

NONDISCRIMINATION IN EMPLOYMENT

I. Policy Statement

Alexandria City Public Schools (ACPS) promotes equity through all of its personnel actions and procedures, including, but not limited to recruitment, selection, hiring, training, transfers, promotion, retention, compensation and other benefits. ACPS believes every employee is entitled to a work place that is responsive to one’s unique needs to reach their full potential. All individuals have the right to a safe work environment where responsibility and respect are demonstrated daily. ACPS is committed to eliminating all forms of unlawful discrimination in the educational environment. As an equal opportunity employer, ACPS does not discriminate, and does not condone acts of discrimination by its employees against any employee or candidate for employment on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, gender expression, age, pregnancy, childbirth or related medical conditions, parental or marital status, military status, genetic information, disability, or any other characteristic protected by state or federal law (“**protected status/characteristic**”). Personnel decisions are to be based on the ability to perform the essential functions of the job, with or without reasonable accommodation. Special efforts in recruitment and employment are taken to overcome barriers to achieving a diverse, equitable and inclusive workplace throughout the school division.

ACPS provides facilities, programs, and activities that are accessible, usable and available to persons with disabilities. ACPS does not discriminate against persons with disabilities in the provision of health, welfare, and other social services. Further, ACPS will make reasonable accommodation to the known physical or mental impairments of an otherwise qualified employee or candidate for employment, unless it is clear that an accommodation would impose an undue hardship on the operation of a school division program.

ACPS is committed to engendering respect for the abilities and accomplishments of all people and to providing a work environment free from all forms of discrimination, regardless of whether the basis or characteristic is protected by law (e.g., immigration status, socioeconomic level). To promote a productive work and learning environment, ACPS encourages an atmosphere that is respectful of individual differences so employees can work in a functional and non-threatening atmosphere. ACPS consistently and vigorously addresses any reports of discrimination.

II. Definitions

Discrimination is any action, policy, or practice, including bias, stereotyping and harassment, which is detrimental to a person or group of persons and differentiates or distinguishes among persons, or which limits or denies a person or group of persons opportunities, privileges, roles or rewards based, in whole or in part, on any protected characteristic described above, or which perpetuates the effects of past discrimination.

44 **Harassment** is unwanted, abusive behavior of a physical, verbal, non-verbal or written
45 nature, directed towards an individual or group of individuals based, in whole or in part, on
46 any protected characteristic described above, which substantially interferes with an
47 employee’s work performance or creates an intimidating, hostile or offensive work
48 environment.

49 **Sexual Harassment** in the context of employment means unwelcome sexual advances,
50 requests for sexual favors, and other verbal or physical conduct of a sexual nature when
51 submission to or rejection of this conduct explicitly or implicitly affects an individual's
52 employment, unreasonably interferes with an individual's work performance or creates an
53 intimidating, hostile or offensive work environment.

54 **III. Complaint Procedure**

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56 Any employee who believes they have been the victim of prohibited discrimination on school
57 property or during a school activity should report the complaint as soon as possible to the
58 ACPS Compliance Officers or the Title IX Coordinator. **The procedures for filing and**
59 **investigating such reports are outlined in Regulation GB-R/GBA-R: *Procedures for***
60 ***Investigating Staff Complaints of Discrimination, Harassment, Bullying, Hostile Work***
61 ***Environment and Unethical Conduct.***

62 **IV. Compliance Officers**

63 Regulation GB-R/GBA-R designates a Compliance Officer and an Alternative Compliance
64 Officer responsible for identifying, preventing and remedying discrimination as well as
65 receiving, investigating, and acting upon complaints of discrimination prohibited by this
66 policy. The names and contact information for the Compliance Officers are also posted on
67 the Division’s website at all times.

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69 The Compliance Officers:

- 71 ● Receive reports or complaints of discrimination;
- 72 ● Conduct or oversee the investigation of any alleged discrimination;
- 73 ● Assess the training needs of the school division in connection with this policy;
- 74 ● Arrange necessary training to achieve compliance with this policy; and
- 75 ● Ensure that any discrimination investigation is conducted by an impartial investigator
76 who is trained in the requirements of equal employment opportunity and has the
77 authority to protect the alleged victim and others during the investigation.
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80 **V. Discrimination on the Basis of Sex**

81 ACPS complies with Title VII of the Civil Rights Act, which prohibits discrimination in
82 employment, as well as Title IX of the Education Amendments of 1972, which prohibits
83 discrimination on the basis of sex, including sexual harassment and sexual violence in all
84 ACPS educational programs and activities (see Policy GBA/JFHA: *Prohibition Against*

85 *Harassment, Bullying, Hostile Work Environment And Retaliation*). ACPS not only complies
86 with the letter of Title IX's requirements but also endorses the law's intent and spirit. ACPS is
87 committed to compliance in all areas addressed by Title IX.

