

POLICY TITLE: Discrimination and Harassment		
ADOPTION/EFFECTIVE DATE: 12/12/1973	MOST RECENTLY AMENDED: 10/27/2003	MOST RECENTLY REAFFIRMED: 6/11/2007
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: Equity and Non-Discrimination		

I. Purpose

The purpose of this policy is to set forth the Board's statement of opposition and prohibition relating to unlawful discrimination, including harassment, in the school environment.

II. Definitions

A. Discrimination means conduct by a member of the school community that results in a person, on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin or disability, unlawfully:

1. being subjected to differential treatment with respect to employment or any term or condition of employment;
2. being excluded from participating in, denied the benefits of, or being subjected to differential treatment with respect to any academic, extracurricular or any other program or activity related to and under the control of Harford County Public Schools (HCPS); or
3. being subjected to harassment as defined below.

B. Harassment means:

1. Conduct by a member of the school community that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of a person to participate in or benefit from the services, activities or privileges provided by HCPS or to perform the person's HCPS work assignment or job when such conduct is based on the person's race, ethnicity, religion, gender, sexual orientation, marital status, age or disability, including conduct which creates an intimidating, hostile and/or offensive work or environment based on the above characteristics.

2. Conduct against students which constitutes bullying, harassment or intimidation as defined in Board Policy No. 24-0006-000 entitled “Bullying, Harassment or Intimidation of Students” which is incorporated by reference.
 3. Sexual harassment as defined in Board Policy No. 24-0005-000 entitled “Sexual Harassment” which is incorporated by reference.
- C. Member of the School Community means any employee of HCPS; Board of Education member; agent; volunteer or any other person who participates in activities of HCPS and is under the authority or control of HCPS or student as defined below.
- D. Student means any person enrolled in HCPS for the purpose of receiving education services.

III. Statement of Policy

The Board is committed to providing an environment that is safe and optimal for academic achievement and productive work activity and free from any form of unlawful discrimination. Any act of discrimination, as defined herein, committed by a member of the school community is a violation of this policy. HCPS will investigate all complaints of discrimination and/or harassment and will take appropriate disciplinary or other action against any member of the school community who is found to have committed any act of discrimination as defined herein.

Board Approval Acknowledged By:

Robert M. Tomback, Ph.D., Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	12/12/1973	Amended	10/27/2003		
Amended	1/21/1998	Reaffirmed	6/11/2007		
Amended	1/14/2002				
Reaffirmed	5/6/2002				

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel	
PERSON RESPONSIBLE: Patrick P. Spicer	JOB POSITION OF PERSON RESPONSIBLE: General Counsel	
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:	
REFERENCE 1 TYPE: Legal	REFERENCE 1 NO. 20USC 2000c-2(a)	REFERENCE 1 DESCRIPTION: Title VI of the Civil Rights Act of 1964
REFERENCE 2 TYPE: Legal	REFERENCE 2 NO. 20USC2000d	REFERENCE 2 DESCRIPTION: Title VI of the Civil Rights Act of 1964
REFERENCE 3 TYPE: Legal	REFERENCE 3 NO. 20USC1681	REFERENCE 3 DESCRIPTION: Title IX of the Education Amendments of 1972
REFERENCE 4 TYPE: Legal	REFERENCE 4 NO. 42USC12112	REFERENCE 4 DESCRIPTION: The American With Disabilities Act
REFERENCE 5 TYPE: Legal	REFERENCE 5 NO. 42USC12132	REFERENCE 5 DESCRIPTION: The American With Disabilities Act
REFERENCE 6 TYPE: Legal	REFERENCE 6 NO. Sec. 16 of Article 49B	REFERENCE 6 DESCRIPTION: Maryland Annotated Code
REFERENCE 7 TYPE: Legal	REFERENCE 7 NO. Sec. 7-424 of the Education Article	REFERENCE 7 DESCRIPTION: Maryland Annotated Code
REFERENCE 8 TYPE: Legal	REFERENCE 8 NO. 13A.01.04.03	REFERENCE 8 DESCRIPTION: COMAR
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: General Administration .02.09.140		