

# POLICY

2004

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Personnel

**SUBJECT: ANTI-HARASSMENT/ANTI-DISCRIMINATION IN THE DISTRICT  
(PERSONNEL)**

The Board affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment or discrimination is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of harassment or discrimination on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, or disability by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

The Board prohibits harassment or discrimination against any individual based on their opposition to discrimination or harassment. In addition, the Board prohibits harassment or discrimination against any individual who participates in an investigation under the anti-discrimination policy. This policy of nondiscrimination and anti-harassment will be enforced on District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises.

It is intended that this policy apply to the dealings between or among employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the District, as well as school volunteers, visitors, guests and other third parties. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment or discrimination shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, or disability that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

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(PERSONNEL) (Cont'd.)**

The District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment or discrimination.

Age Discrimination in Employment Act,  
29 United States Code (USC) Section 621.  
Americans With Disabilities Act,  
42 United States Code (USC) Section 12101 et seq.  
Prohibits discrimination on the basis of disability.  
Civil Rights Act of 1964  
42 United States Code (USC) Section 1981(a)  
Section 504 of the Rehabilitation Act of 1973,  
29 United States Code (USC) Section 794 et seq.  
Prohibits discrimination on the basis of disability.  
Title VI of the Civil Rights Act of 1964,  
42 United States Code (USC) Section 2000-d et seq.  
Prohibits discrimination on the basis of race, color or  
national origin.  
Title VII of the Civil Rights Act of 1964,  
42 United States Code (USC) Section 2000-e et seq.  
Prohibits discrimination on the basis of race, color,  
religion, sex or national origin.  
Title IX of the Education Amendments of 1972,  
20 United States Code (USC) Section 1681 et seq.  
Prohibits discrimination on the basis of sex.  
Civil Rights Law Section 40-c  
Prohibits discrimination on the basis of race, creed,  
color, national origin, sex, sexual orientation, marital  
status or disability.  
Executive Law Section 290 et seq.  
Prohibits discrimination on the basis of age, race, creed,  
color, national origin, sex, sexual orientation, disability,  
military status, or marital status.  
Military Law Sections 242 and 243

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(PERSONNEL) (Cont'd.)**

NOTE: Refer also to Policies #7550 -- Complaints and Grievances by Students  
#7551 -- Anti-Harassment/Anti-Discrimination in the District  
(Students)