

Washington West Supervisory Union Model Policy

Policy C6-R

C6-R: NOTICE OF NON-DISCRIMINATION

Policy

The Board will not unlawfully discriminate in its programs and activities against any person or group on any basis prohibited by federal or state law, and will provide equal access to the Boy Scouts and other designated youth groups.¹

The District shall make reasonable accommodations to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the District can demonstrate that the accommodation would impose an undue hardship on the operation of its program or activity.²

The superintendent or his or her designee shall prepare, and the board shall approve, guidance to applicants and employees regarding requests for reasonable accommodations, including provisions for undue hardship.³

Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) are hereby notified that these member district schools do not discriminate on the basis of race, color, religion (creed), ancestry, national origin, place of birth, sex, sexual orientation, disability, age, political affiliation⁴ or marital status in admission or access to, or treatment or employment in, its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

A person has been designated by the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to coordinate the member district schools' efforts to comply with the regulations implementing Title VI, Title IX, and Section 504 of the Rehabilitation Act of 1973, and other non-discrimination laws or regulations. The designated coordinator is identified in the procedure accompanying this policy along with information on how that person may be contacted.

¹ Federal regulations implementing Title VI (race, color, national origin), Title IX (sex), Section 504 (disability), the *Age Discrimination Act*, and the *Boy Scouts Act* contain requirements for recipients of federal funds to issue notices of non-discrimination. These regulations require that recipients notify students, parents and others that they do not discriminate on the basis of race, color, national origin, sex, disability and age, and, if applicable, that they provide equal access to the Boy Scouts of America and other designated youth groups.

² See 34 C.F.R. § 104.12(a).

³ See 34 C.F.R. § 104.12(b) &(c) for requirements related to reasonable accommodations and factors to be considered when determining when a requested accommodation would create an undue hardship. The inclusion of this provision in this model policy is based on a finding by the federal Office of Civil Rights that a Vermont school district's policy on non-discrimination was not in compliance with Section 504 of the Rehabilitation Act of 1973 because it did not include these provisions.

⁴ Discrimination against an employee on the basis of political affiliation is prohibited by the Vermont Municipal Labor Relations Act. 21 V.S.A. § 1726(a)(7).

Any person having inquiries concerning the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) compliance with the regulations implementing Title VI, Title IX, Section 504 or other state or federal non-discrimination laws or regulations is directed to contact the non-discrimination coordinator described above.

Grievance Procedure In the absence of a controlling grievance procedure outlined in a collective bargaining agreement the procedure accompanying this policy will be in effect.

Date Warned: 08.29.13
Date Adopted: FES: 09.17.13; HUHS: 09.18.13; MES: 09.09.13; W-D: 09.10.13; WES: 09.16.13; WS: 11.20.13
Legal References(s): 9 V.S.A. §4502 (Public accommodations)
21 V.S.A. §§495 et seq. (Employment practices)
21 V.S.A. §1726 (Unfair labor practices)
20 U.S.C. §§1400 et seq. (IDEA)
20 U.S.C. §§1681 et seq. (Title IX, Education Amendments of 1972))
29 U.S.C. §206(d) (Equal Pay Act of 1963)
29 U.S.C. §§621 et seq. (Age Discrimination in Employment Act)
29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
42 U.S.C. §§2000d et seq. (Title VI of the Civil Rights Act of 1964)
42 U.S.C. §§12101 et seq. (Americans with Disabilities Act of 1990)
Cross Reference: Personnel: Recruitment, Selection, Appointment and Criminal Records Checks (D1)

Revised 04/02/12