

1           Discrimination

2           The district is committed to maintaining a learning environment free  
3 from discrimination and harassment as herein defined.

4           Discrimination, including acts of harassment, against any individual on  
5 the basis of race, color, religion, sex, age, national origin, disability, sexual  
6 orientation or gender identity is prohibited by federal and state law and district  
7 policy. The Superintendent of Schools (110 McDonald Dr, Lawrence, KS 66044,  
8 785-832-5000) has been designated District Compliance Coordinator to  
9 coordinate compliance with nondiscrimination requirements contained in Title  
10 VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of  
11 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with  
12 Disabilities Act of 1990 and the Kansas Act Against Discrimination.

13           Discrimination is conduct which affords a student different treatment,  
14 solely on the basis of race, color, national origin, religion, disability, sex,  
15 sexual orientation or gender identity in a manner which interferes with or limits  
16 the ability of the student to participate in or benefit from the services, activities  
17 or programs of the school.

18           Discrimination as above described against any student in the admission  
19 or access to, or treatment in the district's programs and activities is prohibited.

20           Any student or employee who engages in discriminatory conduct as  
21 above described shall be subject to disciplinary action, up to and including  
22 termination from employment or expulsion from school.

23           Harassment

24           Harassment on the basis of race, color, religion, sex, age, national  
25 origin, disability, sexual orientation or gender identity shall not be tolerated in

1 the school district. The Board of Education is committed to providing a positive  
2 and productive learning and working environment, free from discrimination,  
3 including harassment, on the basis of race, color, religion, sex, age, national  
4 origin, disability, sexual orientation or gender identity. Harassment of students  
5 of the district by board members, administrators, employees, students, vendors,  
6 volunteers and any others having business with the school district is strictly  
7 prohibited.

8 All forms of harassment are prohibited at district facilities; on district  
9 premises; and on nondistrict property if at any district sponsored,  
10 district approved or district related activity, program or event when the student  
11 is under the supervision of the district.

12 Harassment is conduct which solely on the basis of race, color, national  
13 origin, religion, disability, sex, sexual orientation or gender identity:

- 14 • affords a student different treatment in a manner which interferes with or  
15 limits the ability of the student to participate in or benefit from the services,  
16 activities or programs of the school; or
- 17 • subjects a student to treatment which is sufficiently severe, pervasive or  
18 persistent so as to have the purpose or effect of creating a hostile  
19 environment or of interfering with a student's performance or ability to  
20 participate in or benefit from the services, activities or programs of the  
21 school.

22 Harassment can be a result of verbal or physical conduct or written  
23 material.

24 **Harassment – Sexual Harassment**

25 Sexual harassment shall not be tolerated in the school district. The  
26 board of education is committed to providing a positive and productive learning  
27 environment, free from discrimination on the basis of sex, including sexual  
28 harassment.

1 Sexual harassment is unlawful discrimination on the basis of sex under  
2 Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act  
3 of 1964, and the Kansas Act Against Discrimination.

Sexual harassment of employees or students of the district by board  
members, administrators, certified or other employees, students, vendors,  
4 volunteers and any others having business with the school district is strictly  
5 prohibited.

6 Sexual harassment may result from verbal or physical conduct or  
7 written or graphic material. Sexual harassment may include, but is not limited  
8 to (See GAAC):

- 9 • verbal harassment or abuse;
- 10 • unwelcome advances or pressure for sexual activity;
- 11 • the request for sexual favors;
- 12 • repeated remarks to a person, with sexual or demeaning implication;
- 13 • unwelcome touching;
- 14 • suggesting or demanding sexual involvement;
- 15 • implied or explicit threats concerning a student's grades, participation in  
16 extra-curricular activities, or participation in other school related programs  
17 as a consequence of not complying with sexual advances;
- 18 • other inappropriate ~~verbal or~~ written or physical conduct of a sexual  
19 nature.

