

## **SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL**

The Board of Education is committed to providing an environment free from discrimination and harassment. The Board, accordingly, prohibits discrimination and harassment on the basis of race, color, religion, creed, national origin, citizenship, ancestry, age, disability, marital status, military status, veteran status, genetic predisposition or carrier status, domestic violence victim status, sex, sexual orientation, transgender status, gender nonconformity, or any other status protected by law. Such actions and occurrences are prohibited regardless of whether they take place on School District premises or at school-sponsored events, programs, or activities held at other locations.

Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his/her membership in a protected class, denying an individual access to facilities or educational benefits on the basis of his/her membership in a protected class, or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Harassment generally consists of subjecting an individual, on the basis of his/her membership in a protected class, to inferior terms, conditions or privileges of employment, education or other opportunities because of the individual's membership in one or more protected categories.

Harassment can include unwelcome verbal, written or physical conduct which offends, denigrates or belittles an individual because of his/her membership in a protected class. Such conduct includes, but is not limited to: derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

### **Reporting Concerns of Discrimination and Harassment**

Individuals who experience and/or are aware of a possible occurrence of discrimination or harassment will immediately report such occurrence. All reports must be directed or forwarded to one of the District's designated Complaint Officers or the Superintendent of Schools. Contact information for the District's designated Complaint Officers is available here: <https://www.cccsd.org/Non-DiscrimanatoryNotice.aspx>.

### **Investigation of Complaints and Concerns and Corrective/Remedial Action**

The District will promptly and thoroughly investigate all complaints/concerns, whether verbal or written, of discrimination and/or harassment based on any protected characteristic; and will promptly take appropriate corrective or remedial action. In the event an anonymous complaint is filed, the District will respond to the extent possible.

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### **Confidentiality**

To the extent possible, within legal constraints, all complaints/concerns will be treated as confidentially and privately as possible under the circumstances. However, the disclosure may be necessary to complete a thorough investigation, notify law enforcement, as warranted, or for other legitimate business reasons. Disclosure will be provided on a “need to know” basis.

### **Knowingly Makes False Accusations**

Individuals who *knowingly* make a false accusation against another individual as to allegations of discrimination or harassment will face appropriate corrective or other remedial action.

### **Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against an individual who engaged in protected activity, such as reporting concerns of discrimination and/or harassment and/or participating in the investigation of a complaint of discrimination and/or harassment. Individuals may report concerns of retaliation to a Civil Rights Compliance Officer. In the event that one of the Civil Rights Compliance Officers is the alleged offender, the report may be directed to another Civil Rights Compliance Officer, or to the Superintendent.

This policy should not be read to abrogate other District policies and/or regulations or the District Code of Conduct prohibiting other forms of unlawful discrimination, harassment, and/or inappropriate behavior, within this District. It is the intention of the District that all such policies and regulations be read consistently to provide protection from unlawful discrimination, harassment and retaliation.

- Age Discrimination in Employment Act, 29 United States Code (USC) 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.
  - Prohibits discrimination on the basis of disability.
- 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.

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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, sexual orientation, marital status  
or disability.

Education Law Section 2801(1)  
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.  
Military Law Sections 242 and 243

NOTE: Refer also to Policies #6120 – Equal Employment Opportunity  
#6121 – Sexual Harassment of District Personnel  
#7551 – Sexual Harassment of Students  
#7550 – Dignity for All Students Act  
*District Code of Conduct*

Adopted: 7/10/2001

Revised: 8/1/2004, 8/23/2005, 11/27/2007, 8/7/2012, 1/14/2020