

SYNOPSIS OF FEDERAL CIVIL RIGHTS LAWS AND DISTRICT COORDINATOR INFORMATION

SYNOPSIS OF LAWS

Title VI of the Civil Rights Act of 1964 Coordinator: Mr. William F. Yukna, School Business Administrator (508) 543-1665
Statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in programs or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 USC S2000d). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.

Dr. Jon DeMarco, Ahern Middle School (508) 543-1610

Title IX of the Education Amendments of 1972 Coordinators: Dr. Stephanie Burroughs, Asst. Superintendent (508) 543-1660
Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State law requires Massachusetts employers to have a policy against sexual harassment (M.G.L. Ch 151B, S3A).

Section 504 of the Rehabilitation Act of 1973 Coordinator: Mr. Cory Mikolazyk, Director of Student Services (508) 543-1645
Section 504 provides that no otherwise qualified individual with a disability shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The regulations implementing Section 504 require that public schools provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. (34 CFR 104.33)

Americans with Disabilities Act of 1990 Coordinator: Mr. William F. Yukna, School Business Administrator (508) 543-1665
The regulations implementing the ADA provide that: "A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address and telephone number of the employee or employees designated pursuant to the paragraph." (34 CFR 35.107(a))

EQUAL EDUCATIONAL OPPORTUNITIES LAWS

Equal Educational Opportunities Act of 1974 Coordinator: Dr. Amy A. Berdos, Superintendent of Schools (508) 543-1660
This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs. (20 USC S 1203(f))

Mass. General Laws CH. 76, S5 (also known as Chapter 622) Coordinator: Mr. William F. Yukna, School Business Administrator (508) 543-1665
This state law provides that "no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation.

Title I of the Elementary and Secondary Education Act of 1965 Coordinator: Ms. Karen MacKinnon, Title 1 Director (508) 543-1610
Designed to help disadvantaged children meet challenging content and student performance standards. Staff should know that special education students are not deemed ineligible for Title I services simply because they receive special education services. Also, school districts must ensure that Title I funds are not being misused (e.g. referring a limited English proficient student to a Title I program in order to meet the student's language needs rather than providing an ESL program/class).

SPECIAL EDUCATION

Chapter 688 (transition planning) Coordinator: Mr. Cory Mikolazyk, Director of Student Services (508) 543-1645
School districts file a Chapter 688 referral for students with severe disabilities who will need continued services and supports after their eligibility for special education ceases. School districts must make Chapter 688 referrals at least 2 years before the student is expected to graduate from school or turn 22 years of age. This allows time to determine the student's eligibility for adult services and for agencies to include the anticipated cost of services for the student in its budget request that it submits to the state legislature each year.