

SUBJECT: NON-DISCRIMINATION (STUDENTS)

Preamble

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide for all District students an environment that is free of discrimination based on a student's race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category. Discrimination is unlawful and stands in direct opposition to District policy.

The District's policy is to oppose and prohibit, without qualification, discrimination against a student based on his/her membership in a protected category in the educational programs or activities which it operates.

The District will investigate all complaints, either formal or informal, verbal or written, of discrimination based on race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category and will take appropriate action against a student, teacher, administrator or other District personnel who is found, after a thorough investigation, to have violated this policy.

Definitions

"Discrimination" is defined as:

- a) Denial of access to a school program on the basis of the student's actual or perceived race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight predisposing genetic characteristics, marital status, military status, and domestic violence victim status or any other legally protected category.
- b) A student is subjected to harassing conduct (e.g., physical, verbal, graphic or written) based upon a student's actual or perceived membership in a protected category when such conduct:
 1. Has the purpose or effect of substantially or unreasonably interfering with the ability of the student to participate in or benefit from the services, activities or privileges provided by the District;
 2. Has the purpose or effect of creating a hostile or offensive academic environment; or

3. Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance.

Examples of such conduct which may constitute harassment based on a student's membership in a protected category may include, but are not limited to:

- a) Graffiti;
- b) Name calling, jokes;
- c) Threatening or intimidating conduct directed at another;
- d) Notes or cartoons;
- e) Slurs, negative stereotypes and hostile acts;
- f) Written or graphic material containing comments or stereotypes which is posted or circulated and is aimed at degrading individuals or members of protected classes;
- g) Physical act(s) of aggression or assault upon another;
- h) Other kinds of aggressive conduct such as theft or damage to property.

"District personnel" includes Board members, school employees, or other persons subject to the supervision or control of the District.

Reporting Procedures

Any student who believes that he/she has been subjected to discrimination based on his/her membership in a protected category shall report all incidents of such conduct in accordance with District regulation 7623-R.

Notice

A copy of this policy shall be made available to all District personnel and students and shall be posted in appropriate places and made available, upon request, to interested parties.

Title VI of the Civil Rights Act of 1964,
Title IX of the Education Amendments of 1972
42 United States Code (USC) Section 2000-d et seq.
34 Code of Federal Regulations (CFR) Part 100
New York State Executive Law § 290 et seq.

Adopted: 6/20/02; Revised: 7/20/06; 10/26/10; 6/14/12; 10/16/14