

- Required
- Local
- Notice

### EQUAL OPPORTUNITY AND NONDISCRIMINATION

The Board of Education, its officers and employees, shall not discriminate against any student, employee, or applicant on the basis of race, color, weight, national origin, ethnic group, religion, religious practice, marital status, familial status, sex (including pregnancy, childbirth or related medical condition), sexual orientation, gender identity and expression (i.e., actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristics regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender), age, military work or status, disability (physical or mental), domestic violence victim status or predisposing genetic characteristics.

The Board of Education is committed to providing:

- a. access by students to educational programs, counseling services for students, course offerings, and school-sponsored activities, community and youth programs, including but not limited to the Boy Scouts and Girl Scouts, and ;
- b. recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations in a non-discriminatory fashion.

Additionally, to promote the District website’s accessibility to staff, students, and members of the community with disabilities, the district will maintain a website that is accessible (or contains accessible alternatives) on perceivability, operability and understandability principles. The Superintendent of Schools shall designate an individual who is responsible for considering the following when developing or updating the District website:

- Adding the text equivalent to every image;
- Posting documents in a text-based format such as HTML or RTF in addition to PDFs;
- Avoiding dictating colors and font settings;
- Including audio descriptions and captions to videos;
- Identifying other barriers to access; and
- Making other considerations when developing the district’s website.

The District will provide notice of this policy in accordance with federal and state law and regulation.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by District policy, the District Code of Conduct, the law or applicable contracts.

Nothing in this policy shall be construed to prohibit a denial of admission into or exclusion from a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

**Annual Notification**

At the beginning of each school year, the District shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents, employees, students and the community that education programs, including but not limited to, vocational programs, are offered in a nondiscriminatory fashion.
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogues, and applications made available by the District and shall be posted in each school and facility in the school district.

The Executive Director for Human Resources is designated to handle inquiries regarding the District's nondiscrimination policies. Contact information for the Executive Director for Human Resources is available on the District's Website. Complaints of sexual harassment or discrimination are covered by Policy 0110 Sexual Harassment. Complaints of student harassment, bullying and discrimination are covered by the Student Bullying Prevention, Harassment and/or Discrimination and Intervention Policy #0115.

All complainants and those who participate in the investigation of a complaint in conformity with State law and District policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 0110, Sexual Harassment  
0115, Student Bullying, Harassment and/or Discrimination Prevention and Intervention  
5030, Student Complaints and Grievances  
5300, Code of Conduct  
9140.1, Staff Complaints and Grievances

Ref: Age Discrimination in Employment Act of 1967, 29 U.S.C § 621 *et seq.*  
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*  
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*  
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*  
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*  
Section 504, Rehabilitation Act of 1973, 29 U.S.C. § 794  
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*  
34 C.F.R. §§ 106.9, 110.25  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Executive Law §290 *et seq.* (New York State Human Rights Law)  
Education Law §§10-18 (The Dignity for All Students Act)  
Education Law §§313(3), 3201, 3201-a  
ADA Best Practices Tool Kit for State and Local Governments,  
Chapter 5 and Chapter 5, Addendum  
<https://archive.ada.gov/pcatoolkit/toolkitmain.htm>

Note: Prior policy, 5020, revised  
Policy Adopted/Revised: December 14, 1995; June 20, 2007; July 9, 2008; June 17, 2009; July 14, 2010; April 27, 2011; May 18, 2011; June 20, 2012; June 18, 2013, June 17, 2015, June 14, 2017, June 13, 2018, July 1, 2021, July 5, 2023  
Reviewed: June 18, 2014, May 18, 2016, May 22, 2019, May 20, 2020, July 5, 2023

**EQUAL OPPORTUNITY AND NONDISCRIMINATION  
REGULATION**

The procedures set forth in this Regulation do not supersede any protection complainants are provided under existing state or federal law.

**Definitions**

1. *Complainant* shall mean an applicant, employee, student or vendor who alleges that they have been subjected to discrimination, which may be a violation of this policy, as well as a violation of federal or state law or associated regulations, which has affected him/her.
2. *Complaint* shall mean any alleged act of discrimination which may be a violation of this policy, which may also violate federal and state civil rights laws or associated regulations.
3. *Compliance Officer* shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under the Civil Rights Act of 1964, Section 504 and the ADA. Inquiries regarding the equal opportunity and nondiscrimination policy and regulation may be directed to Dr. Mary Bediako, Title IX Coordinator (Employees) or Mr. John J. Hogan, Title IX Coordinator (Students), One Johnson Place, Woodmere, NY 11598-1312.

The investigation and resolution of any complaints alleging an action prohibited by the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following prompt, equitable and impartial manner:

**A. Stage I--Compliance Officer**

1. As soon as practicable, if possible within thirty (30) days after the events giving rise to the allegation, the complainant shall file a complaint, preferably in writing using the District's complaint form, with the Compliance Officer. The Compliance Officer may informally discuss the complaint with the complainant. He/she shall promptly and thoroughly investigate the matter. All employees and students of the School District shall cooperate with the Compliance Officer in such investigation.
2. Within fifteen (15) days of receipt of the complaint, the Compliance Officer shall make a finding in writing that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the complainant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the complaint, the complainant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

**B. Stage II--Superintendent of Schools**

1. The Superintendent of Schools may request that the complainant, the Compliance Officer, student, or any member of the School District staff present a written statement to him/her setting forth any information that such person has relative to the complaint and the facts surrounding it.
2. The Superintendent of Schools shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within fifteen (15) school days of the receipt of the appeal by the Superintendent of Schools.
3. Within fifteen (15) days of the hearing, the Superintendent of Schools shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA, and if applicable, a proposal for equitably resolving the complaint.
4. If the complainant is not satisfied with the determination of the Superintendent of Schools or the proposed resolution, the complainant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

**C. Stage III--Board of Education**

1. When a request for review by the Board has been made, the Superintendent of Schools shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen (15) school days of the receipt of the request of the complainant.
3. The Board shall render a decision in writing within fifteen (15) days after the hearing has been concluded.

Adoption date: June 20, 2012; June 18, 2013

Reviewed: June 18, 2014, May 18, 2016, June

14, 2017, June 13, 2018, July 1, 2021, July 5, 2023

Amended: June 17, 2015, May 22, 2019, May 20, 2020, July 5, 2023