

Vermont School Boards Association	VSBA Code:	A22
Windsor Southeast Supervisory Union Policy Statement	Date Adopted:	2/4/2015
	Revision Adopted:	7/1/2019

## Notice of Non-Discrimination

**Policy:**

The Windsor Southeast Supervisory Union (Hartland, Mount Ascutney, and Weathersfield School Districts) will not lawfully discriminate in its programs and activities against any person or group on any basis prohibited by federal or state law.

The Windsor Southeast Supervisory Union shall make reasonable accommodations to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the SU can demonstrate that the accommodation would impose an undo hardship on the operation of its program or activity.

The Superintendent or his or her designee shall prepare, and the board shall approve, guidance to applicants and employees regarding requests for reasonable accommodations, including provisions for undue hardship.

Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the Windsor Southeast Supervisory Union are hereby notified that this SU does not discriminate on the basis of race, color, religion (creed), ancestry, national origin, place of birth sex, sexual orientation, disability, age, political affiliation or marital status in admission or access to, or treatment or employment in, its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

A person has been designated by the Windsor Southeast Supervisory Union to coordinate the District’s efforts to comply with the regulations implementing VI, Title IX, and Section 504 of the Rehabilitation Act of 1973, and other non-discrimination laws or regulations. The designated coordinator is identified in the procedure accompanying this policy along with information on how that person may be contacted.

Any person having inquiries concerning the Windsor Southeast Supervisory Union’s compliance with the regulations implementing TVI, IX, Section 504 or other state or federal non-discrimination laws or regulations is directed to contact the non-discrimination coordinator described above.

- Legal Reference(s):**
- 9 V.S.A. §4502 (Public accommodations)*
  - 21 V.S.A. §§495 et seq. (Employment practices)*
  - 21 V.S.A. §1726 (Unfair labor practices)*
  - 20 U.S.C. §§1400 et seq. (IDEA)*
  - 20 U.S.C. §§1681 (Title IX, Education Amendments of 1972)*
  - 29 U.S.C. §206 (d) (Equal Pay Act of 1963)*
  - 29 U.S.C. §§621 et seq. (Age Discrimination in Employment Act)*
  - 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)*
  - 42 U.S.C. §§2000d et seq. (tle VI of the Civil Rights Act of 1964)*
  - 42 U.S.C. §§12101 et seq. (Americans with Disabilities Act of 1990)*
  - Cross Reference: Personnel: Recruitment, Selection, Appointment and Criminal Records Checks (D1)*

## **Addendum:**

### **Grievance Procedure:**

In the absence of a controlling non-discrimination grievance procedure outlined in a collective bargaining agreement the procedure accompanying this policy will be as follows:

1. Informal Procedure:

It may be possible to resolve a grievance situation through a conversation between the accuser and the accused. The accused, in the case of a student, may want counsel of an adult, and should, therefore, be encouraged to seek out and consult with a designated faculty member/guidance counselor trained to deal with sexual harassment cases. Through this conversation, the accused may acknowledge that his/her actions or words were inappropriate or objectionable; or the accuser may understand that he or she misconstrued the situation. If the accuser, accused and/or designated faculty member/guidance counselor feel that a resolution has been achieved, then, the conversation may remain confidential and no further action will be taken.

2. Formal Procedure:

If the accuser, the accused and/or designated faculty member/guidance counselor, feels that the informal procedure is inadequate, or has been unsuccessful, the accuser may report the incident to the principal. The report shall be in writing, shall be summarized in writing by the principal, and shall be kept in the principal's office.

- The report shall detail the facts and circumstances of the incident
- If a student under 18 years of age is involved, his/her parents shall be notified immediately
- The principal shall conduct, or cause to be conducted, an investigation of the allegations which will include interviews with the accuser, the accused, and, if either is under the age of 18, the parents, and with any other individuals who may have information bearing on the incident in question.
- Following the investigation, the principal will decide what action, if any, is required. In the case of a student found to have engaged in sexual harassment, the principal shall initiate the formal disciplinary action pursuant to school policy. In the case of a school employee found to have engaged in sexual harassment, the principal shall initiate the appropriate contract/personnel enforcement procedures.
- The principal shall prepare a written report of the investigation and shall maintain the report in his/her office.
- If a professional educator has been found to have engaged in sexual harassment, a report of the findings shall be filed with the Licensing Office of the Agency of Education for further action.