

NONDISCRIMINATION/EQUAL OPPORTUNITY

The board is committed to a policy of nondiscrimination in relation to race, creed, color, sex, religion, national origin, ancestry, age, disability, sexual orientation and protected activity. The District values the diversity of the family, social and cultural backgrounds of the students, parents, and personnel who participate in its programs and activities. Respect for the dignity and worth of each individual shall be a consideration in the establishment of all policies by the board and in the administration of those policies by the administration.

In keeping with these statements, the following shall be objectives of this School District:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. To encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which he lives.
5. To initiate a process of reviewing all policies and practices of this School District in order to achieve to the greatest extent possible the objectives of this policy.

The District is subject to the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, and its implementing regulations, 34 C.F.R. § 106 et seq., and in compliance with these requirements prohibits discrimination on the basis of sex in the educational programs and activities of the District, including employment and enrollment therein.

This policy applies to all educational and employment decisions of the District. It applies also to all programs, events and activities in which District students and personnel may participate, including, but not limited to, sporting events and other extra-curricular activities.

The board expects that all staff, students, and visitors of District 11 shall treat other staff, students, and visitors with respect and dignity, and shall not engage in any intimidation, discrimination, physical harm and/or harassment against such persons on account of race, creed, color, sex, religion, national origin, ancestry, age, disability, sexual orientation or protected activity. Specifically, the District expects that its students shall not be illegally discriminated against on the basis of race, creed, color, sex, religion, national origin, ancestry, disability, sexual orientation or protected activity in regard to access to and participation in course offerings, athletics, counseling, employment assistance, and extracurricular activities.

An individual and/or individuals shall be designated to be responsible for coordinating District implementation of this policy and to serve as the District's Title IX, Section 504 and ADA coordinator and/or compliance officer. The designee(s) shall, annually, notify District students and employees of this policy, its accompanying regulation, and the name, location, address, and telephone number of the designee(s). Such notice shall be provided by a posting at each school and work site, or by other means that are reasonably designed to provide notice to each student and employee. Other notice relating to the subject matter of this policy shall be provided as required by law.

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The term "protected activity" generally means opposition to unlawful discrimination or participation in making a complaint of discrimination or harassment.

Individuals or groups are in violation of this policy if on District property, including but not limited to any District vehicle, or at a District-sponsored activity, regardless of where it occurs, they:

1. Make demeaning remarks directly or indirectly such as name-calling, racial slurs or jokes, or threaten or physically harm an individual on the basis of race, creed, color, sex, religion, national origin, ancestry, age, disabling condition, sexual orientation or participation in protected activity.
2. Display visual or written material, or use or deface school property or materials to demean the race, creed, color, sex, religion, national origin, ancestry, age, sexual orientation, disabling condition, or participation in protected activity of an individual or group.
3. Damage, deface or destroy private property of any person because of that person's race, creed, color, sex, religion, national origin, ancestry, age, disabling condition, sexual orientation or participation in a protected activity.

The District has developed policies specifically addressing sexual and racial harassment. See board policies JBB and GBAA.

Students who believe they have been the subject of discrimination or harassment in violation of this policy, or other policies of the District, or who have witnessed such behavior directed towards another individual, are encouraged to make a report according to regulation JBB-R. Staff members who witness, or are otherwise informed of, a student being subjected to behavior that may constitute discrimination or harassment in violation of this policy, or other policies of the District, shall report such information according to regulation JBB-R.

Staff members who believe they have been the subject of discrimination or harassment in violation of this policy, or other policies of the District, or who have witnessed such behavior directed towards another individual who is not a student, are encouraged to make a report according to regulation AC-R. Staff members are encouraged to report harassment before it becomes severe or pervasive. The District desires to have an opportunity to address harassment before it rises to the level of unlawful harassment.

Retaliation against persons who bring a complaint of actual or perceived racial, sexual, or other harassment or discrimination is prohibited by the District, and may be unlawful. Staff members and associates should not engage in adverse treatment of other staff members and students because they have reported harassment or discrimination or have provided information in a review or investigation of a harassment or discrimination complaint. Persons who believe they have experienced or observed retaliation should report it according to regulation JBB-R or AC-R as appropriate. Retaliatory behavior may result in immediate discharge or disciplinary action of the responsible staff member, or expulsion or suspension of the responsible student, or other remedial action, as deemed appropriate in the circumstances by the District.

Any student or staff member who violates this policy may be subject to disciplinary action, discharge or expulsion, or other action as deemed appropriate by the District, as outlined in applicable board policies and regulations.

Employees have the right under law to file a complaint of unlawful harassment with the EEOC or the Colorado Civil Rights Commission. The deadlines for filing such complaints are 300 days under federal law, and 180 days under Colorado law, counted from the last date of unlawful harassment.

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Adopted December 9, 1981
Revised August 1982
Revised June 1988
Revised February 1991
Revised to conform with practice: date of manual revision
Revised June 1999
Revised January 2008

LEGAL REFS: Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681
34 C.F.R. Part 106
Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701
Americans with Disabilities Act of 1990, 42 U.S.C. § 12101
34 C.F.R. Part 104
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
Title VII of the Civil Rights Act of 1964, as amended 42 U.S.C. § 2000e
C.R.S. 18-9-121
C.R.S. 22-32-110(1)(k)
C.R.S. 22-61-101
C.R.S. 24-34-301 through 24-34-308
C.R.S. 24-34-401
C.R.S. 24-34-402

CROSS REFS.: EHC, Electronic Communication and Access
GBA, Open Hiring/Equal Employment Opportunity and Affirmative Action
GBAA, Employee Sexual and Racial Harassment
GCQF, Discipline, Suspension and Dismissal of Professional Staff
GDQD, Discipline, Suspension and Dismissal of Support Staff
JB, Equal Educational Opportunities
JBB*, Student Sexual and Racial Harassment/Discrimination
JBB-R, Student Discrimination/Harassment Reporting And Investigation Procedures
JK, Student Discipline
JK-R, Student Discipline Regulations