

# Board Policy

## Equal Educational Opportunity (Students)

It is the policy of Eastern Suffolk BOCES to provide, through a positive and effective program, equal educational opportunities for all students in admittance to and/or participation in educational courses, programs or activities, school services, and extracurricular events regardless of actual or perceived race, color, weight, creed or religion, religious practice, national origin, ethnic group, gender (including gender identity or expression), political affiliation, sexual orientation, pregnancy, parenthood, sex, marital status, ancestry, genetic predisposition or carrier status, military status, veteran status, or disability.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the ESBOCES Code of Conduct, the law, or applicable contract.

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender identity or expression that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

### **Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The Board prohibits all Board members and employees from taking, requesting, or causing any retaliatory behavior or action against complainants, victims, witnesses, and/or any other individuals who, in good faith, report allegations of suspected violation of this policy, as well as any other individuals who participate in the ensuing investigation. Follow-up inquiries shall be made to ensure that no reprisals or retaliation has occurred against those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action in accordance with legal guidelines, applicable contractual mandates, and/or the ESBOCES Code of Conduct.

Any Board member or employee concerned that retaliation for providing information regarding suspected violation of this policy has occurred or is occurring should report his/her concerns to the District Superintendent, Chief Operating Officer, or Board.

The District Superintendent, Chief Operating Officer, or designee shall designate one or more ESBOCES employees as Civil Rights Compliance Officer(s), whose responsibility will be to ensure compliance with the various Federal and State statutes and regulations prohibiting discrimination in educational programs, including Title IX of the Education Amendments of 1972, §504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act (ADA).

ESBOCES shall establish and implement regulations and procedures in accordance with applicable law that provide for the prompt and equitable resolution of any and all complaints alleging discrimination on the basis of the categories listed in paragraph one.

ESBOCES shall take appropriate annual and continuing steps to notify students and their parents or persons in parental relation of this policy of non-discrimination. This shall include provision for the publication and dissemination, internally and externally, of this policy to ensure its availability to interested citizens and groups. Included in this notification shall be the

name(s), address(es) and telephone number(s) of the Civil Rights Compliance Officer(s) responsible for handling complaints regarding discrimination and a description of the ESBOCES established grievance procedures.

**References:**

- Title VII of the Civil Rights Act of 1964 42 United States Code §2001-e, et seq.
- Title VI of the Civil Rights Act of 1964, 42 United State Code §2001-e, et seq.
- §504 of the Rehabilitation Act of 1973, 29 United States Code §794, et seq.
- The Americans with Disabilities Act, 42 United States Code §12101, et seq.
- Title IX of the Education Amendments of 1972, 20 United States Code §1681, et seq.
- Age Discrimination in Employment Act, 29 United States Code §621
- Dignity for All Students Act
- NYS Executive Law §290, et seq.
- Board Policy 1440 - Non-Discrimination
- NYS Senate Bill §1047

First Adopted: 7/1/2003  
Readopted: 7/11/2007  
Readopted: 4/28/2011  
Readopted: 6/27/2012  
Readopted: 7/10/2019