

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Nondiscrimination in
School and Classroom Practices

ADOPTED: April 27, 1981

REVISED: September 14, 2017

NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES

Authority

The School Reform Commission declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools regardless of race, color, age, creed, religion, sex, sexual orientation, gender orientation, ancestry, national origin, marital status, pregnancy or disability.

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The District without discrimination shall provide to all students; course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of district resources is one means the district shall use to ensure all students receive a quality education. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.

The SRC encourages students and third parties who have been subject to discrimination, or parents/guardians of students, to promptly report such incidents to designated employees.

The SRC 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 district's legal and investigative obligations. All parties will be treated with dignity and respect.

No reprisals nor retaliation shall occur as a result of good faith charges of discrimination or participation in an investigation.

In the event that the district fails to investigate a complaint of discrimination, fails to document the outcome of an investigation of discrimination, or if discrimination continues after an investigation has concluded, individuals may report the incident to the district's hotline at 215-400-SAFE and/or submit a complaint in accordance with applicable SRC policy.[16]

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the SRC shall designate a district Compliance Officer to coordinate the district's efforts to comply with this policy and applicable laws and regulations.

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 name, position, office address, telephone number and email address of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

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 practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas.
5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

Each staff member shall be responsible to maintain an educational environment free from all forms of discrimination.

The Superintendent or designee shall develop administrative procedures to implement this policy.

The building principal or designee 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 building principal is the subject of the complaint.
5. Take interim action, as necessary, to address prohibited conduct prior to the completion of the investigation.

Guidelines

This policy shall be made available in English and all other languages necessary to facilitate understanding by district residents.

Legal References:

1. 24 P.S. 1310
2. 24 P.S. 1601-C et seq
3. 22 PA Code 12.1
4. 22 PA Code 12.4
5. 22 PA Code 15.1 et seq
6. 22 PA Code 4.4
7. 24 P.S. 5004
8. 43 P.S. 951 et seq
9. 20 U.S.C. 1681 et seq
10. 20 U.S.C. 6321
11. 29 U.S.C. 794
12. 42 U.S.C. 12101 et seq
13. 42 U.S.C. 2000d et seq
14. Pol. 103.1
15. Pol. 248
16. Pol. 906
17. 20 U.S.C. 1232g

Related Information:

- 28 CFR Part 35
- 28 CFR Part 41
- 34 CFR Part 100
- 34 CFR Part 104
- 34 CFR Part 106
- 34 CFR Part 110
- Philadelphia Code of Ordinances (Fair Practices Ordinance) - 9-1101 et seq
- Pol. 122
- Pol. 123
- Pol. 701
- Philadelphia Commission on Human Relations Guidance