0100

EQUAL OPPORTUNITY AND NONDISCRIMINATION

The Board of Education, its officers and employees, shall not discriminate in the District's programs or activities or permit discrimination to occur on the basis of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks and twists), color, national origin, creed, age, disability, pregnancy, pregnancy-related condition, ethnic group/ethnicity, weight, religion, religious practice, gender, sex, gender identity, gender expression, transgender status, gender dysphoria, sexual orientation, marital status, familial status, military or veteran status, genetic information, predisposing genetic characteristics, domestic violence victim status, use of a guide dog, hearing dog or service dog or any other characteristic or basis protected by applicable law.

The Board affirms the right of all students, staff and applicants to be treated with respect and to be protected from discrimination without regard to the student or staff member's actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks and twists), color, national origin, creed, age, disability, pregnancy, pregnancy-related condition, ethnic group/ethnicity, weight, religion, religious practice, gender, sex, gender identity, gender expression, transgender status, gender dysphoria, sexual orientation, marital status, familial status, military or veteran status, genetic information, predisposing genetic characteristics, domestic violence victim status, use of a guide dog, hearing dog or service dog or any other characteristic or basis protected by applicable law. The District will provide equal access to designated youth groups.

The District will provide equal opportunities for access by students to educational programs, counseling services, course offerings and student activities. Specific protections for students under the Dignity for all Students Act are addressed in policy 0115, Student Bullying and Harassment Prevention and Intervention. The District will follow guidance from the State Education Department on creating a safe, supportive and affirming school environment for transgender and gender-expansive students.

As a condition of participation in the Federal meal programs, the District will post the following statement: "In accordance with Federal civil rights law and the U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Discrimination complaint information is available at https://www.fns.gov/civil-rights/usda-nondiscrimination-statement-other-fns-programs.

Additionally, to promote the district's website 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 operability and understandability principles. The District's Graphic Materials Designer is responsible for considering the following when developing or updating the District website:

- Adding the text equivalent to every image;
- Posting documents in a timely manner;
- Include audio descriptions and captions to videos;

- Identify other barriers to access; and
- Making other considerations when developing the District's website

The Board of Education believes it to be in the best interest of both students and public to have a staff which is highly qualified and effective in performing the duties assigned to them, and which contains a healthy diversity of personal backgrounds.

Candidates for open positions, as well as for promotion and transfer, will be given full consideration and evaluated on the basis of education, experience and ability, to determine their qualifications to perform the duties of the position. The rights, responsibilities and duties, which accrue to any position, will accrue equally to any employee in that position. Employees also have protections under State law against discrimination on the basis of their familial status, reproductive healthcare decisions (their own or their dependents) and certain prior criminal history.

The Superintendent of Schools shall ensure that applicants for open positions in either the administrative, instruction or support staff of the District, are actively sought from members of any minority group which is underrepresented in the staff. The District will proactively seek diverse candidates by participating in job fairs and sending job notices to organizations such as LIBEA, NAACP, LILTA and other community organizations. The District will also work with colleges in recruiting staff.

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

Nothing in this policy will 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 will publish and make available a notice of the established grievance procedures for resolving complaints of unlawful discrimination to parents/guardians, employees, students and the community. The public notice will:

1. inform parents, employees, students and the community that education programs, including, but not limited to, vocational programs, are offered without regard to actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks and twists), color, national origin, creed, age, disability, pregnancy, pregnancy-related condition, ethnic group/ethnicity, weight, religion, religious practice, gender, sex, gender identity, gender expression, transgender status, gender dysphoria, sexual orientation, marital status, familial status, military or veteran status, genetic information, predisposing genetic characteristics, domestic violence victim status, use of a guide dog, hearing dog or service dog or any other characteristic or basis protected by applicable law; and ;

2. provide the name, address and telephone number of the person or persons designated to coordinate activities and inquiries concerning discrimination and provide that inquires may also be referred to the U.S. Department of Education's Office for Civil Rights ("OCR"); and

3. be included in appropriate announcements, bulletins, catalogues, and applications made available by the District.

All complaints of discrimination and harassment made by employees and applicants are addressed by the process outlined in Policy 0110.2, Sexual Harassment of Employees. Complaints of discrimination and harassment by students are addressed by the process outlined in Policy 0115, Student Harassment and Bullying Prevention and Intervention.

The Board of Education prohibits any type of retaliatory behavior directed against complainants, victims, witnesses and/or other individuals who participated in the investigation of a complaint of discrimination (see Policy 0116, Policy Against Retaliation).

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

Cross-ref: 0110, Sexual Harassment
0110.2, Sexual Harassment of Employees
0116, Policy Against Retaliation
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.* (nondiscrimination based on race, color, and national origin in federally assisted programs)
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.* (nondiscrimination based on race, color, and national origin in employment)
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* (nondiscrimination based on sex)
Education Law §504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*
Genetic Information Nondiscrimination Act of 2008, P.L. 110-233
34 C.F.R. §§ 100.6, 104.8, 106.9, 110.25
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, Website Accessibility Under Title II of the ADA (see Chapter 5 and Chapter 5 Addendum checklist), www.ada.gov/pcatoolkit/toolkitmain.htm
Creating a Safe, Supportive, and Affirming School Environment for Transgender and

Gender Expansive Students: 2023 Legal Update and Best Practices, https://www.nysed.gov/sites/default/files/programs/student-support-services/creating-a-safe-supportive-and-affirming-school-environment-for-transgender-and-gender-expansive-students.pdf

Approved by the Board of Education: 07/13/06
Revision Approved by the Board of Education: 12/14/17
Revision Approved by the Board of Education: 11/16/23