

***ORANGE TEXT REFLECTS FEEDBACK SINCE THE 6/3/21 WORK SESSION.**

**EQUAL EMPLOYMENT OPPORTUNITY/
NONDISCRIMINATION IN EMPLOYMENT**

I. Policy Statement

Alexandria City Public Schools (ACPS) promotes equity through all of its personnel actions and procedures, including, but not limited to recruitment, selection, hiring, training, transfers, promotion, retention, compensation, and other benefits. ACPS believes every employee is entitled to a work place that is responsive to one's unique needs to reach their full potential. All individuals have the right to a safe work environment where responsibility and respect are demonstrated daily. ACPS is committed to eliminating all forms of unlawful discrimination in the educational environment. The Alexandria City School Board is an equal opportunity employer, Alexandria City Public Schools (ACPS) is committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention, or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment. As an equal opportunity employer, ACPS does not discriminate, and does not condone acts of discrimination by its employees against any person-employee or candidate for employment on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, gender expression, national origin, sexual orientation, veteran status, political affiliation, age, pregnancy, childbirth or related medical conditions, parental or marital status, age, pregnancy, military status as a veteran, genetic information, or disability is prohibited, or any other characteristic protected by state or federal law ("protected status/characteristic"). Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. Special efforts in recruitment and employment are taken to overcome barriers to achieving a diverse, equitable and inclusive workplace throughout the school division.

The Alexandria City School Board shall ACPS provides facilities, programs, and activities that are accessible, usable and available to qualified disabled persons with disabilities. Further, the Alexandria City School Board ACPS shall does not discriminate against qualified disabled persons with disabilities in the provision of health, welfare, and other social services. Further, ACPS will make reasonable accommodation to the known physical or mental impairments of an otherwise qualified employee or candidate for employment, unless it is clear that an accommodation would impose an undue hardship on the operation of a school division program.

ACPS is committed to engendering respect for the abilities and accomplishments of all people and to providing a work environment free from all forms of discrimination, regardless of whether the basis or characteristic is protected by law (e.g., immigration status, socioeconomic level). To promote a productive work and learning environment, ACPS encourages an atmosphere that is respectful of individual differences so employees can work in a functional and non-threatening atmosphere. ACPS consistently and vigorously addresses any reports of discrimination.

~~The statement “Alexandria City School Board is an equal opportunity employer” shall be placed on all employment application forms.~~

II. Notice of Policy/Prevention

~~This policy shall be (1) posted in prominent areas of each school division building and the ACPS website, (2) included in employee onboarding information and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination should be included in employee in-service training.~~

II. Definitions

Discrimination is any action, policy, or practice, including bias, stereotyping and harassment, which is detrimental to a person or group of persons and differentiates or distinguishes among persons, or which limits or denies a person or group of persons opportunities, privileges, roles or rewards based, in whole or in part, on any protected characteristic described above, or which perpetuates the effects of past discrimination.

Harassment is unwanted, abusive behavior of a physical, verbal, non-verbal or written nature, directed towards an individual or group of individuals based, in whole or in part, on any protected characteristic described above, which substantially interferes with an employee’s work performance or creates an intimidating, hostile or offensive work environment.

Sexual Harassment in the context of employment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

III. Complaint Procedure

Any employee who believes they have been the victim of prohibited discrimination on school property or during a school activity should report the complaint as soon as possible to the ACPS Compliance Officers or the Title IX Coordinator. The procedures for filing and investigating such reports are outlined in Regulation GB-R/GBA-R: *Procedures for Investigating Staff Complaints of Discrimination, Harassment, Bullying Hostile Work Environment and Unethical Conduct.*

~~The Superintendent shall issue regulations providing for the appointment of a Compliance Officer and Alternative Compliance Officer responsible for receiving, investigating, and acting upon complaints of discrimination prohibited by this policy. Such regulations shall prescribe the procedures for the filing, investigation, and disposition of such complaints.~~

IV. Compliance Officers

Regulation GB-R/GBA-R designates a Compliance Officer and an Alternative Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving, investigating, and acting upon complaints of discrimination prohibited by this policy. The names and contact information for the Compliance Officers are also posted on the Division's website at all times.

The Compliance Officers:

- Receive reports or complaints of discrimination;
- Conduct or oversee the investigation of any alleged discrimination;
- Assess the training needs of the school division in connection with this policy;
- Arrange necessary training to achieve compliance with this policy; and
- Ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity and has the authority to protect the alleged victim and others during the investigation.

V. Discrimination on the Basis of Sex

ACPS complies with Title VII of the Civil Rights Act, which prohibits discrimination in employment, as well as Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex, including sexual harassment and sexual violence in all ACPS educational programs and activities (see Policy GBA/JFHA: *Prohibition Against Harassment, Bullying, Hostile Work Environment And Retaliation*). ACPS not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. ACPS is committed to compliance in all areas addressed by Title IX.

