

## **EQUAL OPPORTUNITY AND NONDISCRIMINATION**

The Board of Education, its officers and employees, shall not discriminate in its programs and activities against students on the basis of actual or perceived race, color, weight, national origin, creed, religion, religious practice, marital status, sex, age, sexual orientation, gender (including gender identity and expression), disability, or deny access under the Boy Scouts of America Equal Access Act. The district will provide notice of this policy in accordance with federal and state law and regulation.

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, advancement and/or terminations.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the district code of conduct, the law or applicable contract.

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

### Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived race, color, weight, national origin, creed, religion, religious practice, marital status, sex, age, sexual orientation, gender (including gender identity and expression), disability, or under the Boy Scouts of America Equal Access Act.
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The District has designated a Compliance Officer to handle inquires regarding the District's non-discrimination policies. The District's Compliance Officer can be contacted at 185 Peninsula Boulevard, Hempstead, New York 11550, Phone (516) 434-4020; email:

[rgilmore@hempsteadschools.org](mailto:rgilmore@hempsteadschools.org). The procedure for resolving complaints of sex discrimination, including sexual harassment and sexual violence are covered by policy 0110.

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

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

Cross-ref: 0110, Sexual Harassment/Sex Discrimination  
0115, Student Harassment and Bullying Prevention and Intervention  
5020.2 Racial Harassment of Students  
5030, Student Complaints and Grievances  
5300, Code of Conduct  
9140.1, Staff Complaints and Grievances  
9150, Policy Against Discrimination and Harassment

Ref: Age Discrimination in Employment Act of 1967 29 U.S.C. §621 *et seq.*  
Age Discrimination Act of 1975, 42 U.S.C. §6101 *et seq.*  
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.* (nondiscrimination based on race, color, and national origin in federally assisted programs)  
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.* (nondiscrimination based on race, color, religion, sex, and national origin in employment)  
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* (nondiscrimination based on sex)  
§504, Rehabilitation Act of 1973, 29 U.S.C. §794  
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*  
Genetic Information Nondiscrimination Act of 2008 P.L. 110-233  
34 C.F.R. §§ 100.6, 104.8, 106.9, 110.25  
Executive Law §290 *et seq.* (New York State Human Rights Law)  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Education Law §§10-18 (The Dignity for All Students Act)  
Education Law §§313(3), 3201, 3201-a

Adoption date: June 16, 2016