

# POLICY

## BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

**Related Entries:** AF, GAGG, GAGG-RA, GAHH, GAHH-RA, JCCA, JCCA-RA, JCH, JCH-RA, JO, JO-RA, JP

**Responsible Office:** BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

### NONDISCRIMINATION

#### A. PURPOSE

To establish that the Board of Education of Anne Arundel County (Board), in accordance with federal and State laws, does not discriminate against any person and prohibits unlawful discrimination in its educational programs and employment practices.

#### B. ISSUE

Anne Arundel County Public Schools (AACPS) is committed to providing AACPS students and employees a safe and supportive environment free of unlawful discrimination. Complaints of unlawful discrimination shall be investigated in accordance with the procedures set forth in AACPS policies and regulations regarding discrimination and bias behavior and language. Providing for an inclusive and nondiscriminatory environment for students and employees requires a concerted effort to support an unlawful discrimination prevention and intervention program that involves all stakeholders in the school community.

#### C. POSITION

1. AACPS complies with federal, State, and local laws that prohibit discrimination based on membership of a protected class.
2. The Board prohibits:
  - a. Discrimination in its educational programs and in employment on the basis of actual or perceived race, ethnicity, color, religion, national origin, sex, age, marital status, sexual orientation, genetic information, gender identity, gender expression, disability, or homeless status;
  - b. Refusing to enroll a prospective student, expelling a current student, or withholding privileges from any individual because of an individual's race, ethnicity, color, religion, national origin, sex, age, marital status, sexual orientation, gender identity, gender expression, disability, or homeless status; and

- c. Disciplining, invoking a penalty, or taking any other retaliatory action against a student or parent/guardian of a student who files a complaint alleging that AACPS or a school discriminated against the student, regardless of the outcome of the complaint.
3. The Board is committed to nondiscrimination with respect to enrollment in AACPS courses and program offerings, participation in school-sponsored activities, hiring, promotion, compensation, job classification, assignment, and all other functions and activities of the school system affecting AACPS students or employees.
4. In accordance with the law and its commitments, the Board prohibits the use of language and the display of symbols that promote hate, demean an identifiable person or group of persons, or are reasonably perceived as promoting hatred, bullying, cyberbullying, harassment, or intimidation, and can be reasonably forecasted to cause substantial disruption to the orderly operation of a school or AACPS operations or activities.
  - a. Symbols of hate may include a noose, swastika, confederate flag, and, subject to a reasonable forecast of disruption, any symbol used or recognized by an identified hate group designed to promote the messaging of the hate group.
  - b. The use or display of a symbol of hate on AACPS property, on a school bus or other school vehicle, at school-sponsored activities, or in any manner that substantially disrupts the orderly operation of a school regardless of where the incident occurs is prohibited and may be considered a hate crime under federal or State law.
5. Complaints of unlawful discrimination shall be promptly and appropriately investigated in accordance with Policy GAGG and Regulation GAGG-RA – Nondiscrimination and Anti-Harassment - Personnel as well as Policy JO and Regulation JO-RA – Bias Behavior and Language.

#### **D. IMPLEMENTATION**

The Superintendent is authorized to develop regulations to implement this policy.

*Policy History:* Adopted on 01/07/15; Revised 12/15/21; 11/16/22

*Note Previous Policy History:* Replaces Policy 102, revised 11/03/76, 11/20/89, 06/05/02, and 09/05/12

*Legal References:* Amendment U.S. Constitution, Amendment 14; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Individuals with Disabilities Education Act; Section 504 of the Rehabilitation Act of 1973, as amended; Americans with Disabilities Act; Section 1981 of the Civil Rights Act of 1866; Age Discrimination in Employment Act of 1967; Equal Rights Amendment to the Maryland Constitution's Patient Protection Affordable Care Act; Maryland Constitution Declaration of Rights; Title 20 of the State Government Article; Sections 6-104, 7-424.1, and 26-701 through 26-705 of the Education Article; Code of Maryland Regulations 13A.01.06 Educational Equity and 13A.05.01

Provision of a Free Appropriate Public Education; Hate Crime Data Collection Guidelines and Training Manual, Federal Bureau of Investigation, Criminal Justice Information Services Division Uniform Crime Reporting Program, Version 2.0, 02/27/15.