

WINFIELD TOWNSHIP SCHOOL
GULFSTREAM AVENUE
WINFIELD, NEW JERSEY 07036

POLICY

FILE CODE: 6121

NONDISCRIMINATION/AFFIRMATIVE ACTION

No pupil enrolled in the district school shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of race, color, creed, religion, sex, affectional or sexual orientation, national origin, place of residence in the district, social or economic condition, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test. The affirmative action team as led by the affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

Reporting to the Chief School Administrator, the affirmative action team shall review the following areas for compliance with the New Jersey State Department of Education regulations and make suggestions and/or recommendations when necessary.

A. Curriculum content

The team shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of race, color, creed, religion, gender, affectional or sexual orientation, ancestry, national origin, socio-economic status or disability:

1. School climate
2. Courses of study
3. Instructional materials
4. Instructional strategies
5. Library materials
6. Software and audio-visual materials
7. Guidance and counseling
8. Extracurricular programs and activities

9. Testing and other assessments

The team shall monitor the curriculum to ensure inclusion of instruction on African-American history in the teaching of United States history and inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary school pupils.

B. Staff training

The affirmative action officer shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An equity in-service program shall be held annually for all staff and for parents and community members as needed to facilitate participation and support.

C. Pupil access

The team shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them. Particular attention shall be paid to the following:

1. Ensuring equal access to all school and classroom facilities;
2. Assigning pupils in such a way that the racial/national origin composition of each school's enrollment reflects the composition of the district-wide enrollment at each grade level;
3. Refraining from locating new facilities in areas that will contribute to imbalanced, isolated or racially identifiable school enrollments;
4. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
5. Ensuring that pupils are not separated or isolated within schools, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically-advanced instructional assistance;
8. Ensuring that all limited English-proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;

9. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
10. Ensuring that pupil support services (such as school-based youth services, health care, tutoring and mentoring) are available to all pupils, including LEP pupils;
11. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

D. District support

The team shall ensure that like aspects of the school program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters and that all grades within the district are comparable in those areas.

E. Pupil Evaluation

He/she shall ensure that tests, procedures or guidance and counseling materials which are designed to evaluate pupil progress or rate aptitudes or analyze personality or in any manner establish or tend to establish a category by which a pupil may be judged are not differentiated or stereotyped on the basis of race, color, creed, sex, national origin, or handicap.

The Chief School Administrator will report to the Board annually on continuing compliance.

Key Words

Affirmative Action, Nondiscrimination, Curriculum, Instructional Materials, Textbooks

Legal References:

- N.J.S.A. 10:5-1 et seq. Law Against Discrimination
- N.J.S.A. 18A:4A-1 et seq. New Jersey Commission on Holocaust Education
- N.J.S.A. 18A:18A-17 Facilities for handicapped persons
- N.J.S.A. 18A:35-1 Course in history of the United States in high school
- N.J.S.A. 18A:36-20 Discrimination; prohibition
- N.J.A.C. 6:A:7-1.1 et seq. Managing for Equality and Equity in Education

See particularly:

- N.J.A.C. 6A:7-1.1,-1.4,-1.7,-1.9
- N.J.A.C. 6:8-2.1 Quality assurance annual report
- N.J.A.C. 6:8-4.1 Review of mandated programs and services
- N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School

Districts

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act, of 1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act (IDEA)

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Gebser v. Lago Vista Indep. School Dist. 524 U.S. 274 (1998)

Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003

New Jersey State Department of Education Division of Student Services

Office of Bilingual Education and Equity Issues

Possible

Cross References:

2224	Nondiscrimination/affirmative action
4111.1	Nondiscrimination/affirmative action
4131/4131.1	Staff development; in-service education/visitations/conferences
4211.1	Nondiscrimination/affirmative action
4231/4231.1	Staff development; in-service education/visitations/conferences
5134	Married/pregnant pupils
5145.4	Equal educational opportunity
6140	Curriculum adoption
6141	Curriculum design/development
6142.4	Physical education and health
6145	Extracurricular activities
6161.1	Guidelines for evaluation and selection of instructional materials
6163.1	Media Center/library
6164.2	Guidance services
6171.4	Special education

Board Approved: March 20, 2007