

I. Policy Statement

The Board of Education is committed to providing an educational and work environment that is free from discrimination, fosters equitable opportunities, and values diversity and commonality. To that end, the Board prohibits discrimination on the basis of race, color, creed, national origin, religion, physical or mental disability, age, gender, marital status, or sexual orientation in its educational program, including co-curricular and extra-curricular activities, and in the workplace.

Furthermore, the Board recognizes its responsibility to promote the worth and dignity of all individuals through curriculum, instruction, professional development, and resource selection.

Employees and third parties share responsibility for the health, safety, and general welfare of students and for contributing to an environment free from discrimination.

II. Purpose

The purpose of this policy is to establish expectations for behavior that promote a safe, engaging and supportive school environment and provide direction for students, employees, and third parties in recognizing and reporting discrimination in accordance with this policy and with local, state, and federal requirements.

III. Definitions

- A. Discrimination – Conduct related to an individual’s race, color, creed, national origin, religion, physical or mental disability, age, gender, marital status, or sexual orientation when the conduct creates an intimidating, hostile, or offensive working or educational environment; or substantially interferes with an individual’s work or education; or otherwise is sufficiently serious to limit an individual’s employment opportunities or to limit a student’s ability to participate in or benefit from the educational program.
- B. Retaliation – The act or process of threatening or otherwise penalizing a person for reporting an alleged violation of policy or for participating in an investigation of an alleged violation.
- C. School-related Activity – Any school system activity, whether held on or off school property, in which a student directly participates (e.g., school field trip,

athletic event, or class/graduation activity), or in which the student does not directly participate but represents the school or student body simply by being there (e.g., spectator at a school event).

- D. Third Party – Parents, mentors, volunteers, vendors, contractors and others with whom students or employees interact during school or school-related activities.

IV. Standards

- A. Notice that acts of discrimination are prohibited in the Howard County Public School System will be communicated to all students, parents, employees, and the community annually via customary channels.
- B. Discrimination on the basis of gender includes sexual harassment, which is addressed in Policy 1020, Sexual Harassment. Harassment, defamation, and intimidation that are not discriminatory in nature are addressed in Policy 1040, Safe School Environments.
- C. It is a violation of this policy for any student, employee, or third party to engage in acts of discrimination in schools, school system offices, or at school-related activities.
- D. It is a violation of this policy to engage in retaliation with regard to allegations of discrimination.
- E. A student who chooses to file a discrimination complaint must do so orally or in writing with a teacher, school counselor, school-based administrator, or the Equity Assurance Coordinator for action in accordance with established procedures. All such reports which allege discrimination by an employee or third party must be filed with or forwarded to the Equity Assurance Coordinator for investigation.
- F. A school system employee or third party who chooses to file a discrimination complaint must do so with the Equity Assurance Coordinator or with a school-based administrator or supervisor as appropriate. All such reports must be forwarded to the Equity Assurance Coordinator for investigation.
- G. Teachers, school counselors, and administrators who believe discrimination has occurred must take action promptly in accordance with established procedures.
- H. The school system will investigate allegations of discrimination in a timely manner and address any findings of discrimination.

- I. The school system will promote the worth and dignity of all individuals through curriculum, instruction, professional development, and resource selection in accordance with state regulation.
 - 1. The school system will provide PreK-12 curricula and instructional strategies that enable students to demonstrate an understanding of and an appreciation for living in a culturally pluralistic society.
 - 2. Instructional staff will use strategies that appropriately address students' cultural identities and learning styles while providing rigorous instruction for all students to increase academic achievement.
 - 3. Instructional staff will be provided with curricular and instructional resources that:
 - a. Avoid stereotyping, discrimination, bias and prejudice;
 - b. Reflect the diverse experiences relating to cultural groups and individuals;
 - c. Are representative of the diversity of society and assist students to demonstrate an understanding of the experiences of individuals and groups.
 - 4. The system will provide professional development to prepare employees to design, manage, implement, and evaluate multicultural education.
- J. Consequences for a student, employee, or third party who violates this policy will be administered according to applicable school system policies (Student Code of Conduct; Policy 9200, Discipline; Policy 7030, Employee Discipline) and other applicable state and federal laws.
- K. Violations of this policy are cumulative; subsequent offenses may affect the nature and severity of the consequences.
- L. In accordance with state law, the school system will report any criminal activity, including child abuse, to appropriate social service agencies, law enforcement agencies, and the Maryland State Department of Education (Policy 1030, Child Abuse and Neglect).
- M. Utilization and/or exhaustion of these procedures is not a prerequisite for the filing of an administrative complaint of discrimination with a government agency or taking other legal action.

V. Compliance

- A. The Equity Assurance Coordinator is responsible for responding in a timely manner to complaints of discrimination received by the Equity Assurance Office.
- B. Principals are responsible for notifying students, families, third parties, and employees in their schools of the provisions of this policy.
- C. Supervisors are responsible for notifying those under their supervision of the provisions of this policy.
- D. The Superintendent's designee is responsible for communicating the provisions of this policy annually through customary channels.
- E. Employees are responsible for monitoring student behavior and responding appropriately to both observed and reported violations of this policy.
- F. Employees in supervisory or management positions are responsible for taking steps designed to end any existing discrimination by those under their supervision, to prevent any recurrence, and to correct discriminatory effects on the complainant and others.

VI. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation this policy.

