

ANTI-DISCRIMINATION POLICY

The Deposit Central School District is committed to maintaining an environment that is free of discrimination and harassment.

This policy applies to students, employees, volunteers and visitors.

The District does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, including attire, clothing or facial hair dictated by race or religion, marital status, military status, sex, age, weight, criminal history, sexual orientation, gender identity or expression, ethnic group, religious practice, disability (including but not limited to gender dysphoria) domestic violence victim status, or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

Grievance Procedure

Section 1

If any person believes that the District or any of the District's staff or any third party has failed to apply or has inadequately applied the principles or regulations of (1) Title VII of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) ' 504 of the Rehabilitation Act of 1973, or (4) The Boy Scouts of America Equal Access Act of 2001, that person may bring forward a complaint, which shall be referred to as a grievance, to the District's Compliance Officer, Section 504 Coordinator or the United States Office for Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html> .

The Compliance Officer or Section 504 Coordinator will then investigate the substance of the complaint in a thorough and impartial manner. Alternatively, an outside investigator may be used to conduct the investigation. The Complainant may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate.

Further, the District expressly prohibits retaliation of any kind against any employee bringing a complaint, reporting harassment or discrimination, or assisting in the investigation of a complaint. Such employees may not be adversely affected in any manner related to their employment.

Retaliation includes any activity that would dissuade an employee from making a complaint, supporting others in making a complaint, or participating in an investigation.

Examples of Retaliation include:

- Being given a poor performance review or discipline because of making a complaint;
- Being reassigned to a less desirable shift because of making a statement during investigation;
- Being subject to verbal or physical abuse because of making a complaint.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation. Employees who make complaints must still adhere to all normal policies and procedures, and are not excused from compliance with other requirements of the job. Any employee who violates this non-retaliation provision will be subject to discipline up to and including discharge where appropriate. Any employee who becomes aware of retaliation should immediately report that retaliation to REPORTING AVENUES including the District's Compliance Officer and Section 504 Coordinator or the US Office for Civil Rights as noted below.

The District's Compliance Officer and Section 504 Coordinator is:

Lauriel Thomas-McCoy
171 Second Street
Deposit, NY 13754
607-467-2198 x 2322

Further avenues for reporting include:

U.S. Department of Education
Office of Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202
(800) 872-5327 www2.ed.gov

NLS Division of Human Rights
1 Fordham Plaza, Fourth Floor
Bronx, NY 10458
(888) 392-3644

United States Equal Employment Opportunity Commission (EEOC)
1-800-669-4000
www.eeoc.gov

In general, harassment means persistent and unwelcome conduct or actions based on an individual's protected class. Harassment includes the following:

Subjecting an employee to conduct that interferes with an employee's work or creates an intimidating, hostile or offensive work environment, such as a co-worker or group of co-workers repeatedly making racially negative remarks to an employee.

Examples of conduct violating this policy include but are not limited to:

- Use of race based language such as the “n” word
- Unwanted touching or groping
- Failure to follow and IEP or 504 Plan
- Making fun of someone because of where they come from or their accent
- Making fun of someone’s clothes based on gender bias or religious/ethnic traditions
- Making fun of someone based on their disability
- Use of racial or religious epithets or stereotyping
- Posting or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates or intimidates an individual
- E-mail jokes that relate to a protected class
- Making jokes or making it difficult for an employee with a disability to perform his/her job

Section 2

Step (a):

The complainant shall discuss the grievance informally with the Compliance Officer or Section 504 Coordinator, or may file a written complaint with the Compliance Officer or Section 504 Coordinator. The Compliance Officer or Section 504 Coordinator will then investigate in an impartial and thorough manner the substance of the complaint in a thorough and impartial manner. Alternatively, an outside investigator may be used to investigate the complaint. The Complainant may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. The Compliance Office or Section 504 Coordinator will take necessary steps during the investigation to ensure the Complainant’s safety. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate. Discriminatory conduct, including retaliation, is considered misconduct and a violation of this policy. Such steps will include, as appropriate, offering counseling and academic support services to the Complainant and to the person engaging in the harassment.

Step (b):

If the a party wishes to appeal the decision of the Compliance Officer or Section 504 Coordinator, the appealing party may submit a signed statement of appeal to the Superintendent within seven business days after receipt of the Compliance Officer's or Section 504 Coordinator’s response. The Superintendent shall meet with the complainant and any representative and make such other inquiries which the Superintendent deems appropriate. The Superintendent will consider the appeal in an impartial manner. Thereafter, the Superintendent shall set forth a conclusion and respond in writing to the complainant and the person alleged to be engaging in the harassment within 14 business days.

Step (c):

If the complainant is not satisfied with the conclusion of the Superintendent, the complainant may appeal through a signed, written statement to the Board within seven business days of receipt of the Superintendent's response in Step (b). In an attempt to resolve the grievance, the Board shall meet with the complainant and any representative within 30 calendar days of receipt of such an appeal. The Board's written disposition of the appeal shall be sent to the complainant within ten business days of this meeting.

Step (d):

If the grievance has not been satisfactorily settled at Step (c), further appeal may be made to the:

U.S. Department of Education
Office of Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202
(800) 872-5327
www2.ed.gov

NLS Division of Human Rights
1 Fordham Plaza, Fourth Floor
Bronx, NY 10458
(888) 392-3644

United States Equal Employment Opportunity Commission (EEOC)
1-800-669-4000
www.eeoc.gov

Section 3

The compliance officer, on request, will provide a copy of the District's grievance procedure to any employee or student of the District.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the District's Compliance Officer and Section 504 Coordinator.

The words *person* and *complainant* shall include anyone covered by this policy.

Inquiries concerning the anti-discriminatory policy may be made to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Publication

The School District shall promulgate this policy and sexual harassment policy as follows:

- A copy of this policy and the sexual harassment policy shall be inserted in the first pay envelope of each employee every school year. In relation to an employee hired during the school year, these policies shall be inserted in the first paycheck paid to the employee.
- These policies shall be published as part of the District's student handbook.
 - These policies shall be published in any recruitment materials or publications containing general information made available to participants, beneficiaries, applicants, or employees and shall include the contact information for the Compliance Office and Section 504 Coordinator.
- These policies shall be published annually on the District's website.
- These policies shall be provided annually to the president of each bargaining unit.

Annual publications shall contain the name, business address and telephone number of the District's compliance officer and Section 504 Coordinator.

Employment Application

Each employment application of the District shall contain the following language:

- The district does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, including attire, clothing or facial hair dictated by race or religion,, marital status, military status, sex, age, weight, sexual orientation, gender identity or expression, domestic violence victim status, criminal history ethnic group, religious practice, disability or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973 and New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

The district does not discriminate on the basis of salary history and will make no inquiry into the salary history of an applicant prior to making an offer of employment to the applicant and determining a salary.