

The Board of Education is committed to providing equal opportunities to all students and staff in the School District and providing students and staff with equitable access to learning and employment opportunities in the School District. Racism, discrimination, and marginalization of any individual or groups of individuals, whether intentional or not, have no place in the School District setting.

The Board of Education, its officers and employees, shall not discriminate against any individual, employee or applicant on the basis of actual or perceived race (including traits historically associated with race, including but not limited to, hair texture and protective hairstyles such as but not limited to braids, locks, and twists), creed, color, age, religion, national origin, sexual orientation, military status, gender (including gender identity and expression), sex, disability, predisposing genetic characteristics, reproductive health decisions, marital status or domestic violence victim status as prohibited by law. The School District will provide notice of this policy in accordance with federal and state laws and applicable regulations.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student programs and activities, community and youth programs, including but not limited to the Boy Scouts and Girl Scouts, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

Additionally, to promote the School District's policy of non-discrimination, the School District will maintain a website that is accessible (or contains accessible alternatives) on perceivability, operability and understandability principles. The Superintendent of Schools shall designate an individual who is responsible for considering the following when developing or updating the School District website:

- Adding the text equivalent to every image;
- Posting documents in a text-based format such as HTML or RTF in addition to PDFs;
- Avoiding dictating colors and font settings;
- Including audio descriptions and captions to videos;
- Identifying other barriers to access; and
- Making other considerations when developing the School District's website.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by School District policy, the School District Code of Conduct, the law, applicable contracts or collective bargaining agreements.

Annual notification:

At the beginning of each school year, the School District shall publish notice of the established grievance procedures for resolving complaints of discrimination to parents/persons in parental relation, employees, students, applicants for employment, all unions or professional

EAST QUOGUE UNION FREE SCHOOL DISTRICT

EQUAL OPPORTUNITY

POLICY 0100

organizations which have a collective bargaining agreement or professional agreement with the School District, and the community. The public notice shall:

- a. inform parents/persons in parental relation, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived age, race, creed, color, national origin, sexual orientation, gender (including gender identity and expression), sex, reproductive health decisions, disability, religion, marital status, military status, predisposing genetic characteristics, or domestic violence victim status;
- b. provide the name or title, office address, electronic mail address, and telephone number of the person designated to coordinate activities concerning discrimination, i.e., the Title IX Coordinator and/or Compliance Officer;
- c. provide that inquiries concerning the application of Title IX and its regulations to the School District may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights, or both; and
- d. be included in annual announcements, annual bulletins, annual catalogues, the school calendar, student and staff handbooks and applications for employment and shall be posted in each school and facility in the School District and on the School District's website.

The Superintendent of Schools or his/her designee shall handle inquiries regarding the School District's non-discrimination policies. Contact information for the Superintendent of Schools is available on the School District's website. Complaints of sex-based harassment or discrimination are covered by Policy 0110.

All complainants and those who participate in the investigation of a complaint in conformity with federal or state laws, regulations, or School District policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Grievance Procedure

Definitions

1. Grievant shall mean an individual who alleges that they have been discriminated against in violation of the law.
2. Grievance shall mean any allegation of discrimination in violation of state or federal law.

3. Compliance Officer/Title IX Coordinator shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities in connection with a claim of discrimination under applicable law.

4. Representative shall mean any person designated by the grievant as his/her counsel or to act on his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

Stages

A. Stage I – Compliance Officer/Title IX Coordinator

1. Within thirty (30) days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer or Title IX Coordinator. The Compliance Officer or Title IX Coordinator may informally discuss the grievance with the grievant. He/she shall promptly investigate the complaint. All employees of the School District shall cooperate with the Compliance Officer and/or Title IX Coordinator in such investigation.

2. Within fifteen (15) days of receipt of the grievance, the Compliance Officer or Title IX Coordinator shall make a finding in writing that there has or has not been a violation of applicable law. In the event the Compliance Officer or Title IX Coordinator finds that there has been a violation, he/she shall propose a resolution of the complaint.

3. If the grievant is not satisfied with the finding of the Compliance Officer or Title IX Coordinator, or with the proposed resolution of the grievance, the grievant may, within fifteen (15) days after he/she has received the report of the Compliance Officer or Title IX Coordinator, file a written request for review by the Superintendent of Schools.

B. Stage II – Superintendent of Schools

1. The Superintendent of Schools may request that the grievant, the Compliance Officer or Title IX Coordinator, or any member of the School District staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.

2. The Superintendent of Schools shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statement supplementing their position in the case. The Superintendent of Schools shall hold such conference within fifteen (15) school days of receipt of the appeal by the Superintendent.

3. Within fifteen (15) days of the hearing, the Superintendent of Schools shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of applicable law and a proposal for equitably resolving the complaint.

4. If the grievant is not satisfied with the determination of the Superintendent of Schools, the grievant may, within fifteen (15) days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board of Education.

C. Stage III – Board of Education

1. When a request for review by the Board of Education has been made, the Superintendent of Schools shall submit all written statements and other materials concerning the case to the President of the Board of Education to be made available to the members of the Board of Education for their respective review.

2. The Board of Education shall render a decision in writing within fifteen business (15) days after the hearing has been concluded.

In addition to the above, individuals may contact the Office for Civil Rights at:

United States Department of Education
Office for Civil Rights
32 Old Slip, 26th Floor
New York, New York 10005
(646) 428-3800

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/persons in parental relation. A copy of this procedure shall be available for public inspection at reasonable times with the School District Clerk and/or at the office of the Compliance Officer or Title IX Coordinator.

Cross-ref:

Ref: Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, § 2000e *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. Age Discrimination Act of 1975,
§ 42 U.S.C. 6101 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*
§ 504, Rehabilitation Act of 1973, 29 U.S.C. § 794
Individuals with Disabilities Education Law, 20 U.S.C. §§ 1400 *et seq.*
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905
Executive Law § 290 *et seq.* (New York State Human Rights Law)
Education Law §§ 313(3), 3201, 3201-a

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