

NON-DISCRIMINATION AND EDUCATIONAL EQUITY

It is the intent of the School Board of Volusia County to offer the opportunity to students to participate in its programs and activities without regard to race, color, religion, national origin, sex, disability, marital status, political beliefs, sexual orientation, or age except as otherwise provided by Federal or Florida State Law.

It is the policy of the School Board of Volusia County not to discriminate against employees or applicants for employment on the basis of race, color, religion, national origin, sex, disability, marital status, political beliefs, sexual orientation, or age. Sexual harassment or harassment on the basis of race color, religion, national origin, sex, disability, marital status, political beliefs, sexual orientation, or age is a form of employee misconduct that undermines the integrity of the employment relationship, and is prohibited. This prohibition shall apply to recruitment, employment, transfers, compensation and all other terms and conditions of employment.

Access to educational programs and/or activities, and employment and promotion practices will be in accordance with the equity plan established by the School Board of Volusia County and incorporated herein, pursuant to the Administrative Rules of the State Board of Education and Florida Statutes. The superintendent shall appoint an equity officer from among school personnel. It shall be the duty of the equity officer to bring to the attention of the superintendent events, practices, patterns and/or policies which may be inconsistent with equity requirements.

The ADA Compliance Officer shall receive complaints of disability-based harassment or discrimination of students with a disability for investigation; see also the complaint procedures as posted on the Office of General Counsel page of the Volusia County Schools website.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, VCS will not discriminate against qualified individuals with disabilities on the basis of disability.

- A. **Policies and Practices:** Among VCS's obligations under Title II of the Americans with Disabilities Act, is the requirement to make reasonable modifications in policies, practices, and procedures to avoid discrimination on the basis of disability; take steps to ensure effective communication to individuals with disabilities through furnishing auxiliary aids and services; and ensure that each service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.
- B. **Confidentiality:** All documentation submitted to, and the records of, VCS regarding the specific nature of the disability shall be held in confidence, separate from the student's academic record. Information about a disability shall not be released to school faculty, or staff without the written permission of the student and/or parent(s)/guardian(s) (as applicable by age of majority), unless there is a clear educational, health, or safety reason for the disclosure.

C. **Disability:** “Disability” with respect to an individual means:

- a. A physical or mental impairment that substantially limits one or more of the major life activities of said individual;
 - b. A record of such an impairment; or
 - c. Being regarded as having such an impairment.
- “Disability” shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA, and includes, but is not limited to physical, specific learning, and psychological disabilities.

Legal Authority:

Sections 230.22(1)(2), 230.23(3)(4), Florida Statutes

Laws Implemented:

Section 228.2001, Florida Statutes

Rules 6A-19.001 - 6A-19.010, Florida Administrative Code

History:

(Adopted -- May 24, 1977)

(Revised -- August 16, 1990; December 17, 1991; June 28, 1994; July 25, 2000; July 30, 2001; July 26, 2022)

(Effective Date -- July 26, 2022)