

**Nondiscrimination Policy and Compliance Plan
(for students and employees)**

A healthy and productive educational community is one in which students and employees treat each other with mutual respect and which values diversity. Such a community requires an atmosphere free from discrimination on the basis of religion, race, national origin, gender, sexual orientation, or disability. Discrimination of students on these grounds, and of employees on these grounds or on the basis of age, violates Board policy and may constitute a violation of state or federal law.

The District will honor all appropriate laws relating to discrimination and in accordance with these laws will not discriminate in its educational programs, activities or employment policies. The District shall require all students and District personnel to comply with this policy in connection with all school based or school sponsored activities and events. District personnel includes teachers, administrators, school Board members, school employees, agents, volunteers, contractors or persons subject to the supervision and control of the District.

The Board directs that all District personnel avoid the use of sexist or discriminatory language in all communications, both oral and written, in the course of the performance of their duties.

In furtherance of this policy the Board adopts the following guidelines:

Guidelines

- Students. No student shall be discriminated against in any educational programs of the District on the basis of religion, race, national origin, gender, sexual orientation or disability. Similarly students will not be discriminated against on the basis of marital or parental status. Educational programs shall include all of the academic, educational, extra-curricular, athletic and other programs of the school whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the District, or at another location. In implementing this policy the District may, nevertheless: (1) provide separate toilets, locker rooms and shower facilities where such facilities for one gender are comparable to facilities provided for students of the other gender, and (2) operate separate teams for each gender when selection for such teams is based on competitive skills, the activity involves contact sports or separate teams are mandated by the Maine Principals Association.

- Employees. The District affirms that it will employ the best qualified persons who are available at the salary levels established by the District, without discrimination on the basis of religion, race, national origin, gender, sexual orientation, age, or disability. Standards and

procedures for the recruitment, hiring, layoff, termination, upgrading, demotion, transfer, compensation or privileges shall be the same for all applicants/employees.

In furtherance of this policy the Board adopts the following Compliance Plan:

Compliance Plan

The Board directs the administration to implement a continuing program which assures compliance with this policy and with applicable state and federal law, and which identifies and corrects those techniques, procedures, and actions which may have a discriminatory effect.¹ The Superintendent holds primary responsibility for the operation and success of the program, with operational responsibility delegated to a Compliance Officer.² The Compliance Officer will be a person with direct access to the Superintendent. A secondary Compliance Officer shall be designated to receive complaints in circumstances where the primary Compliance Officer may not be best suited to resolve the situation.

Duties of the Compliance Officer.

The Compliance Officer shall

- oversee the District's compliance with this policy, with the assistance, as appropriate, of an affirmative action committee,
- assure that information and guidelines about the District's nondiscrimination policy and grievance procedures are regularly disseminated to applicants, employees, students, parents and other interested persons and posted in accordance with law,³
- oversee in-service training programs on gender equity,
- maintain records relating to the District's compliance with this policy,
- assess the District's compliance with this policy on an ongoing basis and initiate remedial action to improve compliance,

¹ Sometimes referred to as the Affirmative Action Plan.

² The responsibilities of the Compliance Officer include:

- Affirmation Action Officer [5 M.R.S.A. § 783]
- Title IX coordinator [34 CFR § 106.8(a)]
- ADA coordinator (50 or more employees) [28 CFR § 35.107]
- Section 504 coordinator [34 CFR 104.7]
- Age discrimination in employment coordinator [34 CFR §110.25]

³ Requirements include:

Public notice of non-discrimination on the basis of sex [34 CFR § 106.9]

Public notice of non-discrimination on the basis of race color or national origin [34 CFR §100.6(d)]

Public notice of non-discrimination on the basis of age [34 CFR § 110.225]

Public notice of non-discrimination on the basis of disability as required by Section 504 [34 CFR §104.8]

Dissemination of information on accessibility of disabled to school programs [28 CFR § 35.106]

ADA Notice [42 USC §12115]

- report at least annually to the Superintendent and to the Board on the status of compliance and make recommendations for improving compliance, including plans, based on a 5 year goals, to correct any workforce imbalances , and
- oversee the complaint process in accordance with the District’s grievance procedures.

Reports of the Compliance Officer shall include information regarding male and female student academic achievement and participation in District sponsored athletic, enrichment and extra curricular activities and male and female composition of the staff. The Compliance Officer shall also assure compliance with the Americans with Disabilities Act and Section 504 requirements, which program shall include taking steps to assure that applicants, employees, students, parents and people with disabilities have access to school premises and activities.

Grievances

Any person who believes that discrimination has occurred in violation of this policy may institute an informal or formal complaint process under the District’s applicable grievance procedures.

Notices

Copies of this policy shall be posted in the administrative office, on a student or school bulletin board, and in a general faculty room in each school.

Adopted: January 24, 2000

Legal Reference: Equal Employment Opportunities Act of 1972 (P.L. 92-261) amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) et seq.) Title IX of the of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.) Equal Pay Act of 1963 (29 U.S.C. § 206) Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.) Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) Maine Human Rights Act of 1972 (5 MRSA § 4571), as amended 20-A MRSA §1001(13) 20-A MRSA §4502(4-A); 5 MRSA Ch. 65

Cross Reference: **ACAA** **Harassment and Sexual Harassment of Students**
 ACAA-R **Student Grievance Procedure**
 ACAB **Harassment and Sexual Harassment of Employees**

ACAB-R	Employee Grievance Procedure
ACAD	Hazing
JICIA	Weapons, Violence, Theft and School Safety