

Union Township School Corporation Administrative Guidelines

2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

These guidelines are established to assist in the proper implementation of Policy [2260](#).

That policy states:

School Board does not discriminate on the basis of the Protected Classes of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the Corporation, or social or economic background, to learn through the curriculum offered in this Corporation. Educational programs shall be designed to meet the varying needs of all students.

The following person(s) is/are designated to handle inquiries regarding the non-discrimination policies of the Corporation or to address any complaint of discrimination:

Assistant Superintendent
High School Principal
Union Township School Corporation
599 W. 300 N. Suite A
Valparaiso, IN 46385
219-759-2531

Notice of the Board's policy on nondiscrimination in educational practices shall be posted throughout the Corporation, published in any Corporation statement regarding the availability of educational services, and in all student handbooks.

The Corporation will identify, evaluate, and provide a free appropriate public education to students with disabilities.

GENDER BASED HARASSMENT

The United States Department of Education, Office for Civil Rights ("OCR") considers gender-based harassment to be a form of sex discrimination. In 2010, OCR stated:

"Title IX prohibits harassment of both male and female students regardless of the sex of the harasser – i.e., even if the harasser and target are members of the same sex. It also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping. Thus, it can be sex discrimination if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or failing to conform to stereotypical notions of masculinity and femininity. Title IX also prohibits sexual harassment and gender-based harassment of all students, regardless of the actual or perceived sexual orientation or gender identity of the harasser or target."

"Although Title IX does not prohibit discrimination based solely on sexual orientation, Title IX does protect all students, including lesbian, gay, bisexual, and transgender (LGBT) students, from sex discrimination. When students are subjected to harassment on the basis of their LGBT status, they may also be subjected to forms of sex discrimination prohibited under Title IX. The fact that the harassment includes anti-LGBT comments or is partly based on the target's actual or perceived sexual orientation does not relieve a school of its obligation under Title IX to investigate and remedy overlapping sexual harassment or gender-based harassment."

Courts have also endorsed this interpretation of Title IX.

Administrators and professional staff are directed to thoroughly investigate any allegations of gender-based harassment.

Any questions concerning whether alleged conduct might involve gender-based harassment/sex discrimination should be promptly be brought to the Superintendent's attention.

FACILITIES

The educational program of this Corporation shall be accessible to all students. All programs need to be designed and scheduled so the location or nature of the facility or area will not deny an otherwise-qualified student with a disability the opportunity to participate in the academic or other school program on the same basis as a nondisabled student.

Service animals for students who require this type of assistance shall be permitted access to all facilities, programs, and events of the Corporation.

PROGRAM

The educational program includes the academic and nonacademic setting. Each qualified, disabled student shall be educated with nondisabled students to the maximum extent appropriate. In the nonacademic setting, the disabled student shall participate with the nondisabled students to the maximum extent appropriate.

Each principal shall verify that the procedures used with students and parents for selection of and participation in any part of the Corporation's academic, co-curricular, or extra-curricular program do not discriminate on the basis of the Protected Classes. (See AG [2411](#) - Guidance and Counseling).

COMPLAINTS

All complaints shall be handled in accordance with the procedure described in AG [2260B](#) or AG 2260.01B. The complainant is to be informed that s/he may contact the U.S. Department of Education's Office for Civil Rights at any time.

Revised 7/05
Revised 12/17/10
Revised 4/10/13

© **Neola 2012**