

## 0100 NON-DISCRIMINATION AND EQUAL OPPORTUNITY

This Non-Discrimination and Equal Opportunity Policy, and all other policies related to equal opportunity and to prohibition of sexual and other forms of harassment against students, staff, and “non-employees” who are engaged in activities for the district, are based on the District’s commitment to a Culture of Respect—one in which empathy, diversity and respect for all is valued and practiced. All members of the school community are urged to embrace this commitment, and the District shall take all appropriate actions to realize this commitment.

The Board of Education, its officers and employees, shall not discriminate in its programs and activities against or in favor of any student, employee, or applicant on the basis of legally protected classes, such as, but not limited to: race, color, national origin, creed, religion, marital status, sex, age, sexual orientation, genetic information, gender identity, gender expression, predisposing genetic characteristics, physical or mental disability, weight, use of a guide dog, hearing dog, or service animal as appropriate, pregnancy and related medical conditions, cancer-related conditions, military work or status, disabled or Vietnam-era veterans status, domestic violence victim status, or any other basis protected by law.

The Board has adopted specific policies to address sexual harassment and bullying of students and sexual harassment of employees and “non-employees” who are engaged in activities for the district. However, the Board condemns harassment of any student, staff member or “non-employees” who are engaged in activities for the district for any reason, including harassment because of that individual’s race, color, national origin, creed, religion, marital status, age, sexual orientation, genetic information, predisposing genetic characteristics, physical or mental disability, weight, use of a guide dog, hearing dog, or service animal as appropriate, pregnancy and related medical conditions, cancer-related conditions, military work or status, disabled or Vietnam-era veterans status, domestic violence victim status, or any other basis protected by law. Students, staff members and “non-employees” who are engaged in activities for the district who have been subjected to harassment for any of these reasons may use the processes and procedures set forth in Board policies and regulations to report such harassment. The district is committed to addressing those reports in a timely and complete manner, consistent with the policies, regulations, procedures and processes set forth in Board policy.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings and student activities, as well as recruitment and appointment of employees and employment pay, benefits, transfers, assignments, access to training or educational opportunities, advancement, disciplinary actions and/or terminations. Discriminatory conduct includes denial of access to facilities, the application of a dress code, or restrictions on the use of names or pronouns or the pronunciation of names, if such actions are based on the group, class or category to which the person subjected to such conduct belongs.

A finding that an individual has engaged in conduct in violation of this policy or another policy of the Board concerning Non-Discrimination, Equal Opportunity, harassment, or the Dignity of All Students Act may result in corrective action and/or filing or a report with law enforcement or regulatory authorities consistent with the District Code of Conduct, applicable statutes and regulations, or applicable contracts.

Nothing in this policy or other policies of the district shall be construed to prohibit the denial of admission into, or exclusion from, a course of instruction or activity based on a person’s sex or gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

At the beginning of each school year, the district shall notify students and their parent(s)/guardian(s) and employees of the provisions of this policy and other policies of the Board concerning Non-Discrimination, Equal Opportunity, harassment, or the Dignity of All Students Act; the procedures for the reporting, investigation and resolution of complaints of violations of these policies; and the name, address, telephone number and email address of the person designated to coordinate and address activities concerning these policies. Further, contact information for all individuals designated to receive reports and inquiries concerning such matters shall be set forth on the district’s website.

All complainants, alleged victims and those who provide information or otherwise participate in the investigation of a complaint in conformity with state law and district policies, and who have acted reasonably and in good faith in so reporting or participating, shall have the right to be free of retaliation of any kind for such participation. Complaints concerning retaliation shall be made to the district utilizing the complaint procedures set forth in district policies for making complaints about discrimination, harassment, bullying or “whistle-blowing.”

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

### Cross-ref:

0110, Sex Discrimination and Sexual Harassment

0110-R, Sexual Harassment Regulation

0115, Dignity for All Students: Prohibiting Bullying, Discrimination and Harassment of Students

0115-R, Student Harassment and Bullying Prevention and Intervention Regulation

0115-E, Discrimination/Harassment/Bullying Report Form for Students

5300, Code of Conduct

9010, Equal Employment Opportunity

9010.2, Harassment of Employees

9010.2-R, Harassment of Employees Regulation

9010.2-E.1, Harassment Formal Complaint Form

9010.2-E.2, Harassment Complaint Appeal Form

9520, Staff Complaints and Grievances

9520-R, Staff Complaint and Grievances Regulation

Ref:

Americans with Disabilities Act, [42 U.S.C. §12101](#) *et seq.*

Title VI, Civil Rights Act of 1964, [42 U.S.C. §2000d](#) *et seq.*

Title VII, Civil Rights Act of 1964, [42 U.S.C. §2000e](#) *et seq.*

Title IX, Education Amendments of 1972, [20 U.S.C. §1681](#) *et seq.*

§504, Rehabilitation Act of 1973, [29 U.S.C. §794](#)

Individuals with Disabilities Education Act

[Executive Law §290](#) *et seq.* (New York State Human Rights Law)

[Education Law §§313\(3\), 3201, 3201-a](#)

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**Croton-Harmon Schools**

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