

NONDISCRIMINATION/AFFIRMATIVE ACTION

The Board of Education shall, in accordance with law, strive to overcome the effects of any previous patterns of discrimination in school and classroom practices and shall systematically monitor district procedures to insure continuing compliance with anti-discrimination laws and regulations.

No pupil enrolled in the district schools shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of race, color, creed, religion, sex, affectional or sexual orientation, national origin, place of residence in the district, social or economic condition, non-applicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test. The affirmative action officer shall be responsible for overseeing district compliance with N.J.A.C. 6-A:7 and U.S. Title IX.

Reporting to the chief school administrator, the affirmative action officer shall, in coordination with the district affirmative action team, review the following areas for compliance with state department of education regulations and make suggestions and/or recommendations when necessary.

A. Curriculum content

He/she shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of race, color, creed, religion, gender, sexual orientation, ancestry, national origin, socio-economic status or disability:

1. School climate
2. Courses of study
3. Instructional materials
4. Instructional strategies
5. Library materials
6. Software and audio-visual materials
7. Guidance and counseling
8. Extracurricular programs and activities
9. Testing and other assessment

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He/she shall monitor the curriculum to ensure inclusion of instruction on African-American history in the teaching of United States history and inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary and secondary school pupils.

B. Staff training

He/she shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An equity in-service program shall be held annually for all staff and for parents and community members as needed to facilitate participation and support.

C. Pupil access

He/she shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them. Particular attention shall be paid to the following:

1. Ensuring equal access to all school and classroom facilities;
2. Assigning pupils in such a way that the racial/national origin composition of each school's enrollment reflects the composition of the district-wide enrollment at each grade level;
3. Refraining from locating new facilities in areas that will contribute to imbalanced, isolated or racially identifiable school enrollments;
4. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
5. Ensuring that pupils are not separated or isolated within schools, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically-advanced instructional assistance;
8. Ensuring that all limited English-proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
9. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
10. Ensuring that pupil support services (such as school-based youth services, health care, tutoring and mentoring) are available to all pupils;
11. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

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D. District support

He/she shall ensure that like aspects of the school program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters and that all grades within the district are comparable in those areas.

Parents or legal guardians, pupils, staff members, and members of the public shall be informed annually about the district's Affirmative Action Plan for school and classroom practices, the designation of the Affirmative Action Officer, and the procedure by which an affirmative action complaint may be filed and processed.

The chief school administrator will report to the board annually on continuing compliance.

Key Words

Affirmative Action, Nondiscrimination, Curriculum, Instructional Materials, Textbooks

Legal References:

<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
<u>N.J.S.A.</u> 18A:4A-1 <u>et seq.</u>	New Jersey Commission on Holocaust Education
<u>N.J.S.A.</u> 18A:18A-17	Facilities for handicapped persons
<u>N.J.S.A.</u> 18A:35-1	Course in history of the United States in high school
<u>N.J.S.A.</u> 18A:36-20	Discrimination; prohibition
<u>N.J.A.C.</u> 6:4-1.1 <u>et seq.</u>	Equality in educational programs
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6:4-1.3, -1.5, -1.7	
<u>N.J.A.C.</u> 6:8-2.1	Reporting requirements
<u>N.J.A.C.</u> 6:8-4.1	Review of mandated programs and services
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
20 <u>U.S.C.A.</u> 1681 <u>et seq.</u>	Title IX of the Education Amendments of 1972
29 <u>U.S.C.A.</u> 794 <u>et seq.</u>	Section 504 of the Rehabilitation Act, of 1973
20 <u>U.S.C.A.</u> 1401 <u>et seq.</u>	Individuals with Disabilities Education Act (IDEA)
42 <u>U.S.C.A.</u> 12101 <u>et seq.</u>	Americans with Disabilities Act (ADA)

Gebser v. Lago Vista Indep. School Dist. 524 U.S. 274 (1998)

Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)

Manual for the Evaluation of Local School Districts (August 2000)

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Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003,
New Jersey State Department of Education Division of Student Services Office of
Bilingual Education and Equity Issues

<u>Cross References:</u> 2224	Nondiscrimination/affirmative action
4111.1	Nondiscrimination/affirmative action
4131/4131.1	Staff development; in-service education/visitations/conferences
4211.1	Nondiscrimination/affirmative action
4231/4231.1	Staff development; in-service education/visitations/conferences
5134	Married/pregnant pupils
5145.4	Equal educational opportunity
6140	Curriculum adoption
6141	Curriculum design/development
6142.4	Physical education and health
6145	Extracurricular activities
6161.1	Guidelines for evaluation and selection of instructional materials
6163.1	Media center/library
6164.2	Guidance services
6171.4	Special education

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