

Nondiscrimination

The district shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, national origin, disability, sexual orientation, marital status or age or because of the race, color, religion, sex, national origin, disability, sexual orientation, marital status or age of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, the district strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues¹. The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

Legal Reference(s):

Age Discrimination Act of 1975, as amended, 42 U.S.C. Sections 6101-6107.

¹Districts are reminded that the district is required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. Sections 621-634; 29 CFR Part 1626 (2003).

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Equal Pay Act of 1963, as amended, 29 U.S.C. Section 206(d).

Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.

Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).

Wygant v. Jackson Board of Education, 476 U.S. 267 (1989).

Code:

AC-AR
Adopted:

Discrimination Complaint/Grievance Procedure

Complaints regarding the interpretation or application of the district's nondiscrimination policy shall be processed in accordance with the following procedures:

Informal Procedure

Any person who feels that he/she has been discriminated against should discuss the matter with the building principal, who shall in turn investigate the complaint and respond to the complainant within [five] school days. If this response is not acceptable to the complainant, he/she may initiate formal procedures.

If the building principal is the subject of the complaint, the individual may file a complaint directly with the superintendent. If the superintendent is the subject of the complaint, the complaint may be filed with the Board chair.

Formal Procedure

Step I: A written complaint must be filed with the building principal within [five] school days of receipt of the response to the informal complaint. The building principal shall further investigate, decide the merits of the complaint and determine the action to be taken, if any, and reply, in writing, to the complainant within [10] school days.

Step II: If the complainant wishes to appeal the decision of the principal, he/she may submit a written appeal to the superintendent within [five] school days after receipt of the building principal's response to the complaint. The superintendent shall meet with all parties involved, as necessary, make a decision and respond, in writing, to the complainant within [10] school days.

Step III: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within [five] school days of receipt of the superintendent's response to Step II. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative at the next regular or special Board meeting. A copy of the Board's decision shall be sent to the complainant within [10] days of this meeting.

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction.

Discrimination Complaint Form

Name of Person Filing Complaint _____ Date _____ School or Activity _____

Student/Parent Employee Non-employee (Job applicant)

Type of discrimination: Race Color Religion
 Sex National Origin Disability
 Marital Status Age

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)

Remedy requested:

The complaint form should be mailed or taken to the building principal. Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Nevada Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

