

**CAPITAL AREA
SCHOOL FOR THE
ARTS CHARTER
SCHOOL (CASA
CHARTER SCHOOL)**

SECTION: PROGRAMS
TITLE: NONDISCRIMINATION IN EDUCATIONAL PROGRAMS/SERVICES
ADOPTED: 8/12/2013
REVISED: 1/22/2019

103. NONDISCRIMINATION IN EDUCATIONAL PROGRAMS/SERVICES

1. Authority

Title IX
20 U.S.C.
Sec. 1681 et seq
20 U.S.C.
Sec. 6321
29 U.S.C.
Sec. 794
Title VI
42 U.S.C.
Sec. 2000d et seq
42 U.S.C.
Sec. 12101 et seq
SC 1310
Title 22
Sec. 4.4, 12.1,
12.4,
15.1 et seq
24 P.S.
Sec. 5004
43 P.S.
Sec. 951 et seq
SC -Art. XVII - A

The Capital Area School of the Arts (CASA) Charter School Board of Trustees (Board) declares it to be the policy of the charter school to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the school regardless of race, color, age, creed, religion, sex, sexual orientation, gender identity and expression, ancestry, national origin, marital status, pregnancy, or handicap/disability.

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

The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

The Board 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 charter school's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

2. Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Principal as the charter school's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public via the school's website. Nondiscrimination statements shall include the position,

<p>3. Guidelines</p>	<p>office address and telephone number of the Compliance Officer.</p> <p>The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p> <ol style="list-style-type: none"> 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 services to ensure that all students have equal access and are not segregated except when permissible by law or regulation. 4. School 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. <p>The Principal shall be responsible to complete the following duties when receiving a complaint of discrimination:</p> <ol style="list-style-type: none"> 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 Board Chair if the Principal is the subject of the complaint. <p><u>Complaint Procedure - Student/Third Party</u></p> <p>Step 1 - Reporting</p> <p>A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Principal.</p> <p>A school employee who suspects or is notified that a student has been subject to</p>
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conduct that constitutes a violation of this policy shall immediately report the incident to the Principal.

If the Principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Board Chair.

The complainant or reporting employee is encouraged to use the report form available from the Principal, but oral complaints shall be acceptable.

Step 2 - Investigation

Upon receiving a complaint of discrimination, the Principal shall immediately investigate the complaint, unless the Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 - Investigative Report

The Principal shall prepare a written report to the Board Chair within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition.

Step 4 - Charter School Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the charter school shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Charter school staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and administrative procedures, applicable employment agreements, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Board Chair or designee within fifteen (15) days.
2. The Board Chair or designee shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Board Chair or designee shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Principal who conducted the initial investigation.

The charter school shall develop administrative regulations to implement this policy and shall maintain records documenting compliance that are updated biannually.

References:

School Code -24 P.S. Sec. 1310, 1601-C et seq, Article XVII -A

State Board of Education Regulations -22 PA Code Sec. 4.4, 12.1, 12.4, 15.1 et seq

Unfair Educational Practices -24 P.S. Sec. 5004

Pennsylvania Human Relations Act -43 P.S. 951 et seq

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq

Federal Anti-Discrimination and Civil Rights Laws -

20 U.S.C. Sec. 1681 et seq (Title IX)

42 U.S.C. Sec. 2000d et seq (Title VI)

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____
 Home Address: _____
 Home Phone: _____
 School Building: _____
 Date of Alleged Incident(s): _____

Alleged discrimination was based on: (circle those that apply)

Race	Color	Age	Creed	Religion
Sex	Sexual Orientation	Gender Identity & Express.	Ancestry	Nat. Origin
Marital Status	Pregnancy	Handicap / Disability		

Name of person you believe violated the charter school's nondiscrimination policy:

If the alleged discrimination was directed against another person, identify the other person:

Describe the incident as clearly as possible, including any verbal statements (i.e. threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

 Complainant's Signature

 Date

 Received By

 Date