

TITLE VI of the CIVIL RIGHTS ACT of 1964

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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.

TITLE IX of the EDUCATION AMENDMENTS of 1972

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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 assistance. Title IX requires that schools adopt and publish a policy against sex discrimination, including sexual harassment. State law requires Massachusetts employers to have a policy against sexual harassment. (M.G.L. Ch. 151B,53A)

SECTION 504 of the REHABILITATION ACT of 1973

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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 CF 104.33)

AMERICANS with DISABILITIES ACT of 1990

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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 non-compliance 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 this paragraph. (34CFR 35.107(a))

SEXUAL HARRASSMENT POLICY

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If an employee believes that he/she has been sexually harassed, or that he/she has witnessed such harassment, he/she shall report it immediately to his/her supervisor, to his/her principal, to the sexual harassment investigators, to the Assistant Superintendent(s), or to the Superintendent.

EQUAL EDUCATION OPPORTUNITIES ACT of 1974

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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 S1203 (f))

MASSACHUSETTS GENERAL LAWS CH 76,S5 (also known as Chapter 622)

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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

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Title I is designated 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).

CHAPTER 688 (transition planning)

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School districts file a Chapter 688 referral for students with severe disabilities who will need continuing services and supports after their eligibility for special education ceases. This Chapter 688 referral is made two years prior to the student's graduation or turning 22 years of age.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

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School districts must ensure that homeless children and youth are identified and have full and equal access in academic, non-academic and extracurricular school offerings. Homeless students have the right to continue their education in the school of origin when they became homeless and have rights to transportation services.

ELE - ENGLISH LEARNER EDUCATION

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School districts have an obligation to identify, evaluate, and provide services to students with limited English proficiency. Parents must be given every opportunity to participate in school activities and translated documents must be made available. Home Language Surveys are requested of all new students.