

## **Policy JB: Equal Educational Opportunity and Nondiscrimination**

Denver Public Schools is committed to providing equal educational opportunities through programs offered in the District regardless of race, color, gender, sexual orientation, gender identity, transgender status, religion, national origin, ancestry, age, marital status, pregnancy status, veteran status, or disability (collectively, "Protected Classes"). No otherwise qualified student shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination or harassment under any District program or activity on the basis of Protected Class status.

Denver Public Schools ("the District") recognizes that sexual harassment can interfere with a student's academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination.

The concepts of equal educational opportunity and nondiscrimination shall guide the Board and District staff in making decisions related to District facilities, selection of educational materials, equipment, and curriculum, and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities shall be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

### **Harassment is Prohibited**

Harassment based on a person's Protected Class status is a form of discrimination prohibited by state and federal law. 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 benefits of District facilities and programs. All such harassment by district employees, students, and third parties, is strictly prohibited.

All District employees and students share the responsibility to ensure that harassment does not occur at any District school, on any District property, at any District or school-sanctioned activity or event, off school property when such conduct has a nexus to the school, or at any District curricular or non-curricular activity or event.

### **Adoption of Regulations**

The Superintendent or a designee shall develop such procedures as may be needed for the implementation of this policy so long as such procedures are consistent with Board policies.

Legal Ref.:

Title IX of the Education Amendments, 20 U.S.C. § 1681

Section 504 of the Rehabilitation Act, 29 U.S.C. § 794

Title VI of the Civil Rights Act, 42 U.S.C. § 2000d -R1

Genetic Information Nondiscrimination Act, 42 U.S.C. § 2000ff et seq.  
Equal Educational Opportunities Act, 20 U.S.C. §1701-1758  
Individuals with Disabilities Education Act, 20 U.S.C. §1400  
C.R.S. § 2-4-401(13.5)  
C.R.S. § 22-32-109(1)(kk)(II)  
C.R.S. § 22-32-110(cc) and (dd)  
C.R.S. § 22-61-101  
C.R.S. § 24-34-301 et seq.  
C.R.S. § 24-34-601 et seq.

Cross Refs.:

JB – R1 – Procedures for the Investigation of Student Complaints of Discrimination or Harassment

JB – R2 - Procedures for Student Plans Pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Section 504 Hearing Procedures

Adopted: March 18, 2006

Revised: October 23, 2014