

## **MEDWAY SCHOOL BOARD POLICY**

### **NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION - TITLES VI/IX; SEC. 504; IDEA; ADA**

NEPN/NSBA CODE: AC

#### **I. Dissemination of the policy statement for Affirmative Action Program**

It is the policy of the School Board to insure equal employment and educational opportunities and affirmative action regardless of sexual preference, race, sex, color, national origin, marital status, age, handicap, or religion in accordance with all federal and state laws and regulations relative to discrimination. Sexual harassment is recognized as a form of sex discrimination.

The school board approves and directs the release of a policy statement of affirmative action that clearly identifies the board's intent not to discriminate. All students, parents, employees, and contractors/suppliers will have access to copies of the policy statement. In keeping with the Affirmative Action/title IX/Section 504 regulations, it is the intent of the school department that notification of the policy will be an ongoing yearly process; i.e., all applications, all general announcements and bulletins, all student handbooks, and all advertisements and materials used in the recruitment of employees will contain the policy statement.

#### **II. Advisory Committee**

An Affirmative Action/Title IX/Section 504 Advisory Committee will be formed with the following representation:

- An elementary teacher selected by the teachers' association
- An administrator appointed by the superintendent
- A school board member appointed by the chairman
- One representative of the school district's support staff appointed by their peers
- One citizen, not a member of the above groups, appointed by the school board.
- The Affirmative Action/Title IX/Section 504 coordinator may serve as an ex-officio member of the board.

The committee will be appointed annually with meetings called by the chairperson and the Affirmative Action/Title IX/Section 504 coordinator jointly. The committee will elect its chairperson.

#### **III. Statement of Intent**

In addition to the Affirmative Action/Title IX/Section 504 program, the school board affirms the following student's rights: No person on the basis of sexual preference, race, sex, color, national origin, marital status, age, handicap, or religion is excluded from

participation in, denied the benefits of, or subjected to discrimination under any education program or activity.

1. Course Offerings

All course offerings are open to all students meeting established prerequisites.

2. Counseling

- a. Testing materials have been examined and those found to be discriminatory are being replaced as rapidly as possible.
- b. Counseling procedures are reviewed on an on-going basis.
- c. Guidance counselors, whenever responding to an employer's request for students to fill jobs, will to the best extent possible, seek to provide candidates without regard to sexual preference, race, sex, color, national origin, marital status, handicap, or religion.

3. Physical Education

All physical education classes are co-educational except when wrestling and boxing which may be separated by sex.

4. Athletics

- a. Comparable sports are offered to meet the interest and ability of members of each sex.
- b. Selection of teams is based upon competitive skills.
- c. In activities such as basketball, the school operates separate teams for boys and girls.
- d. Intramural athletic programs provide equal opportunity for members of each sex.

5. Comparable Facilities

The School Department provides comparable separate facilities for members of each sex.

6. Marital and Parental Status

No student is discriminated against because of marital or parental status.

**IV. Employees**

The school board affirms that it employs without discrimination on the basis of sexual preference, race, sex, color, national origin, marital status, age, handicap, or religion to qualified persons available at the salary levels established for school employment. The board recognizes its obligation to take affirmative action in employment practices for compliance with the Maine Human Rights Act and Section 504.

1. Distribution of Staff

The School Board recruitment policy is designed to better represent staff available from minority groups.

2. Recruitment
  - a. Whenever seeking candidates for any position, the School Board will offer equal opportunity to every candidate regardless of sexual preference, sex, color, race, national origin, marital status, age, handicap, or religion. The School Board will advertise the job widely enough to ensure that candidates will have an opportunity to apply. This will be published in the local newspaper and the Bangor Daily.
  - b. Application forms for teaching and non-teaching positions eliminate questions and requirements which discriminate by sexual preference, race, sex, color, age, national origin, marital status, handicap or religion.
3. Applicant Flow Data

The School Board will maintain records of inquiries and applications for employment for one year. Such records will be made available to the affirmative action coordinator for periodic analysis. Applicant flow data will include name of applicant or inquirer, date of application or inquiry.
4. Statement of Equal Opportunity

The School Department will print on any notices advertising positions and on all correspondence to candidates either inquiring or apply for positions the following: Affirmative Action/Veteran/Handicap Employer
5. Promotion, Transfer, Layoffs, Benefits, Compensation, Demotion, Suspensions, Terminations Hiring, Training
  - a. The School Board does not discriminate on the basis of sexual preference, race, sex, color, age, national origin, handicap, marital status, or religion concerning promotions, demotion, transfers, layoffs, benefits, compensation, suspensions, hiring, training, or termination.
6. Pregnancy

The School Board will not discriminate in employment and/or benefits on the basis of pregnancy or related conditions in accordance with all federal, state, local laws and negotiated contracts.

## **I. IMPLEMENTATION**

- A. The superintendent of schools holds primary responsibility for the operation and success of the Affirmative Action/Title IX/ Section 504 Program. This responsibility will be shared by the superintendent and the Affirmative Action/Title IX/Section 504 Program.
- B. These shared responsibilities include, but are not limited to, the following:
  1. Managing the organization, implementation, and all continuing aspects of the Affirmative Action/Title IX/Section 504 Program.
  2. Disseminating information and guidelines and interpreting federal and state requirements as may apply to students and employees.
  3. Working with administrators and supervisory staff to identify and correct problem areas.

4. Maintaining records and reports relating to recruitment, hiring, interviews, disciplinary action, promotion, transfer, and termination in order to comply with existing requirements.
  5. Initiating remedial action or correcting any unlawful practices which may be brought to the coordinator's attention.
  6. Reporting to the school board, when necessary, any findings and recommendations for enforcing compliance with the program.
- C. Each person charged with screening, selection, hiring, and promotion of applicants or employees in the district is responsible to the superintendent of schools for:
1. Prevention of unlawful discrimination and enforcement of the district's Affirmative Action/Title IX/Section 504 Policy.
  2. Identification and reporting to the Affirmative Action/Title IX/Section 504 coordinator any problem areas in interpretation or application of the policy guidelines and the disposition of any charges or grievances involving the alleged discrimination.

Maintenance of such records, reports, and documents as are required to conform with existing law.

Adopted: 12/16/93  
Revised Date: 4/11/01  
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