

NON-DISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION
NEPN/NSBA Code: AC

RSU 78 does not discriminate on the basis of sex or other protected categories in its education programs and activities, as required by federal and state laws/regulations.

Discrimination against and harassment of school employees because of race, color, sex, sexual orientation, gender identity, religion, ancestry, familial status or national origin, age, disability or genetic information are prohibited.

Discrimination against and harassment of students because of race, color, sex, sexual orientation, gender identity, religion, ancestry, familial status or national origin, or disability are prohibited.

For the purpose of this policy, “race” includes traits associated with race, including hair texture, Afro hairstyles and protective hairstyles, including braids, twists and locks.

The Board directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students and other individuals having access rights to school premises and activities.

The school unit has designated and authorized an Affirmative Action Officer/Title IX Coordinator who is responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination, including sexual harassment. The Affirmative Action Officer/Title IX Coordinator is a person with direct access to the Superintendent.

The school unit has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. The school unit provides required notices of these complaint procedures and how they can be accessed, as well as the school unit’s compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents and other interested parties.

Designation of a Coordinator

- A. School systems or other recipients of federal funds (including all public school, charter schools and magnet schools) must designate at least one professional employee as the Title IX coordinator to oversee compliance efforts and investigate any complaints of sex discrimination.
- B. All students, employees and parent/guardians must be notified of the names, office address(es) and telephone number(s) of the designated coordinator(s) of Title IX.

Dissemination of Policy

The school district’s policy of nondiscrimination must be prominently included in each student handbook, bulletin, catalog, booklet, announcement, brochure, student application form or other publication distributed to students, potential students, parents and any other persons benefiting from the school district’s activities and programs. The name and contact information (office, address, telephone number, fax number, email address) of the Title IX coordinator must also be included in the announcement.

Monitoring Compliance

The Title IX Coordinator is responsible for monitoring the overall implementation of Title IX for the school district and coordinating the institution's compliance with Title IX in all areas covered by the implementing regulations. The major responsibility is the prevention of sexual harassment and discrimination. Other major monitoring duties include, but are not limited to, the following:

Admissions: Admission and Recruitment

Education Programs and Activities: Housing, comparable facilities, access to course offerings, access to schools operated by the school district, counseling and related materials, participation in extra-curricular activities, financial assistance, employment assistance, health services and insurance, marital/parental status and athletics and physical education.

Employment in Education Programs and Activities: Employment criteria, recruitment, compensation, job classification, fringe benefits, marital or parental status, advertising, pre-employment activities.

Other areas of consideration include:

- Developing a committee to assist in meeting Title IX obligations is highly recommended.
- Arranging to have a Title IX/Equity coordinator in each school building enables better monitoring of Title IX in individual schools leaving the District IX Coordinator to take care of the /district as a whole.
- Participation in the development and implementation of the school system's sexual harassment policy. Be aware of new needs which may dictate changes or revisions in existing policies or practices. For example, since sexual harassment is a violation of Title IX. You should include a prohibition of sexual harassment in the school district's list of disciplinary infractions.
- Assisting faculty, counselors and administrators in complying with Title IX and when a need arises, planning remedial actions. For example, if females are under-represented in advanced mathematics, science or computer programming courses, ask the faculty to plan for several workshops, student tutorial services or other ways to increase enrollment of females in these advanced courses.
- Making your presence known in the community by disseminating civil rights information or by speaking at parent-teacher group meetings, social or professional organization meetings and other functions.
- Serving as a resource to the local superintendent of schools on the Title IX/Gender Issues and submitting annual reports on Title IX compliance activities to the District Superintendent.
- Monitoring and evaluating the District's Title IX compliance efforts making recommendations for any appropriate changes.
- Providing updated information to schools on Title IX implementation and issues.

- Maintaining contact with the State Education Agency Title IX Coordinator and with the Federal Regional Equity Assistance Center.
- Identifying and disseminating information about the Title IX educational resources (organizations, individuals, print, internet and audio-visual).

Grievance Procedures

Adoption and publication of procedures providing prompt and equitable resolution of complaints is critical. Nondiscrimination policy notices and their attendant Grievance Procedures must be made public and disseminated throughout the educational community. Develop Title IX grievance procedures for students and teachers in cooperation with local student services and human resources staff, give public notice of the procedures and name and contact information of the school system Title IX Coordinator.

Have copies of the grievance procedure and any related forms available in schools and libraries to students, parents or school personnel alleging sexual harassment or discrimination. Assist them in filing their grievance and oversee the step-by-step procedure to be sure that time frames are met. Assist administrative personnel who need a better understanding of the grievance based on Title IX. Keep records of all grievances filed'

In carrying out this responsibility, the Title IX Coordinator may actually investigate any complaint filed under the institutions' grievance procedure. If the Title IX Coordinator does not conduct the investigation of complaints, she or he should receive information about any grievance filed. This will allow the institution to identify any patterns and repeat offenders that may be missed when grievance s are handled by several individuals.

The Coordinator should also receive sufficient information throughout the process so that she or he can provide guidance under Title IX. The Title IX coordinator should be sufficiently knowledgeable about requirements of the regulations to advise the institution about policies and practices which may violate Title IX.

Core Responsibilities of Title IX Coordinators

- Develop a working knowledge of the federal Title IX (of the Education Amendments of 1972) law and its implementation regulations. Have a copy of Title IX readily available and understand the requirements and the intent of the law. Keep informed of current research and legal and judicial decisions related to Title IX and gender equity.
- Be informed about state laws, regulations and policies on all equity issues, including bullying and harassment and child abuse laws.
- Be knowledgeable of federal and state laws (e.g., ADA, Section 504, IDEA) prohibiting discrimination against all protected classes (including race, religion, and sexual orientation) and assist whenever possible.
- Be sure female and male students participating in work-based learning programs are guaranteed equal treatment by their employers.

Coordinate with other staff and document an internal self-evaluation of practices and policies with respect to treatment of female and male students, if the responsibility was never completed. If the evaluation was completed by a previous Title IX coordinator. Check if the evaluation's remedies for eliminating segregation and discrimination were carried out.

- Provide program development, including in-service training, to eliminate sex discrimination in the district. You may also want to consider conducting a school-wide in-service or assembly on sexual harassment. For another example, continued gender-segregated classes in workforce development education courses, should prompt you to plan special on-going activities for lessening students' gender-role stereotypes.
- Attend state and national conferences specifically for Title IX coordinators and/or on gender equity issues generally and share information with the local administrators, staff and faculty.
- Provide updated resources on Title IX and gender equity to local school districts.

Legal Reference: Equal Employment Opportunity Act of 1972 (P.L. 92-261), amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000 (e) et seq.)
 Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)
 34 C.F.R. Part 106 (Title IX regulations)
 Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
 Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)
 Equal Pay Act of 1963 (29 U.S.C. § 206)
 Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended
 Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), as amended
 Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)
 Maine Human Rights Act (5 MRSA § 4551 et seq.), as amended

Cross Reference: RSU78 Affirmative Action Plan
 ACAA – Harassment and Sexual Harassment of Students
 ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures
 ACAB – Harassment and Sexual Harassment of School Employees
 ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

Adopted: 1989

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