ACPS provides educational, preventative and training programs regarding sexual or gender-based harassment and discrimination; encourages reporting incidents; prevents incidents of sexual and gender-based harassment and discrimination from denying or limiting an individual's ability to participate in or benefit from school division programs; makes timely services available for those who have been affected by discrimination; and provides prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this policy may result in discipline up to and including dismissal, as outlined in Regulation GB-R/GBA-R.

Questions regarding this policy, including Title IX, may be directed to the ACPS Title IX Coordinator:

Title IX Coordinator
Executive Director of Equity & Alternative Programs
Alexandria City Public Schools

[1340 Braddock Place](#)
[Alexandria, VA 22314](#)
[Telephone: 703-619-8165](#)
[Email: titleixcoordinator@acps.k12.va.us](#)

[Questions regarding Title IX may also be referred to the Office of Civil Rights:](#)
[U.S. Department of Education](#)
[Assistant Secretary for Civil Rights](#)
[400 Maryland Avenue, SW](#)
[Washington, D.C. 20202-1328](#)
[Telephone: 800-421-3481](#)
[TDD: 800-877-8339](#)
[Email: OCR@ed.gov](#)

VI. ~~V.~~ Retaliation

Retaliation against [students, parents/guardians or](#) employees who report discrimination or participate in the related proceedings is prohibited. ~~The school division shall~~ACPS takes appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings.

[The Compliance Officer or Title IX Coordinator informs:](#)

- [those who make complaints;](#)
- [those who are the subject of complaints; and](#)
- [those who participate in investigations](#)

[of the complaint and how to report any subsequent problems.](#)

VII. ~~VI.~~ Right to Alternative Complaint Procedure

Nothing in this policy ~~shall deny~~denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination, including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VIII. ~~VII.~~ ~~Prevention~~ and Notice of Policy

Training to prevent discrimination ~~should be~~is included in employee and student orientations ~~as well as employee and employee~~ in-service training.

This policy ~~shall be~~is: (1) displayed in prominent areas of the ACPS website and each ~~division~~Division building [in a location accessible to personnel](#), (2) [included in employee handbooks](#), and (3) [provided to any employee or candidate for employment upon request.](#) ~~sent to parents of all students within 30 calendar days of the start of school.~~ ~~students and their parent/guardia~~ Employees ~~shall be~~are notified annually of the names and contact information of the [Title IX Coordinator and the ~~compliance~~ Compliance officers](#)Officers.

The statement “Alexandria City School Board is an equal opportunity employer” is placed on all employment application forms.

IX. VII. — False Charges or False Evidence

Employees who knowingly make false charges of discrimination or who knowingly make false statements or submit false information shall be subject to disciplinary action, up to and including termination/dismissal, as well as any civil or criminal legal proceedings.

Adopted: July 6, 2000
 Amended: October 5, 2000
 Amended: May 18, 2006
 Amended: April 26, 2007
 Amended: December 20, 2012
 Amended: June 11, 2015
Amended:

Legal Refs.: 20 U.S.C. § 1681, et seq.
 29 U.S.C. § 701
 42 U.S.C. §§ 6101, et seq., 2000e-2, et seq., 2000ff-1(a), and 12101, et seq.

Va. Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-295.2, 22.1-306.

et seq.

Cross Refs.:	AC	Nondiscrimination
	AD	Educational Philosophy
	<u>BCE</u>	<u>School Board Committees</u>
	<u>GBA/JFHA</u>	<u>Prohibition Against Harassment, Bullying, Hostile Work Environment and Retaliation Sexual Harassment/ Harassment Based on Race, National Origin, Disability, Sexual Orientation, and Religion</u>
	<u>GB-R/GBA-R/ JFHA-R</u>	<u>Procedures for Investigating Staff Complaints of Discrimination, and Harassment, Bullying, Hostile Work Environment And Unethical Conduct</u>
	<u>GB-F/GBA-F/ JB-F/JFHA-F</u>	<u>Report of Discrimination/Harassment</u>
	<u>GBM</u>	<u>Licensed Staff Grievances</u>
	<u>GBMA</u>	<u>Support Staff Grievances</u>
	<u>GCPD</u>	<u>Licensed Staff Discipline</u>
	<u>JB</u>	<u>Nondiscrimination in Education</u>
	<u>JB-R/JFHA-R</u>	<u>Procedures for Investigating Student Complaints of Discrimination, Harassment And Bullying</u>
	<u>KKA</u>	<u>Service Animals in Public Schools</u>

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