BP-5145.3(a)

NONDISCRIMINATION

Note: AS.14.18.010 prohibits discrimination on the basis of sex against an employee or a student in public education. Under Title IX, all students in school receiving any federal funding are protected from discrimination based on sex. Sex includes male, female, straight, gay, lesbian, bisexual, and transgender. In 2014, the United States Department of Education issued its Questions and Answers on Title IX and sexual violence. This guidance provides that "Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation." U.S. Department of Education office for Civil Rights (April 29, 2014). Questions and Answers on Title IX and Sexual Violence, accessible at http://www2.ed.gov/about/offices/list/ocr/

District programs and activities shall be free from discrimination with respect to gender, sex, race, color, religion, national origin, ethnic group, sexual orientation, gender identity, marital or parental status, and physical or mental disability. The School Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education and other activities.

Except as provided in AS 14.18.050, no school district may require or deny participation in any course, program, or activity on the basis of gender however, separate arrangements may be made for students according to gender during sex education programs and physical education activities involving bodily contact.

School staff and volunteers must be especially careful to guard against unconscious gender discrimination and stereotyping in instruction, guidance and supervision.

All cooperative education applications and training agreements (i.e. School-to-Work and On-the-Job Training) must contain an assurance of nondiscrimination that is signed by both the employer and the school representative (principal or designee).

The District encourages the immediate reporting of incidents of discrimination. Students who believe they have been subject to discrimination should contact their school principal. In cases where the person to whom a victim would normally report is the alleged source of discrimination or where other good reason exists not to report to the person designated under this policy to receive reports, the victim should contact the Superintendent, or a person designated by the Superintendent to receive and investigate complaints of discrimination. Reports shall be processed according to the procedures established in the regulations accompanying this policy and the District's policy on resolving complaints.

Legal References:

ALASKA STATUTES

14.18.010 Discrimination based on sex and race prohibited
14.18.050 Discrimination in course offerings prohibited
14.18.090 Enforcement by board of education

BP-5145.3(b)

NONDISCRIMINATION

ALASKA ADMINISTRATIVE CODE
4 AAC 06.500 - 4 AAC 06.600 Pohibition of Gender or Race Discrimination
4 AAC 51.270 Equal Opportunities

UNITED STATES CODE
Title VI, Civil Rights Act of 1964, 42 U.S.C. 2000d-20002d-7
Title IX, Education Amendments of 1972, 20.U.S.C. 1681-1688
Vocational Rehabilitation Act of 1973, Sections 503 and 504, 29. U.S.C. 794
Individuals with Disabilities Act, 20 U.S.C. 1401-1491
Americans with Disabilities Act, 42 U.S.C. 12101-12213
Age Discrimination in Employment Act, 29. U.S.C. 621-634

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