

## NONDISCRIMINATION/EQUAL OPPORTUNITY

Code **AC** Issued **10/09**

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Purpose: To establish the basic structure for conduct of district programs in compliance with applicable laws.

The district is required by federal and state laws, executive orders, rules and regulations not to illegally discriminate on the basis of race, religion, color, disability, sex, age, national origin, marital status, immigrant status or English-speaking status. The district, therefore, commits itself to nondiscrimination in all its education and employment activities.

Further the board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and/or harassment.

Harassment/Discriminatory behavior that denies civil rights or access to equal educational opportunities includes comments, name-calling, physical conduct or other expressive behavior directed at an individual or group that intentionally demeans the race, color, religion, national origin, sex, disability, immigrant status or English-speaking status of the individual or individuals or creates an intimidating, hostile or demeaning environment for education.

### **Resolution of discrimination complaints**

The district will use the grievance procedures set forth in policy to process complaints based on alleged violations of Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; and Titles I and II of the Americans with Disabilities Act of 1990 (referred to as "civil rights grievances").

(Cf. GBA, JBA)

Adopted 9/20/85; Revised 2/17/87, 5/17/88, 8/13/91, 10/13/92, 8/10/04, 10/13/09

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Legal references:

#### A. Federal statutes:

1. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
2. Title VII of the Civil Rights Act of 1964 - Prohibits employment discrimination on the basis of race, color, national origin, religion or sex.
3. Section 504(b) of Rehabilitation Act of 1973 - Prohibits discrimination against "otherwise qualified" handicapped persons by federal grantees.
4. Title IX of the Education Amendments of 1972 - Prohibits sex discrimination by federal education grantees.
5. Title IV of the Civil Rights Act of 1964 - Public school desegregation.
6. Equal Pay Act of 1972 - Nondiscrimination as to wages on basis of sex.
7. Age Discrimination in Employment Act - Nondiscrimination on the basis of age in employment.
8. Americans with Disabilities Act - Prohibits discrimination in employment and access to programs and facilities on the basis of disability.

#### B. South Carolina Code of Laws, 1976 as amended:

1. Section 1-13-80 - Unlawful employment practices.

#### C. U.S. Supreme Court:

1. Plyler vs. Doe, 1982.