VII. References

- A. Legal
 - Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681
 - Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C., Sec 601 and Sec. 2000e.2
 - Annotated Code of Maryland, Article 49B Human Relations Commission: Discrimination in Employment, Section 16 (Unlawful Employment Practices)
 - The Annotated Code of Maryland, Education Article, Section 7-421 (Safe Schools Reporting Act of 2005)
 - COMAR 13A.04.05 (Education that is Multicultural)
 - COMAR 13A.08.01.15 (Reporting Delinquent Acts)
- B. Other Board Policies
 - Policy 1000 Civility
 - Policy 1020 Sexual Harassment
 - Policy 1030 Child Abuse and Neglect
 - Policy 1040 Safe School Environments
 - Policy 7030 Employee Discipline

Policy 8000 Curriculum
Policy 8080 Acceptable Use of Computer Technology
Policy 9200 Discipline
Policy 10000 Parent, Family, and Community Involvement

C. Other
Student Code of Conduct

VII. History

ADOPTED: May 28, 1980
REVIEWED:
MODIFIED: August 14, 2014
REVISED: October 25, 1990
January 30, 2001
February 7, 2008
EFFECTIVE: August 14, 2014

I. Announcement/Dissemination of Information

Notification of the provisions of Policy 1010 and these procedures should be given on a regular basis to all students, families, employees, and third parties. Principals are responsible for notifying all students, families, third parties, and employees in their schools. Supervisors are responsible for notifying those under their supervision. Notification may be through these customary channels:

- A. Announced in schools over the public address system at the beginning of the school year and at other times deemed appropriate
- B. Published in school and system newsletters and/or handbooks
- C. Posted in commonly used areas
- D. Posted on school and system websites
- E. Reviewed with students by classroom teachers or other appropriate employees
- F. Provided to new students and parents through the registration process.

II. Reporting Violations of Policy

- A. Discrimination Against Students by Other Students
 - 1. A student should report discrimination by other students promptly to a teacher, school counselor, school-based administrator, or the Equity Assurance Coordinator. Such reports may be made orally or in writing.
 - 2. Teachers or school counselors who receive such a complaint of discrimination from a student or who believe discrimination has occurred must take action designed to stop the discrimination and report the complaint promptly to an administrator or the Equity Assurance Coordinator.
 - 3. Administrators receiving such complaints must conduct an investigation as soon as possible and take appropriate steps, which may include contacting each student's parents, to address any findings of discrimination. Significant or repeated discrimination by the same offender may be reported to the Equity Assurance Coordinator.

4. The Equity Assurance Coordinator will refer complaints received directly from students alleging student to student discrimination to school-based administrators for investigation and appropriate action unless the Coordinator determines that extenuating circumstances, such as significant or repeated discrimination by the same offender, warrant the Coordinator's involvement.

B. Discrimination Against Students by Employees/Third Parties

1. A student should report discrimination by employees or third parties promptly to a teacher, school counselor, school-based administrator, or the Equity Assurance Coordinator. A complaint against an administrator should be filed with the Equity Assurance Coordinator. Such reports may be made orally or in writing.
2. Administrators receiving complaints alleging discrimination by a school system employee or third party must immediately notify the Equity Assurance Coordinator.
3. Upon receipt of a complaint, the Equity Assurance Coordinator will record the complaint, investigate it, and render findings with recommendations to the appropriate parties.

C. Discrimination Against Employees/Third Parties

1. An employee or third party should report discrimination promptly to the Equity Assurance Coordinator or a school-based administrator or supervisor, as appropriate.
2. School-based administrators and supervisors must forward complaints of discrimination from employees or third parties to the Equity Assurance Coordinator.

III. Investigations Involving the Equity Assurance Coordinator

- A. The Equity Assurance Coordinator will document complaints received, investigate them, and render findings (except as noted in II.A.4).
1. The Equity Assurance Coordinator or designee will conduct an adequate, reliable, and impartial investigation of the complaint, which may include interviewing the complainant and witnesses along with the opportunity to present witnesses and other evidence. The Equity Assurance Coordinator will provide notice to the parties in writing of the outcome of the complaint and the basis for the decision within thirty (30) calendar days of receipt of complaint by the school system's Equity Assurance Coordinator, excluding extenuating circumstances.

2. If the Equity Assurance Coordinator is unable to complete these activities within the prescribed time limit, all parties will be notified and a revised timeline will be provided.
- B. Should the investigation show that prohibited actions occurred, then HCPSS will take steps to prevent the recurrence of any prohibited actions and to correct its discriminatory effects on the complainant and others, if appropriate.

IV. Resolution of Complaints

When violations have occurred, employees in supervisory or management positions are responsible for taking steps designed to end any existing discrimination by those under their supervision, prevent any recurrence, and correct discriminatory effects on the complainant and others.

- A. Disciplinary action against a student will be administered in accordance with the Student Code of Conduct and Policy 9200, Discipline. Disciplinary action against school system employees will be administered in accordance with Policy 7030, Employee Discipline. Action against third parties will be taken in accordance with relevant school system policies and other applicable state and federal laws.
- B. A student who violates this policy may also be required to participate in an appropriate education intervention and/or counseling designated by the school administrator and designed to increase his or her understanding of the offense and its impact on others.
- C. A violation of this policy may require, as a condition of continuing an employment or other relationship with the school system, participation in counseling and/or other interventions designed to assist in the recognition and correction of stereotyping, discrimination, bias, and prejudice.
- D. An individual who has been the object of, or who has been affected by, conduct prohibited under this policy will be contacted by a school administrator, supervisor, or the Equity Assurance Coordinator to discuss the availability of appropriate assistance.

V. History

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