

DUDLEY-CHARLTON REGIONAL SCHOOL DISTRICT

POLICY

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Non-Discrimination and Access to Equal Educational Opportunity

I. Introduction

It is the goal of the Dudley-Charlton Regional School District to promote an environment that is free from discrimination and affirmatively provides access to employment and equal educational opportunity. Discrimination, including that based upon race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity of an individual occurring in the workplace or in other settings in which individuals may be entitled access to educational opportunity, is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about discrimination or retaliation against an individual for cooperating with an investigation of a discrimination complaint is similarly unlawful and will not be tolerated. To achieve our goal, acts of discrimination or harassment will not be tolerated and we have provided procedures by which inappropriate conduct will be addressed, if encountered by an employee, student or member of the community.

Because the district takes allegation of discrimination seriously, we will respond promptly to complaints of discrimination in the workplace or educational settings and, where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goal of promoting an educational and workplace environment that is free of discrimination, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of discrimination.

II. Affirmative Statement of Release:

This policy is consistent with M.G. L. Ch. 75:5: “Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No school committee is required to enroll a persona who does not actually reside in the town unless said enrollment is authorized by law or by the school committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin, ancestry, sexual orientation, or gender identity.”

All persons should take special note that, as stated above, retaliation against an individual who has complained about discrimination or harassment, and retaliation against an individual for cooperating with an investigation of a complaint, is unlawful and will not be tolerated by this organization.

III. School Admissions and Participation

- (1) All public schools in the district shall admit students without regard to race, color, sex, religion, national origin, ancestry, disability, sexual orientation or gender identity.
- (2) No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, religion, national origin, ancestry, disability, sexual orientation or gender identity.
- (3) The national citizenship of any applicant shall not be a criterion for admission to any public school, and nor shall national citizenship be a factor in the assignment or availability of courses of student or extra-curricular activities.
- (4) Any standards used as part of the admissions process to any school [as referred to in 603 CMR 26.02 (1)] shall not illegally discriminate on the basis of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity. A student's limited English-speaking ability (see MGL Ch. 71A) shall not be a deterrent to or limitation of a student's admission to a school.
- (5) A school shall determine what courses or units of study are required of a student without regard to the race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity of the student.
- (6) A school shall not schedule students into courses or units of study on the basis of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity.
- (7) All district schools shall, through their curricula, encourage respect for the human and civil rights of all individuals regardless of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity.
- (8) Teachers shall review all instructional and education materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity. Appropriate activities, discussions and/or supplementary materials shall be used to provide balance and context for any such stereotypes depicted in such materials.
- (9) Each school shall provide equal opportunity for physical education for all students. Goals, objectives and skill development standards, where used, shall neither be designated on the basis of sex, nor designed to have an adverse impact on members of either sex.

(10) Participation in extra-curricular activities shall be actively encouraged by each school for all students regardless of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity.

IV. Active Efforts

(1) The school district shall monitor all aspects of the K through 12 school program to insure that all students regardless of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity are given an opportunity to participate in all programs offered by the school including athletics and other extra-curricular activities.

(2) All schools shall strive to prevent harassment or discrimination based upon students' race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity and each district school shall respond promptly to such discrimination or harassment when it has knowledge of its occurrence.

(3) The school committee and the superintendent shall provide in-service training for all school personnel at least annually regarding: (a) the prevention of discrimination and harassment based upon race, color, sex, religion, national origin, ancestry, disability, sexual orientation, or gender identity; and, (b) the appropriate methods for responding to such discrimination and harassment in a school setting.

V. Complaints of Discrimination: Procedures

If any student, employee or community member believes that he or she has been subjected to discrimination, the individual has the right to file a complaint with our organization. This may be done in writing or orally.

For specific contact information of coordinators of the following programs: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Equal Educational Opportunities Act of 1974, MA General Laws, Chapter 76, Section 5, Title I of the Elementary and Secondary Education Act of 1965, McKinney-Vento Homeless Education Assistant Act, see the district website: www.dcrsd.org.

Any person who feels aggrieved as a result of policies and practices within the district with regard to educational opportunities regulated by 603 CMR 26:00, et seq. Will direct their complaints as follows:

- ◆ Grievances in regard to discrimination related to educational practices and opportunities shall be directed at first level to the building principal of the school which the student attends or seeks to attend.
- ◆ A resolution of the complaint or grievance will be attempted at that level. If the grievant, be they student or parent or guardian, is not satisfied with the resolution or disposition of the complaint, the grievant shall register a complaint with the superintendent of schools.
- ◆ If a just and equitable resolution of the complaint is not arrived at the level of superintendent of schools, the grievant, the parent or guardian of the grievant,

shall request to be placed on the agenda of the most appropriate and convenient school committee meeting.

- ◆ Upon reviewing the matter of grievance, the school committee shall uphold the superintendent's decision, make suggestions to modify and resolve the problem or shall uphold the complainant and reverse or modify the superintendent's decision if and to the extent that in its judgment the decision was not in compliance with applicable law and this policy. The school committee decision and its reasons therefore shall be rendered in writing to the complainant, with a copy to the superintendent.

VI. Investigation of Allegations of Discrimination:

When the school district receives the complaint it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include private interviews with: (a) the person filing the complaint; (b) any witnesses if any; and (c) the person alleged to have committed the discriminatory action. When the district has completed its investigation it will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the district will act promptly to eliminate the offending conduct, and where it is appropriate will also impose disciplinary action.

VII. Disciplinary Action

If it is determined that inappropriate conduct has been committed by a district employee, the district will take such action as is appropriate under the circumstances. Such action may range from retraining, to counseling to suspension or expulsion if warranted under applicable law, and may also include notification of law enforcement officials.

VIII. State and Federal Remedies

In addition to the above, if you believe you have been subjected to discrimination, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC: 180 days; MCAD: six months).

The within policy is not intended to create and shall not have the effect of creating any additional judicial or administrative cause of action or remedy (other than the internal, administrative procedures and remedies set forth respectively in Section V, VI, and VII above), nor of affecting in any way the applicable period of time for filing a claim with the EEOC or MCAD.

The United States Equal Employment Opportunity Commission	Mass. Commission Against Discrimination Worcester City Hall
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JFK Federal Building Room 475 Government Center Boston, MA 02203 800-669-4000 617-565-3196 - FAX	455 Main Street, Room 101 Worcester, MA 01608 508-799-8010 508-799-8490 - FAX
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The following person has been designated to handle inquiries regarding the non-discrimination policies:

District 504 Coordinator
District Office
Dudley-Charlton Regional School District
68 Dudley-Oxford Rd.
Dudley, MA 01571
508-943-6700

Adopted May 24, 2006
Amended November 14, 2012

Proposed for Amendment
First Reading: March 27, 2019
Second Reading and
Amendment: April 10, 2019