ 12101-12213

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

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Craig City School District