**Washington County School District**
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

# Administrative Letter N003

## Civil Rights Disclosure

**Washington County School District Civil Rights Disclosure**

The Washington County Board of Education ensures an equal educational opportunity in accordance with several Federal Civil Rights Laws.

The Washington County School District does not discriminate on the basis of race, color, national origin, sex, disability, gender identity, sexual orientation, religious affiliation, age, pregnancy, parental or marital status in its programs or activities.

In accordance with the Boys Scouts of America Equal Access Act, Boy Scouts and other youth groups may have equal access to meet on school premises.

**Equal Education and Employment Opportunity**

It is a violation of the District's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, pregnancy status, genetic information or marital status.

Discrimination of this kind is strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

https://procedure.washk12.org/policy/1000/1710

**Civil Rights Contacts**

Those who have inquiries, or are alleging violations regarding discrimination or sexual harassment as per Title II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act 1964, or the Age Discrimination Act of 1975 may contact the designated school representative and/or District designee as follows:

Employees:

District EEOC Coordinator

Executive Director of Human Resources - Darin Thomas

121 W Tabernacle St.

St. George, UT 84770

(435) 673-3553 ex. 5202

Email: eeoc_coordinator@washk12.org

Students, parents, guardians, or citizens:

Director of Student Services - Brad Christensen

121 W Tabernacle St.

St. George, UT 84770

(435) 673-3553 ex. 5164

Email: ocr_coordinator@washk12.org

Those who have inquiries, or are alleging violations regarding gender-based discrimination or sexual harassment in athletic programming as per Title IX of the Education Amendments of 1972 may contact the designated school representative and/or:

Director of Student Services - Brad Christensen

121 W Tabernacle St.

St. George, UT 84770

(435) 673-3553 ex. 5166

Email: ocr_coordinator@washk12.org

**Accommodations for Individuals with Disabilities**

Reasonable accommodations will be provided to qualified individuals with disabilities. Students in need of ADA and/or Section 504 accommodations may contact the school administrator and/or 504 representative, or designated District Coordinator (listed above).

Any employee or applicant requesting or interested in obtaining information about workplace accommodations should contact:

ADA and Benefits Coordinator - Tammara Robinson

121 West Tabernacle St.

St. George, UT 84770

(435) 673-3553 Ext. 5119

Email: ada_coordinator@washk12.org

**Civil Rights Complaint/Grievance Procedure**

*An individual* who feels harassed, discriminated against or retaliated against should report such behavior to a building administrator, (or designated District Coordinator).

*All employees* of the District are required to report any allegation or observation of discrimination, harassment (including sexual) or retaliation to the employee's immediate supervisor, who will report to the school administrator where the student/employee is enrolled or employed.

Complaints may be those filed by students against school employees, other students/employees, or third parties.

Upon initial inquiry, the school administrator shall notify the designated District Coordinator.

An informal resolution process and/or mediation may be appropriate.

A formal written complaint may be filed with the designated District Coordinator. The Coordinator shall reply in writing to the Complainant within 10 business days.

The allegations will be investigated promptly, equitably and without deliberate indifference. Timelines for a final resolution may vary depending on the complexity of the investigation and the severity.

Student Complainants and Respondents are to be treated equitably. Every effort to preserve equal access for all parties shall be implemented. Individualized supportive measures shall be made available to both the Complainant and Respondent depending on their circumstances.

An employee Respondent may be placed on paid administrative leave with or without a showing that the Respondent poses an immediate threat to the physical health or safety of individuals.

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to the greatest degree possible.

If a party does not agree with the resolution, a written appeal may be made to the Superintendent within 10 days of the receipt of the final report or written determination.

Nothing in policy prevents the Complainant or the Respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

Employees may also file Directly with UALD or EEOC. If more than 180 days have passed since the last date of harm, but less than 300 days, the charge must be sent to the Equal Employment Opportunity Commission (EEOC) for its consideration.

Utah Anti-Discrimination & Labor Division

160 East 300 South, 3rd Floor

Salt Lake City, UT 84114-6600

(801) 530-6800 or

(800) 530-5090

Equal Employment Opportunity Commission Phoenix District Office

3300 North Central Avenue, Suite 690

Phoenix, AZ 85012-2504

Phone: 1-800-669-4000

FAX: 602-640-5071

TTY: 1-800-669-6820

ASL Video Phone:  844-234-5122

The right to file an independent formal complaint with the Office of Civil Rights may be done at any time and is not limited to any aspect of the Washington County grievance process.