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89 ACPS provides educational, preventative and training programs regarding sexual or gender-
90 based harassment and discrimination; encourages reporting incidents; prevents incidents of
91 sexual and gender-based harassment and discrimination from denying or limiting an
92 individual's ability to participate in or benefit from school division programs; makes timely
93 services available for those who have been affected by discrimination; and provides prompt
94 and equitable methods of investigation and resolution to stop discrimination, remedy any
95 harm, and prevent its recurrence. Violations of this policy may result in discipline up to and
96 including dismissal, as outlined in Regulation GB-R/GBA-R.

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98 Questions regarding this policy, including Title IX, may be directed to the ACPS Title IX
99 Coordinator:

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101 Title IX Coordinator
102 Executive Director of Equity & Alternative Programs
103 Alexandria City Public Schools
104 1340 Braddock Place
105 Alexandria, VA 22314
106 Telephone: 703-619-8165
107 Email: titleixcoordinator@acps.k12.va.us

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109 Questions regarding Title IX may also be referred to the Office of Civil Rights:
110 U.S. Department of Education
111 Assistant Secretary for Civil Rights
112 400 Maryland Avenue, SW
113 Washington, D.C. 20202-1328
114 Telephone: 800-421-3481
115 TDD: 800-877-8339
116 Email: OCR@ed.gov

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118 **VI. Retaliation**

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120 Retaliation against students, parents/guardians or employees who report discrimination or
121 participate in any related proceedings is prohibited. ACPS takes appropriate action against
122 any employee who retaliates against another employee or candidate for employment who
123 reports alleged discrimination or participates in related proceedings.

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125 The Compliance Officer or Title IX Coordinator informs:
126 ● those who make complaints;
127 ● those who are the subject of complaints; and
128 ● those who participate in investigations
129 of the complaint and how to report any subsequent problems.

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131 **VII. Right to Alternative Complaint Procedure**

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133 Nothing in this policy denies the right of any individual to pursue other avenues of recourse
134 to address concerns relating to prohibited discrimination, including initiating civil action,
135 filing a complaint with outside agencies or seeking redress under state or federal law.

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137 **VIII. Prevention and Notice of Policy**

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139 Training to prevent discrimination is included in employee and student orientations and
140 employee in-service training.

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142 This policy is: (1) displayed in prominent areas of the ACPS website and each Division
143 building in a location accessible to personnel, (2) included in employee handbooks, and (3)
144 provided to any employee or candidate for employment upon request. Employees are notified
145 annually of the names and contact information of the Title IX Coordinator and the
146 Compliance Officers.

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148 The statement “Alexandria City School Board is an equal opportunity employer” is placed on
149 all employment application forms.

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151 **IX. False Charges or False Evidence**

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153 Employees who knowingly make false charges of discrimination or who knowingly make
154 false statements or submit false information shall be subject to disciplinary action, up to and
155 including dismissal, as well as any civil or criminal legal proceedings.

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158 Adopted: July 6, 2000

159 Amended: October 5, 2000

160 Amended: May 18, 2006

161 Amended: April 26, 2007

162 Amended: December 20, 2012

163 Amended: June 11, 2015

164 Amended: June 17, 2021

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166 Legal Refs.: 20 U.S.C. § 1681, et seq.

167 29 U.S.C. § 701

168 42 U.S.C. §§ 6101, et seq., 2000e-2, et seq., 2000ff-1(a), and 12101, et seq.

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170 Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902,

171 22.1-295.2, 22.1-306.

172

173

174 Cross Refs.: AC

Nondiscrimination

175 AD

Educational Philosophy

176	BCE	School Board Committees
177	GBA/JFHA	Prohibition Against Harassment, Bullying, Hostile
178		Work Environment and Retaliation
179	GB-R/GBA-R	Procedures for Investigating Staff Complaints of
180		Discrimination, Harassment, Bullying, Hostile
181		Work Environment and Unethical Conduct
182	GB-F/GBA-F	Report of Discrimination/Harassment
183	GBM	Licensed Staff Grievances
184	GBMA	Support Staff Grievances
185	GCPD	Licensed Staff Discipline
186	JB	Nondiscrimination in Education
187	JB-R/JFHA-R	Procedures for Investigating Student Complaints of
188		Discrimination, Harassment and Bullying
189	KKA	Service Animals in Public Schools
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