20 Sexual harassment occurs when these acts are committed by a member  
21 of the school staff to a student, or by any student to another student or to a staff  
22 member when:

- 23 • submission to or rejection of such conduct by an individual is used as the  
24 basis for academic decisions affecting that individual; or

- 1 • such conduct is sufficiently severe, pervasive or persistent so as to have the  
2 purpose or effect of creating a hostile environment or of interfering with a  
3 student's performance or ability to participate in or benefit from the services,  
4 activities or programs of the school.

5 Reporting of Discrimination and Harassment

6 The district encourages all victims of discrimination or harassment and  
7 persons with knowledge of such discrimination or harassment to report it  
8 immediately to the District Compliance Coordinator. The District Compliance  
9 Coordinator or his/her designee will promptly investigate all complaints of  
10 discrimination and harassment and take prompt corrective action to end the  
11 discrimination or harassment.

12 Any student who believes he or she has been subject to discrimination  
13 or harassment, or who has witnessed an act of alleged discrimination or  
14 harassment, should report the alleged behavior to the District Compliance  
15 Coordinator. Any school employee who receives a complaint of discrimination  
16 or harassment from a student shall inform the school Principal and the District  
17 Compliance Coordinator and direct the student to report the complaint to the  
18 District Compliance Coordinator. **The district compliance coordinator or the**  
19 **principal shall** ~~and~~ provide the **appropriate** form. The District Compliance  
20 Coordinator or his/her designee shall discuss the complaint with the student to  
21 determine the appropriate action. If the action is not satisfactory to the student,  
22 the student may initiate a formal complaint under the district's discrimination  
23 complaint procedure (see KN).

24 Complaints received will be investigated to determine whether, under  
25 the totality of the circumstances, the alleged behavior constitutes discrimination

1 or harassment under the definition outlined above. Unacceptable student  
2 conduct may or may not constitute discrimination or harassment depending  
3 on the nature of the conduct and its severity, pervasiveness and persistence.

4 Behaviors that are unacceptable but do not constitute discrimination or  
5 harassment may be grounds for discipline under the Policy JGECA and any code  
6 of student conduct.

7 An employee who witnesses an act of discrimination or harassment shall  
8 report the incident to the Principal and the District Compliance Coordinator.  
9 Failure to do so may result in disciplinary action. School administrators who  
10 fail, when requested, to investigate and take appropriate corrective action in  
11 response to complaints of discrimination or harassment may also face  
12 disciplinary action.

13 It shall further be prohibited conduct for any employee to discourage a  
14 student from filing a complaint, or to fail, when directed, to investigate or to  
15 refer to the District Compliance Coordinator any complaint lodged under the  
16 provisions of this policy.

17 When a complaint contains evidence of criminal activity or child abuse,  
18 **any employee, including** the District Compliance Coordinator, shall report such  
19 conduct to the appropriate law enforcement or SRS authorities. (See GAAD)

20 To the extent reasonably possible, confidentiality will be maintained  
21 throughout the investigation of a complaint. The desire for confidentiality must  
22 be balanced with the district's obligation to conduct a thorough investigation  
23 and to take appropriate corrective action.

24 The filing of a complaint or otherwise reporting discrimination or  
25 harassment shall not reflect upon the student's status or grades. Any act of

1 retaliation against any person who has filed a complaint or testified, assisted, or  
2 participated in an investigation of a discrimination or harassment complaint is  
3 prohibited. Any person who retaliates is subject to immediate disciplinary  
4 action, up to and including expulsion for a student or termination of employment  
5 for an employee.

6 False or malicious complaints of discrimination or harassment may  
7 result in corrective or disciplinary action against the complainant.

8 A copy of this policy shall be available at each district facility, and a  
9 summary of this policy shall be included in student and employee handbooks.

10 The district's non-discrimination statement shall be included in the Annual  
11 Notices section of the district newsletter which is published in the local  
12 newspaper at the beginning of each school year.

Approved: July 1, 2001

Reviewed by Board Policy Committee: November 29, 2004

Amended: March 14, 2005

Amended: May 14, 2007

Reviewed by Board Policy Committee: April 9, 2008