



AC - NONDISCRIMINATION/EQUAL OPPORTUNITY

Poudre School District is committed to the policy that no otherwise qualified individual shall be denied access to, be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any District program or activity on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability, or need for special education services.

The District does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability in access or admission to, or treatment or employment in, its programs or activities. Harassment based on the foregoing protected classifications may be a form of unlawful discrimination and is further addressed in Policy GBAA – Harassment of Employees and Policy JBB – Harassment of Students.

For purposes of this policy, these terms or phrases have the following meanings:

- **“Gender expression”** means an individual’s way of reflecting and expressing the individual’s gender to the outside world, typically demonstrated through appearance, dress, and behavior.
- **“Gender identity”** means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth.
- **“Race”** includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
- **“Protective hairstyle”** includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.
- **“Sexual orientation”** means an individual’s identity, or another individual’s perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction.

NONDISCRIMINATION / EQUAL EDUCATIONAL OPPORTUNITIES WITH RESPECT TO STUDENTS

No otherwise qualified student shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any District program or activity on the

basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, or disability. This policy shall apply to access to and participation in educational activities, course offerings, athletics, counseling, employment assistance and extracurricular activities. Every student of this District shall have equal educational opportunities regardless of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, or disability.

NONDISCRIMINATION / EQUAL EMPLOYMENT OPPORTUNITY WITH RESPECT TO EMPLOYEES AND APPLICANTS FOR EMPLOYMENT

It is the policy of Poudre School District to provide equal employment opportunity. The District does not unlawfully discriminate in employment decisions, or the treatment of employees or applicants for employment, on the basis of race; color; creed; religion; national origin; ancestry; sex; pregnancy, physical recovery from childbirth or a related condition; sexual orientation; gender identity; gender expression; marital status; veteran status; age; genetic information; or disability. The District's commitment to equal employment opportunity and nondiscrimination includes all areas of employment, including but not limited to job advertising, recruitment, selection, hiring, job training, compensation, fringe benefits, job classification, promotion and termination.

NONDISCRIMINATION / EQUAL OPPORTUNITY WITH RESPECT TO PARENTS, GUARDIANS AND MEMBERS OF THE PUBLIC

No otherwise qualified parent/guardian or member of the public shall be denied access to, be excluded from attendance at or participation in, be denied the benefits of, or be subjected to unlawful discrimination under, any District program or activity on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability.

REPORTS AND COMPLAINTS OF UNLAWFUL DISCRIMINATION AND HARASSMENT

Any student, parent/guardian of a student, community member or employee who believes they have been a victim of unlawful discrimination or harassment as defined in this policy and supporting regulations, or who witnesses unlawful discrimination or harassment, is encouraged to report it or file a complaint. Reports and complaints may be made by submitting a complaint of alleged discrimination or harassment to the District's online reporting tool, that can be accessed on the District's main webpage. Reports and complaints may also be made to the appropriate District compliance officer in person, by phone, or by email, or by any other method as provided in Regulation AC-R1 – Reporting Discrimination/District Response to Discrimination Complaints, Policy ACE – Nondiscrimination on the Basis of Disability, and Policy AC-R2 – Sexual Harassment Investigation Procedures. Any student, parent/guardian of a student, community member or employee who witnesses unlawful discrimination or harassment is encouraged to report it as provided in District Regulation AC-R1, AC-R2 or District

Policy ACE. All reports received by District employees shall be promptly forwarded to the appropriate Compliance Officer.

The District shall take appropriate action to promptly and impartially investigate allegations of unlawful discrimination; shall promptly take effective action to stop unlawful discrimination when it is determined by a preponderance of the evidence (more likely than not) that incidents of unlawful discrimination or harassment have occurred and take steps to prevent a reoccurrence; shall impose appropriate sanctions on offenders in a case-by-case manner; shall take steps to protect anyone participating in good faith in an unlawful discrimination report, complaint or investigation from retaliation; and shall protect the privacy of all those involved in unlawful discrimination reports and complaints as required by law. Reports and complaints that appear to involve criminal law violations will also be referred to law enforcement authorities.

COMPLIANCE OFFICERS

The District's compliance officers are responsible for District compliance with this policy.

For District students/members of the public:

Sexual Harassment and Disability Discrimination (Title IX, Americans with Disabilities Act (ADA) and Section 504):

Senior Executive Director of Student Services/Title IX Coordinator

2407 LaPorte Avenue

Fort Collins, Colorado 80521

Phone: (970) 490-3033

Email: TitleIXCompliance@psdschools.org

Identity-Based Harassment or Discrimination (Title VI)

Director of Language, Culture, and Equity

2407 LaPorte Avenue

Fort Collins, Colorado 80521

Phone: (970) 490-3219

Email: TitleVICompliance@psdschools.org

For District employees/applicants for employment:

Chief Human Resources Officer

2407 LaPorte Avenue

Fort Collins, Colorado 80521

Phone: (970) 490-3620

Email: HRCompliance@psdschools.org

ANNUAL NOTICE

The District will issue a written notice prior to the beginning of each school year that advises students, parents, employees, and the general public that the educational

programs, activities, and employment opportunities offered by the District are offered without regard to race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age, disability, or need for special education services.

With respect to employment practices, the District will also issue a written notice that it does not discriminate on the basis of age, genetic information, or conditions related to pregnancy or childbirth. The announcement will also include the name, address, email address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities.

Communications regarding this policy notice will be written in simple and age-appropriate language. The notice will be disseminated to persons with limited English language skills in the person's own language. The notice will appear on a continuing basis in District media containing general information, including the District's website, application forms, and student handbooks.

Current practice codified 1995

Adopted by Board: May 22, 1995

Revised by Board: December 11, 1995

Revised by Board: February 14, 2000

Revised by Board: November 25, 2002

Revised by Superintendent: September 2, 2008

Revised by Superintendent: August 27, 2012

Revised by Superintendent: September 28, 2015

Revised by Superintendent: June 15, 2016, effective July 1, 2016

Revised by Superintendent: September 26, 2016

Revised by Superintendent: August 14, 2020

Revised by Superintendent: June 10, 2021, effective July 1, 2021

Revised by Superintendent: March 28, 2024

CROSS REFERENCES:

ACE – Nondiscrimination on the Basis of Disability

AC-R1 – Reporting Discrimination/District Response to District Discrimination Complaints

AC-R2 – Sexual Harassment Investigation Procedures

GBAA – Harassment of Employees

JBB – Harassment of Students

JICDE – Bullying Prevention and Education

LEGAL REFERENCES:

20 U.S.C. 1681 (Title IX of the Education Amendments of 1972)

29 U.S.C. 621 et seq. (Age Discrimination in Employment Act of 1967)

29 U.S.C. 701 et seq. (Section 504 of the Rehabilitation Act of 1973)

42 U.S.C. 12101 et seq. (Americans with Disabilities Act)

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

C.R.S. 24-34-301(7), 24-34-401 et seq., & 24-34-601 et seq. (Colorado Civil Rights Statutes)

3 C.C.R. 708-1 (Colorado Civil Rights Commission Regulations)

C.R.S. 22-32-110(1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)