

**MONTGOMERY  
COUNTY  
INTERMEDIATE  
UNIT #23**

SECTION: PROGRAMS  
TITLE: NONDISCRIMINATION IN  
EDUCATIONAL  
PROGRAMS/SERVICES  
ADOPTED: OCTOBER 28, 2009  
REVISED:

<p>1. Authority SC 1310 Title 22 Sec. 4.4, 12.1, 12.4, 15.1 et seq 24 P.S. Sec. 5004 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 794 Title VI 42 U.S.C. Sec. 2000d et seq 42 U.S.C. Sec. 12101 et seq</p> <p>2. Delegation of Responsibility</p>	<p>103. NONDISCRIMINATION IN EDUCATIONAL PROGRAMS/SERVICES</p> <p>The Board declares it to be the policy of the Intermediate Unit to provide an equal opportunity for all students to achieve their maximum potential through the programs offered by the Intermediate Unit regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.</p> <p>The Intermediate Unit shall provide programs and services to all eligible students without discrimination. The Intermediate Unit shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.</p> <p>The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigation obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.</p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Assistant Executive Director/Director of Human Resources as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.</p> <p>The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p>
---	---

1. Curriculum and Materials – Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training – Provision of training for students and staff to identify and alleviate problems of discrimination.
3. Student Access – Review of programs, activities and services to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. Support – Assurance that like aspects of the educational program receive the support as to staffing and compensation, facilities, equipment, and related matters.
5. Student Evaluation – Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

The building administrator or program supervisor shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the administrator or supervisor is the subject of the complaint.

References:

School Code – 24 P.S. Sec. 1310

State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4, 15.1 et seq.

Unfair Educational Practices – 24 P.S. Sec. 5004

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq. (Title IX)

42 U.S.C. Sec. 2000d et seq. (Title VI)

Federal Anti-Discrimination and Civil Rights Regulations –

28 CFR Part 35, Part 41

34 CFR Part 100, Part 104, Part 106, Part 110

Board Policy – 000