

**NON-DISCRIMINATION / AFFIRMATIVE ACTION**

No student 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, gender identity and expression, affectional or sexual orientation, national origin, place of residence in the District, social or economic condition, non-applicable disability, pregnancy or because of genetic information or refusal to submit to or make available the results of a genetic test, or any other classifications prohibited by law. The team as led by the affirmative action officer shall be responsible for planning, implementing and monitoring the District's affirmative action program with respect to school and classroom practices.

Reporting to the Superintendent, the team shall review the following areas for compliance with State Department of Education regulations and make suggestions and/or recommendations when necessary.

A. Curriculum content

The team 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, affectional or 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 assessments

The team 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 students.

B. Staff training

The affirmative action officer shall suggest a program of inservice training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An equity inservice program shall be held annually for all staff and for parents and community members as needed to facilitate participation and support.

**NONDISCRIMINATION / AFFIRMATIVE ACTION (continued)****C. Student access**

The team shall review all school facilities, courses, programs, activities and services to ensure that all students 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 students 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 students so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
5. Ensuring that students are not separated or isolated within schools, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male students are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all students to computers, computer classes and other technologically-advanced instructional assistance;
8. Ensuring that all limited English-proficient students and students with disabilities have equal and bias-free access to all school programs and activities;
9. Ensuring equal and bias-free access for language-minority students and students with disabilities to multiple measures for determining special needs;
10. Ensuring that student support services (such as school-based youth services, health care, tutoring and mentoring) are available to all students, including LEP students;
11. Ensuring that all pregnant students are permitted to remain in the regular school program and activities.

**D. District support**

The team 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.

The Superintendent will report to the Board annually on continuing compliance.

<b><u>Legal References:</u></b>	<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

**NONDISCRIMINATION / AFFIRMATIVE ACTION (continued)****Legal References: (continued)**

N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education

See particularly:

N.J.A.C. 6A:7-1.1,-1.4,-1.7,-1.9

N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act, of 1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act (IDEA)

42 U.S.C.A. 12101 et seq. - 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)

The Comprehensive Equity Plan, New Jersey State Department of Education 2007-2010

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*4111.1	Nondiscrimination/affirmative action
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*4211.1	Nondiscrimination/affirmative action
	*4231/4231.1	Staff development; inservice education/visitations/conferences
	*5134	Pregnant students
	*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

\*Indicates policy is included in the Critical Policy Reference Manual.

**Key Words**

Affirmative Action, Nondiscrimination, Curriculum, Instructional Materials, Textbooks

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