
Subject: NONDISCRIMINATION/EQUAL OPPORTUNITY

1. The schools in the BOCES are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry or need for special education services. Accordingly, member districts are strongly encouraged to establish and implement policies whereby no otherwise qualified student, employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district or BOCES program or activity on the basis of race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services. Discrimination against employees and applicants for employment based on age is also prohibited in accordance with state and federal law. All candidates shall be considered on the basis of their merits, qualifications, and needs of the district.
2. Further, harassment based on a person's race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services is a form of discrimination prohibited by state and federal law. Member districts are encouraged to establish and implement policies and procedures to address incidents involving harassment.
3. In the event a member district has not established and implemented policies and guidelines as identified above, the Board may, at the request of the district or in its own discretion, establish such policies and guidelines on behalf of the district.

LEGAL REFS.: Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.*
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.*
Title VI of the Civil Rights Act of 1964, *as amended in 1972*,
42 U.S.C. § 2000d
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*
Title II of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*

C.R.S. 2-4-401 (13.5) (definition of sexual orientation)
C.R.S. 24-34-301 (7) (definition of sexual orientation)
C.R.S. § 24-34-401 *et seq.* (discriminatory and unfair employment practices)
C.R.S. 24-34-601 (unlawful discrimination in places of public accommodation)
C.R.S. 24-34-602 (penalty and civil liability for unlawful discrimination)