
Students

EQUAL EDUCATION AND NONDISCRIMINATION

The Board is committed to providing a safe learning environment where all members of the school community are treated with dignity and respect. The schools in the District are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of race, color, religion, national origin, ancestry, age, pregnancy, sex, gender identity/expression, marital status, sexual orientation, genetic information, disability or need for special education services. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work, and members of the public can access and receive the benefit of District facilities and programs. All such harassment, by district employees, students and third parties is **STRICTLY PROHIBITED**.

Accordingly, no otherwise qualified student shall be excluded from participation in, be denied benefits of, or be subjected to, unlawful discrimination under any district program or activity on the basis of race, color, religion, national origin, ancestry, age, pregnancy, sex, gender identity/expression, marital status, sexual orientation, genetic information, disability or need for special education services.

(cf. [0410](#) – *Nondiscrimination in District Programs and Activities*)

(cf. [1312.3](#) – *Public Complaints Concerning Discrimination*)

(cf. [5145.7](#) - *Sexual Harassment*)

No student will be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities on the basis of sex. However, separation of the sexes is allowable during sex education programs and during participation in physical education activities where the purpose of the activity involves bodily contact. (AS 14.18.050)

- The District will not provide any course or carry out any education program or activity separately or refuse participation by any of its students on the basis of sex.
- The District will not discriminate against any person in the counseling or guidance of students.
- The District will not discriminate in providing financial assistance, where available and appropriate, to any student.

- The District will not apply any rule concerning a student's actual or potential parent, family, or marital status which treats students differently on the basis of sex.
- The District will not discriminate against any student or exclude any student from an education program or activity, including any class or extra-curricular activity, on the basis of such student's pregnancy unless the student requests voluntarily to participate in a separate program.
- The District will not discriminate against any person on the basis of sex in any inter-scholastic club, or intramural athletic program offered by the school.
 - However, the District may approve or sponsor separate teams for members of each sex where selection for the teams is based on competitive skill, or the activity involved is a contact sport. In non-contact sports, where the District or individual school sponsors a team for one sex but not for the other, and athletic opportunities for the other have previously been limited, members of the excluded sex will be allowed to try out for the team offered.

School staff and volunteers must be especially careful to guard against gender discrimination and stereotyping in instruction, guidance and supervision. Staff and students share the responsibility to ensure that discrimination does not occur at any District facility, at any District or school-sanctioned activity or event, or off school property when such conduct has a nexus to the school, or any District curricular or non-curricular activity or event.

(cf. [6164.2](#) - *Guidance and Counseling Services*)

Inquiries regarding discrimination or intimidation should be directed to the Title IX Coordinator. Any person who believes they are a victim of discrimination or who have witnessed discrimination shall file a complaint with either a teacher, principal or the Title IX Coordinator.

Staff who witness discrimination shall take prompt and effective action to report such action to the Title IX Coordinator or Superintendent.

(cf. 5130 *Designation of Title IX Personnel*)

(cf. 5130.2 – *Filing a Report of Harassment, Bullying or Discrimination*)

The District shall take appropriate action to promptly and impartially investigate allegations of discrimination, to end identified discriminatory behavior, to prevent the recurrence of such identified behavior, and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation.

To the extent possible, all reports of discrimination will be kept confidential. No student, employee or member of the public shall be subject to adverse treatment in retaliation for any good faith report of discrimination.

Anyone who knowingly makes a false complaint or gives a false statement shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment.

In compliance with federal regulations, the District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such behavior as constituting discrimination on the basis of disability, in violation of state and federal law. The District will annually notify all students, parents/guardians, staff and community members of this policy and the designated Title IX Coordinator to receive inquiries. This annual notification will include the name and location of the Title IX Coordinator and will be included on the District website and in all parent/student handbooks.

(cf. 5131.43 – *Harassment, Intimidation and Bullying*)
(cf. 5145.7 – *Sexual Harassment*)

Legal Reference:

ALASKA STATUTES

14.18.010 – 14.18.060 Discrimination Prohibited

14.18.090 Enforcement by board of education

ALASKA ADMINISTRATIVE CODE

4 AAC 06.520 Recreational and athletic activities

4 AAC 06.530 Guidance and counseling services

4 AAC 06.540 Course offerings

Title IX of the Educational Amendments, 20 U.S.C. §1681, et. seq.

34 CFR 106, Nondiscrimination on the Basis of Sex in Education Programs

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: 7/1/96

Amended: