

SYNOPSIS OF FEDERAL CIVIL RIGHTS LAWS AND DISTRICT COORDINATOR INFORMATION - CARVER PUBLIC SCHOOLS

Title VI of the Civil Rights Act of 1964

Coordinator: Scott E. Knief, *Superintendent*, 508-866-6160

Statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in program or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 USC S2000d). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.

Title IX of the Education Amendments of 1972

Coordinator: Karen Teichert, *Director of Special Education*, 508-866-6190

Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State law requires Massachusetts employers to have a policy against sexual harassment (MGL Ch.151B, S3A)

Section 504 of the Rehabilitation Act of 1973

Coordinator: Scott E. Knief, *Superintendent*, 508-866-6160

Section 504 provides that no otherwise qualified individual with a disability shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The regulations implementing Section 504 require that the public schools provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. (34 CFR 104.33)

American with Disabilities Act of 1990

Coordinator: Karen Teichert, *Director of Special Education*, 508-866-6190

The regulations implementing the ADA provide that: "A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph" (34 CFR 35.107(a).

Equal Educational Opportunities Act of 1974

Coordinator: Karen Teichert, *Director of Special Education*, 508-866-6190

This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs (20 USC S1203(f))

Mass. General Laws CH.76, S5 (also known as Chapter 622)

Coordinator: Scott E. Knief, *Superintendent*, 508-866-6160

This state law provided that “no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation.”

Title I of the Elementary and Secondary Education Act of 1965

Coordinator: Michelle Taylor, *Director of Literacy*, 508-866-6222

Title I is designed to help disadvantaged children meet challenging content and student performance standards. Staff should know that special education students are not deemed ineligible for Title I services simply because they receive special education services. Also school districts must ensure that Title I funds are not being misused (e.g. referring a limited English proficient student to a Title I program in order to meet the student’s language needs rather than providing an ESL program/class).

Chapter 688 (Transition Planning)

Coordinator: Karen Teichert, *Director of Special Education*, 508-866-6190

School Districts file a Chapter 688 referral for students with severe disabilities who will need continued services and supports after their eligibility for special education ceases. School districts must make Chapter 688 referrals at least 2 years before the student is expected to graduate from school or turn 22 years of age. This allows time to determine the student’s eligibility for adult services and for agencies to include the anticipated cost of services for the student in its budget requests that it submits to the state legislature every year.

McKinney-Vento Homeless Education Assistance Act

Coordinator: Karen Teichert, *Director of Special Education*, 508-866-6190

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that each homeless child or youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

Bullying/Harassment Coordinator

Coordinator: Christine Cabral, *MHS Assistant Principal*, 508-866-6132

Carver Middle High School is committed to maintaining a school environment where students are free from bullying, including cyber-bullying, and the effects of such conduct.

Public Schools’ Grievance Procedure as Pertains to Civil Rights Law

This grievance procedure is established to meet the requirements of the *Americans with Disabilities Act*. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by Carver Public Schools.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but not later than 60 days after the alleged violation (see page 34.)

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Coordinator will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of Carver Public Schools and offer options for substantive resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA coordinator within 15 calendar days after the receipt of the response to the School Committee or their designee. Within 15 calendar days after receipt of the appeal, the School Committee or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the School Committee or their designee, they will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Carver Public Schools, appeals to the School Committee or their designee, and responses from the ADA Coordinator and/or her designee will be kept by Carver Public Schools for at least three years.

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