Denver Office for Civil Rights

U.S. Department of Education

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO  80204-3582

Telephone: 303-844-5695

FAX: 303-844-4303; TDD: 800-877-8339

Email: OCR.Denver@ed.gov

https://procedure.washk12.org/policy/2000/2115

https://procedure.washk12.org/policy/2000/2116

**Safe Schools**

The Board of Education of the Washington County School District (WCSD) protects the rights of students and recognizes that every student in the schools should have the opportunity to learn in an environment which is safe, conducive to the learning process, and free from unnecessary disruption. To foster a safer

learning environment and promote positive behavior, WCSD developed the Safe Schools Policy to assure the safety and well-being of all students. The Policy is based upon the following principles: Each student is expected to follow accepted rules of conduct. WSCD promotes principles of restorative school discipline but may impose other disciplinary intervention as necessary. Multi-tiered systems of supports (MTSS) shall be implemented as a method of systematic reinforcement of expected behaviors and uniform methods for correction of inappropriate behaviors. Refer to the policy for all details.

https://procedure.washk12.org/policy/2000/2110

**Extracurricular Activities**

The Board of Education encourages students to participate in a variety of athletic and extracurricular activities, and recognizes the many benefits to students who engage in such activities. Participation in athletics and other extracurricular activities is a privilege. There is no constitutional right to participate in such activities, nor are there any life, liberty, or property interests associated therewith (UCA 53G-8-209(1).

In order to participate in activities sponsored by the Utah High School Activities Association (UHSAA), a student must meet eligibility requirements with regards to attendance, behavior, residency, scholastic performance, and other applicable criteria. Washington County School District accepts and supports the constitution, bylaws, regulations, guidelines, and standards established by UHSAA in relation to eligibility for participation. School principals, athletic directors, coaches/advisors, parents, teachers, and all other employees of the schools share in the responsibility of ensuring that students meet the expected standards for participation.

Each school, with approval of the principal, may also establish eligibility requirements for participation in activities not sponsored by UHSAA. The cheerleading and student council programs at each school are governed by each school's student constitution and bylaws and not by UHSAA. Eligibility expectations for those programs must be clearly outlined for students and their parents/legal guardians in a disclosure document.

When student athletes in secondary schools transfer schools, athletic eligibility standards established by UHSAA must be satisfied. Violation of these standards may bring about severe sanctions for a student, a coach, a team/program, and/or the school. The Board of Education desires that transferring student athletes meet all UHSAA transfer and eligibility requirements.

**Access to Facilities**

The Washington County School District Board of Education believes that school facilities are owned by the public and should therefore be made available for any and all public uses of an educational, cultural, recreational or community well-being whenever such an event(s) does not interfere with the regular school program or school activities.

Equal access to facilities is provided to the Boy Scouts of America and other designated youth groups.

Public school grounds and buildings are deemed to be "civic centers" and may be used subject to the requirements and restrictions set forth herein. The District retains the right to refuse or terminate facility usage if use is disruptive to school operations, counter to District policies, damaging to District property, discriminatory under federal or state laws, demeaning or degrading to District employees or other persons, or otherwise inappropriate for District facility use.

https://procedure.washk12.org/policy/5000/5200

https://procedure.washk12.org/forms/000/A202A

**Harassment/Hazing**

The Washington County School Board is committed to protecting its students, employees and school guests from bullying or harassment of any type, for any reason. The School Board believes that all students, employees or guests are entitled to a safe, equitable and harassment-free school experience. Bullying, harassment or retaliation in any form will not be tolerated and shall be just cause for disciplinary action. Conduct that constitutes bullying or harassment will be dealt with immediately and consistently.

https://procedure.washk12.org/policy/3000/3510

**Search and Seizure**

School officials have the authority to search a student's person, personal property, or vehicle while located on school property or at a school-sponsored activity when they have reason to believe that the search will turn up evidence that the student has violated or is violating a particular law or school rule.

**Compulsory Education Requirements**

The Washington County School Board believes that student learning and achievement is directly related to attendance. WCSD strives to make every effort to be in compliance with state law as well as work proactively together with parents, community resources to encourage the regular attendance of all Washington County students.

