

***Newburgh Board of Education* PROFESSIONAL EMPLOYEES
Title VI - Non-Discrimination and Anti-Harassment**

***Title VI - Civil Rights Act
Non-Discrimination and Anti-Harassment in the Schools***

The Board of Education affirms its commitment to non-supervision and control of the District.

The Board also prohibits harassment based on an individual's participation in a related investigation or complaint procedure. The Civil Rights Act, 42 U.S.C. Section 2000d, et seq. and its implementing regulations. Nondiscrimination and anti-harassment will be enforced in all school buildings and at all school-sponsored events, programs and activities that take place at locations off school premises and in another jurisdiction.

It is intended that this policy apply to the death of a student; employees; employees with students; students with disabilities; vendors/contractors and others who do business with the District; volunteers, visitors, and guests. All of these persons shall be referred to as "the named group."

For purposes of this policy, harassment shall include verbal (including graphic) and/or physical conduct based on an individual's race, religion and national origin, that:

- a) Has the purpose or effect of substantially or unreasonably interfering with work performance or is used as a basis for employment decisions (including conditions of employment) affecting such individuals or creates a hostile or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with academic performance or participation in an educational program or creates an intimidating, hostile or offensive learning environment or denies the students access to an educational opportunity.

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- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

District staff who observe any such harassment should intervene to stop the harassment and thereafter report the matter to a District Compliance Officer.

Complaints and Grievances by Employees

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Complaints and Grievances by Students and Other Third Parties

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal.

Administration shall be responsible for establishing rules and regulations for the redress of complaints or grievances through proper administration channels. In addition, the District shall develop an appeals process, ensuring that students, employees, volunteers, vendors/contractors, visitors and guests have full understanding and access to these regulations and procedure, and providing prompt, thorough and equitable consideration and determination of student complaints and grievances.

Investigation of Complaints and Grievances

The School District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment. The District will designate, at a minimum, two (2) Compliance Officers.

In order for the Board to enforce this policy, and to take corrective measures as may be

Reference:

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin and 34 C.F.R. Part 100.

Education Law Section 2801(1)

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

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necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of harassment in the school environment and/or at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to a

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POLICY:

No. 3364

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Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardian, employees and the general public of this Policy and its grievance procedures for resolving complaints of harassment. Included in such announcement will be the name, address and telephone number of the Compliance Officers.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigation, and remedying allegations of harassment based on the characteristics described above. An appeal procedure will also be provided therein to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer(s). Such regulations will be developed in accordance with Federal and State law as well as any applicable collective bargaining agreement(s).

Training and/or “awareness” programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools as addressed in this Policy, and to disseminate information about preventative measures to help reduce such incidents of prohibited conduct. Training will be provided to all designated Compliance Officers regarding the investigation of said harassment complaints.

A copy of information about this Policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District’s policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and on the District’s website.

This policy should not be read to abrogate other District policies and/or regulations or the District Code of Conduct prohibiting other forms of unlawful discrimination and, inappropriate behaviors. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities.

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