



Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in School and Classroom Practices
Code	103
Status	Active
Adopted	November 14, 2007
Last Revised	January 4, 2022

Authority

The Joint Committee declares it to be the policy of this school to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the school regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity, gender expression, ancestry, national origin, marital status, pregnancy or handicap/disability.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The school will provide to all students, without discrimination, course offerings, counseling, assistance, employment, and extracurricular activities. The school will make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

Note: Sexual harassment is a specific form of unlawful harassment which violates a Federal civil rights statute, Title IX. This policy prohibits all forms of harassment based on characteristics other than an individual's sex, as named above. Sexual harassment is prohibited by a separate policy with different provisions. That policy, which follows in the Joint Committee Policy Manual, is designated Policy 103.1.
[\[14\]](#)

The Joint Committee encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

The Joint Committee directs that complaints of discrimination will be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties will be maintained, consistent with the school's legal and investigative obligations.[\[15\]](#)[\[16\]](#)

No reprisals nor retaliation will occur as a result of good faith charges of discrimination.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Joint Committee designates the Business Administrator or his/her designee as the school's Compliance Officer.

The Compliance Officer will publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements will include the position, office address and telephone number of the Compliance Officer.

The Executive Director or designee is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to identify and alleviate problems of discrimination.
3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. School Support - Assurance that like aspects of the school program receive comparable support as to staffing and compensation, facilities, equipment, and related matters.
5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

The Executive Director or designee will be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Executive Director is the subject of the complaint.

Guidelines

Complaint Procedure – Student/Third Party

Step 1 – Reporting

A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Executive Director.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy will immediately report the incident to the Executive Director.

If the Executive Director is the subject of a complaint, the student, third party or employee will report the incident directly to the Compliance Officer.

The complainant or reporting employee is encouraged to use the report form available from the supervisor, but oral complaints will be acceptable.

Step 2 – Investigation

Upon receiving a complaint of discrimination, the Executive Director will immediately notify the Compliance Officer. The Compliance Officer will authorize the Executive Director to investigate the complaint, unless the Executive Director is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation will not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The investigator will prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report will include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Findings of the investigation will be provided to the complainant, the accused, and the Compliance Officer.

Step 4 – School Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the school will take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions will be consistent with the Student Code of Conduct, Joint Committee policies and school procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer will review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer will prepare a written response to the appeal within fifteen (15) days. Copies of the response will be provided to the complainant, the accused and the Executive Director who conducted the initial investigation.
4. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Superintendent of Record, who will prepare a written response to the appeal within fifteen (15) days. Copies of the response will be provided to the complainant, the accused and the Executive Director who conducted the initial investigation. The complainant may appeal the Superintendent of Record's response to the Joint Committee as a final step in the appeal procedure.

Legal

1. 24 P.S. 1310
2. 24 P.S. 1601-C et seq
3. 22 PA Code 4.4
4. 22 PA Code 12.1
5. 22 PA Code 12.4
6. 22 PA Code 15.1 et seq
7. 24 P.S. 5004
8. 43 P.S. 951 et seq
9. 20 U.S.C. 1681 et seq
10. 20 U.S.C. 6321
11. 29 U.S.C. 794
12. 42 U.S.C. 12101 et seq
13. 42 U.S.C. 2000d et seq
14. Pol. 103.1
15. 20 U.S.C. 1232g
16. 34 CFR Part 99
- 20 U.S.C. 1400 et seq
- 42 U.S.C. 1981 et seq
- 28 CFR Part 35
- 28 CFR Part 41
- 34 CFR Part 100
- 34 CFR Part 104
- 34 CFR Part 106
- 34 CFR Part 110
- U.S. Const. Amend. I
- U.S. Const. Amend. XIV, Equal Protection Clause
- Pol. 113.1
- Pol. 113.2
- Pol. 122
- Pol. 138
- Pol. 216
- Pol. 218
- Pol. 233
- Pol. 317
- Pol. 417
- Pol. 517