

NOTE: Colorado school districts are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Equal Educational Opportunities

Every student of this school district will have equal educational opportunities through programs offered in the school district regardless of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.

This concept of equal educational opportunity will guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum, and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities will be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

In order to ensure that district programs are in compliance with applicable laws and regulations, the Board directs the superintendent or designee(s) to periodically monitor the following areas:

1. Curriculum and materials – review curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training – provide training for students and staff to identify and alleviate problems of discrimination.
3. Student access – review programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District support – ensure that district resources are equitably distributed among school programs including but not limited to staffing and compensation, facilities, equipment, and related matters.
5. Student evaluation instruments – review tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
6. Discipline – review discipline records and any relevant data to ensure the equitable implementation and application of Board discipline policies.

Adopted: October 1992

Revised: November 2007, April 2009, December 2012, October 2017,
August 2020, February 2022

LEGAL REFS.: 20 U.S.C. §1681 (*Title IX of the Education Amendments of 1972*)
20 U.S.C. §1701-1758 (*Equal Educational Opportunities Act of 1974*)
29 U.S.C. §701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)
C.R.S. 2-4-401 (3.4) (*definition of gender expression*)
C.R.S. 2-4-401 (3.5) (*definition of gender identity*)
C.R.S. 2-4-401 (13.5) (*definition of sexual orientation*)
C.R.S. 22-32-109 (1)(II) (*Board duty to adopt written policies prohibiting discrimination*)
C.R.S. 22-32-109.1 (2) (*safe school plan to be revised as necessary in response to relevant data collected by the school district*)
C.R.S. 22-32-110 (1)(k) (*definition of racial or ethnic background includes hair texture, definition of protective hairstyle*)
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*)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
JBB*, Sexual Harassment

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

- “Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps. *Id.*
- “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. C.R.S. 2-4-401 (13.5).
- “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. C.R.S. 2-4-401 (3.4).
- “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. C.R.S. 2-4-401 (3.5).

Dolores School District RE-4A, Dolores, Colorado