

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 Canaan School District are hereby notified that this District does 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 Canaan School District to coordinate the District's 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.

Any person having inquiries concerning the Canaan School District's compliance with the

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).

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:

Karen Conroy
Chris Masson, Superintendent, ENSU
318 Christian Hill Road, Canaan, VT 05903
(802) 266-3330
cmasson@canaanschools.org

Kconroy
Grievance Procedure. The Grievance Procedure will be as outlined in the required annual notification (Canaan Voice and Town Report).

Date Warned: September 10, 2012

Date Adopted: September 24, 2012

Legal Reference(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)

Administrative guidelines**PROCEDURES FOR HANDLING COMPLAINTS OF DISCRIMINATION**

The non-discrimination coordinator for the Canaan School District is:

Superintendent of Schools (or designee)
Community Office Building
266-3330

Definitions

1. A *grievance* is a claim made by a student, teacher or employee of the School District or member of the public that he or she has been subjected to discrimination because of specific actions of the School Board or its employees.
2. A *grievant* shall be a student(s) and/or parent(s) employee, or applicant making the claim.

Intent

Nothing contained within this grievance procedure shall be construed as limiting the right of an aggrieved person or persons to informally discuss a problem with the school administration or staff. Should such an informal process fail to resolve the situation then a formal filing of a grievance may be made in accordance with the following procedure:

Procedures (all days are calendar days)

Step I: Within 15 days of an alleged violation of this policy, the aggrieved shall submit in writing to the Superintendent or designee the nature of the grievance and the remedy sought. The Superintendent should arrange for a meeting within 15 days of receipt of the grievance. The Superintendent shall provide a written answer on the grievance within 5 days of the meeting.

Step II: If the grievance is not resolved at Step I, then the aggrieved may, within 10 days of the denial, request in writing that the School Board or a committee of the School Board hear the grievance. The chair of the School Board or designee shall schedule a meeting before the Board or a committee of the Board within 15 days of receipt of the request. Such a meeting will be in a public or in an executive session depending upon the circumstances. The Board or its committee shall provide a written answer on the grievance within 5 days of the Board's next regularly scheduled meeting. The decision of the Board or its committee shall be final and binding to the extent of the jurisdictional limits and authority of the School Board.