

Civil Rights Training and Compliance

Middleborough Public Schools

What are Civil Rights?

- Civil rights are the nonpolitical rights of a citizen; the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th Amendments to the U.S. Constitution and Acts of Congress
- Civil rights refer to the fair and equitable treatment of all students and employees

Civil Rights Laws

- Title VI – Civil Rights Act of 1964
 - Race, color, national origin (limited English proficiency)
- Title IX of the Education Amendments of 1972
 - Sex
- Section 504 of the Rehabilitation Act of 1973
 - Disability
- Americans with Disabilities Act
 - Disability



Civil Rights Laws Continued

- Age Discrimination Act of 1975
 - Age
- Civil Rights Restoration Act of 1987
 - Race, color & national origin
- Food Stamp Act of 1977
 - Race, color, national origin, sex, age, religious creed and disability



Goal of Civil Rights

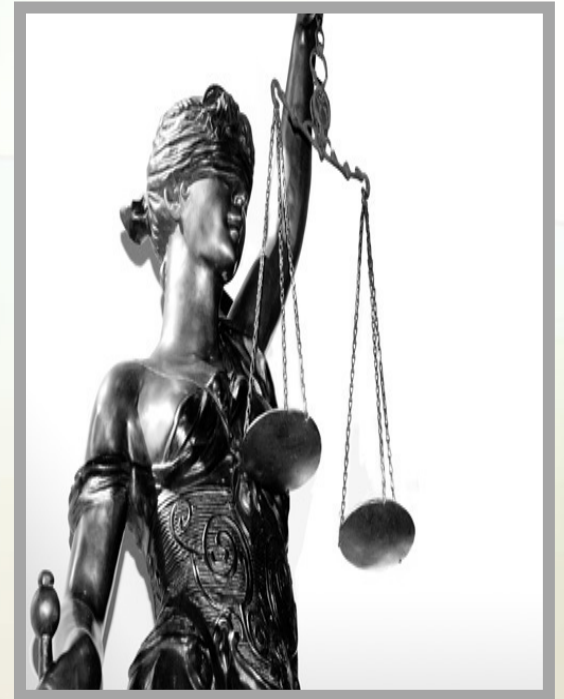
- Eliminate barriers to program benefits
- Provide equal treatment to all
- Explain rights and responsibilities
- Show respect and dignity to all

Civil Rights Concepts

- Stereotyping
- Prejudice
- Discrimination



**Federal Law
Prohibits Discrimination
On the Basis of
Any Protected Class**



What is a Protected Class?

- A protected class refers to any person or group of people who have a characteristic for which discrimination is prohibited by law
- Protected classes in the SNP include:
 - ✓ Race
 - ✓ Color
 - ✓ National origin
 - ✓ Age
 - ✓ Sex
 - ✓ Disability

What is Discrimination?

Definition:

Treating people differently through prejudice; unfair treatment of one person or group, usually because of prejudice about race, ethnicity, age, religion, or gender

Civil Rights Requirements

1. Provide public notification
2. Collect and report racial & ethnic data
3. Assure Equal Access to the program
4. Provide reasonable accommodations:
 - Limited English proficiency
 - Disabilities
5. Handle civil rights complaints in accordance with prescribed procedures
6. Conduct annual civil rights training

Provide Public Notification

Purpose:

- To inform potentially eligible persons, applicants, participants and grassroots organizations of available programs
- To reach as many applicants, participants, and potentially eligible persons as possible
- To conduct outreach to unserved or underserved populations using appropriate translation materials
- To ensure program access
- The procedures must be included in student and employee handbooks

“This institution is an equal opportunity provider.”

- Provide appropriate information in alternate forms, in appropriate translations as needed, and in appropriate formats for persons with disabilities
- To convey the message of equal opportunity, program materials should reflect diversity and inclusion in all program-related information, photos, and graphics

Reasonable Accommodation for Persons with Disabilities

What is a disability:

- Definition: physical or mental impairment which substantially limits one or more of an individual's major life activities, has a record of such an impairment, or is regarded as having such an impairment
- Disabilities are defined based on Section 504 of the Rehabilitation Act/ Americans with Disabilities Act and Part B of the Individuals with Disabilities Education Act (IDEA)

Services for Students with Disabilities (SWD)

On the basis of disability, a division may not exclude any qualified SWD from any course, course of study, or other part of its educational program or activity

- Provision of Free Appropriate Public Education (FAPE)
- Placement decisions made by a group of people knowledgeable about the student, the meaning of the evaluation and data, and placement options
- Related instructional aids or services should be available as determined by Individualized Education Program (IEP) or Section 504 team
- Academic achievement tests should measure ability and achievement, rather than disability
- SWD placed in the educational setting most appropriate for the student's individual needs (Least Restrictive Environment [LRE])

School to Career

- School to career learning opportunities are available to all students regardless of race, color, national origin, sex, or disability
- School to career agreements must contain a written assurance of nondiscrimination signed by the employer and school personnel

Employment

Employment practices are conducted without regard to race, color, national origin, sex, or disability of applicants or employees

- Application forms and materials are free from prohibited questions concerning disability, marital, or parental status
- Salaries are based upon the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability

Facilities

- **Accessible Facilities:** individuals with disabilities may not be excluded from enjoying the benefits of a school's programs or services because its facilities are inaccessible to or unusable by person with disabilities



Facility Compliance

What is a facility?

- **Title II of the ADA**

- “all or any portion of buildings, structures, sites, complexes, equipment ... roads, walks, passageways, parking lots, or other personal property”

- **Section 504**

- “all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property”

Comparable Facilities

- Separate facilities provided for students who are *male/female* or *with/without disabilities* should be similar in quality and convenience
- Separate facilities should also be located in similar proximity to associated restrooms, classrooms, cafeteria, gymnasium, or labs

Language Accommodations

Reasonable steps must be taken to ensure meaningful access to programs for persons with Limited English Proficiency (LEP)

All procedures must also be provided in the language of any community of national origin that is approximately equal to or greater than 5% of the total enrollment of the school division

Recognizing a Civil Rights Complaint

- A complaint of unequal treatment can be:
 - Verbal
 - In Writing
 - Observed

Handle Civil Rights Complaints In Accordance With Prescribed Procedures

- Basic procedures are in place to ensure nondiscrimination
 - continuous notice of nondiscrimination
 - grievance procedure must be disseminated to allow students, parents, and staff process for reporting alleged discrimination
 - annual public notice of nondiscrimination
 - designation of a person or persons to coordinate activities under Title IX, Section 504, and Title II

Information needed

- Complainant's:
 - Name
 - Address
 - Telephone number
- Location where the alleged discrimination occurred
- Nature of the incident
- Basis for the claim (race, age, disability, etc.)
- Names of witnesses
- Date when the alleged discrimination occurred

GOLDEN RULE

*“Treat others as you want to
be treated”*

Work Cited

1. Adapted from Virginia Department of Education, School Nutrition Programs
2. 2015-2016 CTE Civil Rights Review Orientation
Virginia Department of Education, Office of Career and Technical Education Services
3. Employment Civil Rights Training for Supervisors and Managers: Training Manual, National Service Center for Environmental Publications (NSCEP) [NSCEP](#)