

Students

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITY

Each student attending SWBOCES programs shall have equal access to educational opportunities and will not be excluded or prevented from participating in or having admittance to the educational courses, programs or activities; school services; and extracurricular events on the basis of race, color, creed, religion, national origin, political affiliation, membership in the Boy Scouts or other designated youth groups, sex, sexual orientation, age, marital status, military status, veteran status, disability, or use of a recognized guide dog, hearing dog or service dog.

Administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints pertaining to discrimination on the basis of ~~race, color, creed, religion, national origin, political affiliation, membership in the Boy Scouts or other designated youth groups, sex, sexual orientation, age, marital status, military status, veteran status, disability, or use of a recognized guide dog, hearing dog or service dog.~~ *race, color, national origin, ethnicity, religion, creed, sex, gender (including gender identity and gender expression), sexual orientation, disability, age, citizenship status, marital status, partner status, genetic information, predisposing genetic characteristics, weight, military status or service, political affiliation, or domestic violence victim status.*

Sexual orientation is defined as ~~heterosexuality, homosexuality, bisexuality or asexuality, whether actual or perceived.~~ *actual or perceived sexual orientation; the sex to which a person is sexually attracted. Someone attracted to primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual.*

The term "military status" means a person's participation in the military service of the United States or the military service of the state, including but not limited to, the armed forces of the United States, the army national guard, the air national guard, the New York naval militia, the New York guard, and such additional forces as may be created by the federal or state government as authorized by law.

The District Superintendent shall designate one or more SWBOCES employees as Civil Rights Compliance Officer(s) whose responsibility will be to ensure compliance with the various federal and state statutes and regulations prohibiting discrimination in educational programs, including Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act (ADA).

The SWBOCES shall take appropriate annual and continuing steps to notify students and their parents or guardians of this policy of non-discrimination. This shall include provision for the publication and dissemination, internally and externally, of this policy to ensure its availability to interested citizens and groups. Included in this notification shall be the name(s), address(es) and telephone number(s) of the Compliance Officer(s) responsible for handling complaints regarding discrimination, and a description of the SWBOCES established grievance procedures.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

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SUBJECT: EQUAL EDUCATIONAL OPPORTUNITY (Cont'd.)

Age Discrimination in Employment Act, 29 United States Code Section 621

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act of 2001, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, local education agencies, and state education agencies that have a designated open forum or limited public forum.

Age Discrimination Act of 1975