Utah Code 53G-6-202 directs parents of a school-age child (minor who is at least six years old but younger than 18 years old) shall enroll and send the school-age child to a public or regularly established private school.

https://procedure.washk12.org/policy/2000/2900

**Rights under the Protection of Pupil Rights Amendment:**

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires the

Washington County School District to notify parents and obtain consent or allow an

opt out of participating in certain school activities. These activities include a

student survey, analysis, or evaluation that concerns one or more of the following eight

areas ("protected information surveys"):

- Political affiliations or beliefs of the student or student's parent;
- Mental or psychological problems of the student or student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom respondents have close family relationships;
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;

- Religious practices, affiliations, or beliefs of the student or parents; or
- Income, other than as required by law to determine program eligibility.

https://procedure.washk12.org/letters/Admin/A087

**Religious Expression in Public Schools**

The Board recognizes the right of free exercise of religion by individuals, including students, teachers, and other employees. Therefore, the District shall do nothing that will impair the rights or ability of such individuals to the free exercise of their religion in activities not sponsored by the District but held on District property. In addition, during discretionary time on campus, the same persons shall not be restricted or discouraged by school administrators and teachers in their religious expressions, including prayer. (Leg. resolution 5-1-06)

In accordance with freedom of religion and freedom of speech, the District shall not strike out nor inhibit any portions of graduation talks, any classroom discussion, or academic activity solely on the basis that religion, Deity, or personal belief is mentioned. In the classroom, instruction covering religious subject matter is permitted, provided the teacher does not advocate religion in general or one or more religions in particular. (Leg. resolution 5-1-06) No regulation shall be made of the content of statements of non-District groups or individuals using school facilities regardless of participation of District employees or students in said non-District sponsored activities solely on the basis that religion, Deity, or personal belief is mentioned.

https://procedure.washk12.org/policy/2000/2700

https://procedure.washk12.org/letters/Admin/A035

**Rights under the Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) and District Policy 3260 affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records.

Parents have the right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal or assistant principal a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Parents may request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading.

Parents have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent, i.e. Directory Information (may include student’s name, address, telephone number, email address, photographs, date and place of birth, grade level, awards, honors, and other information typically found in school yearbooks, athletic programs, honor rolls, or class/school contests). However, parents or eligible students have two weeks from the beginning of the school year or date a student enrolls to advise the school district, in writing, of any and all items they refuse to permit the district to designate as directory information for the balance of the school year.

School officials with legitimate educational interests may also have access to records.

Parents may file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office

U.S. Department of Education

600 Independence Avenue, SW

Washington, DC  20202-4605

https://procedure.washk12.org/letters/Notices/N001

**Homeless Student Eligibility Policy**

The School District will ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth.  The School District will comply with the "Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the No Child Left Behind Act of 2001, Non-Regulatory Guidance," updated July 2004.  The McKinney-Vento Act defines "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence.  The term includes:

Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);

- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals;
- Awaiting foster care placement; or
- Unaccompanied youth.

https://procedure.washk12.org/policy/2000/2940

**CTE Annual Public Notification of Nondiscrimination**

1. Washington County School District offers Career and Technical Education (CTE) programs in: https://www.washk12.org/cte/cte-career-clusters

2. Admission to CTE programs is open to all students regardless of race, color, national origin, sex or disability. Students qualify to participate in CTE programs on a district-wide basis, based on grade level and by following course sequence, prerequisites, and Career Pathways as outlined by the Utah State Board of Education: https://www.schools.utah.gov/file/f0925e2a-75f2-4a29-877f-1cc43bb18ad3

3. It is the policy of WCSD not to discriminate based on race, color, national origin, sex or disabilities in their CTE programs, services or activities as required by Title VI of the Civil Rights Act of 1964, as

amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

4. It is the policy of WCSD not to discriminate based on race. Color, national origin, sex and disabilities or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; The Age Discrimination Act of 1975, as amended; and Section 504 the Rehabilitation Act of 1973, as amended.

5. WCSD will take steps to assure that the lack of English skills will not be a barrier to admission and participation in all educational and CTE programs.

6. For more information about your rights or grievance procedures, contact the Title IX Coordinator Brad Christensen at 121 W. Tabernacle St., St. George, UT  84770; brad.christensen@washk12.org; 435-986-5163.