

# NORTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
SCHOOL AND CLASSROOM  
PRACTICES

ADOPTED: March 10, 1997

REVISED: August 6, 2007

103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES	
<p>1. Authority SC 1310 Title 22 Sec. 4.4, 12.1, 12.4, 14.101 et seq, 15.1 et seq Title VI 42 U.S.C. Sec. 2000d et seq Title IX 20 U.S.C. Sec. 1681 et seq 42 U.S.C. Sec. 12101 et seq 29 U.S.C. Sec. 701 et seq</p>	<p>The Board declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools regardless of race, color, creed, religion, gender, sexual orientation, ancestry, national origin or handicap/disability.</p> <p>The district shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The district shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.</p> <p>The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.</p>
<p>2. Delegation of Responsibility</p>	<p>In order to achieve the aforesaid goal, the Board directs the Superintendent or designee to assume the responsibility of coordinating all implementing activities as Compliance Officer.</p> <p>The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees, and the public. Nondiscrimination statements shall include the name, title, office address and telephone number of the Compliance Officer.</p>

103. NONDISCRIMINATION IN SCHOOL AND  
CLASSROOM PRACTICES - Pg. 2

It shall be the duty of the Compliance Officer to monitor:

1. Curricula Content - Review current and proposed curriculum guides and textbooks to detect any bias based upon race, gender, sexual orientation, religion, national origin, ancestry, culture or handicap/disability; ascertain that supplemental materials fairly depict the contribution to society of both sexes and the various races and ethnic groups.
2. Training - Develop an ongoing program of in-service training for students and staff designed to identify and alleviate problems of racial, sexual, religious, national origin, cultural or handicap/disability bias in all aspects of the school program.
3. Student Access - Review current and proposed programs, activities and practices to ensure that all students have equal access and are not segregated on the basis of race, color, creed, gender, sexual orientation, national origin, or handicap/disability in any duty, work, play, classroom or school practice, except as may be permitted under federal and state regulations.
4. District Support - Ensure that like aspects of the school program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to facilities and equipment, and related matters.
5. Student Evaluation - Ensure that tests, procedures, and guidance and counseling materials designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged are not differentiated or stereotyped on the basis of race, color, creed, gender, sexual orientation, national origin, or handicap/disability.

The Compliance Officer may be assisted in these duties by a committee composed of teaching staff members and students.

The Compliance Officer shall report to the Board on progress in the nondiscrimination program for school and classroom practices, as requested.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.

103. NONDISCRIMINATION IN SCHOOL AND  
CLASSROOM PRACTICES - Pg. 3

<p>3. Guidelines</p>	<ol style="list-style-type: none"><li>2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.</li><li>3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</li><li>4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.</li></ol> <p><u>Complaint Procedure – Student/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.</p> <p>A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal.</p> <p>If the building principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints will be put into writing by the building principal or compliance officer.</p> <p><b>Step 2 – Investigation</b></p> <p>Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.</p> <p>The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.</p> <p>The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.</p>
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103. NONDISCRIMINATION IN SCHOOL AND  
CLASSROOM PRACTICES - Pg. 4

**Step 3 – Investigative Report**

The building principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Findings of the investigation shall be provided to the complainant, the accused, and the Compliance Officer.

**Step 4 – District Action**

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and district procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

103. NONDISCRIMINATION IN SCHOOL AND  
CLASSROOM PRACTICES - Pg. 5

References:

School Code – 24 P.S. Sec. 1310

State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4,  
14.101 et seq., 15.1 et seq.

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq. (Title IX)

29 U.S.C. Sec. 701 et seq.

42 U.S.C. Sec. 2000d et seq. (Title VI)