



## Charter School Civil Rights Checklist

In order to ensure compliance with Federal civil rights laws, charter schools should have the following in place:

### **Notice of Nondiscrimination**

- Statement that school does not discriminate on the basis of race, color, national origin, sex, disability and age in its programs and activities (may include additional traits such as religion, sexual orientation, etc.)
- Name and/or title, office address, email address and telephone numbers for those employee(s) designated to coordinate compliance efforts
- Notice is widely disseminated, including publication on the school's website, school handbooks, applications and other publications

### **Grievance Procedure** – provides for prompt and equitable resolution of complaints of discrimination and includes the following:

- Statement that procedures apply to complaints of discrimination and/or harassment on the basis of disability, race, national origin, color, sex and age by employees, other students and third parties
- Explanation of how a complaint may be filed
- Name and/or title, office address, email address and telephone number of individual(s) with whom complaints may be filed
- Description of process for adequate, reliable and impartial investigation of complaints, including the designation of an impartial decision maker and opportunity to present witnesses and other evidence
- Designated and reasonably prompt time frames for major stages of the complaint process
- Provision for written notice of the outcome of the complaint
- Opportunity for appeal to impartial decision-maker and provision for written notice of the outcome of the appeal
- Assurance that school will take steps to prevent, remedy or otherwise correct harassment and/or discrimination, if necessary
- Assurance that the school will not retaliate against an individual who files a complaint or participates in a complaint investigation
- Confidentiality provision
- Published in school handbooks and is otherwise available for interested parties

## □ Policies

### □ Special Education Policy

- Description of child find/RTI process, evaluation and eligibility procedures, placement procedures and procedural safeguards

### □ Section 504 Policy

- Description of child find process, evaluation and eligibility procedures, placement procedures and procedural safeguards

### □ ELL Policy

- Description of process of identifying and assessing ELL students, process for exiting and monitoring former ELL students, process for notifying parents of placement in ELL program and description of alternative language program (“ALP”)

#### □ Compliant ALP

- Based on educational theory that is recognized as sound by some experts in the field or is considered a legitimate experimental strategy
- School has programs and practices in place that are reasonably calculated to implement the ALP effectively
  - Appropriate instructional materials
  - Qualified staff with appropriate certifications and/or training
  - Adequate facilities
  - No unnecessary segregation or exclusion (applies to both academic and non-academic activities)
- School periodically evaluates its ALP to ensure that ELL students are overcoming language barriers and meeting academic goals
  - School modifies its program if the results of the evaluation indicate that language barriers are not being overcome

### □ Bullying/Harassment Policy – includes the following:

- Statement that prohibits bullying/harassment on the basis of race, color, national origin, sex and disability (may also want to consider sexual orientation and religion)
- Definitions of harassment – conduct that is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by the school
- Statement that prohibition on harassment applies to conduct by employees, students and third parties
- Requirement that staff who become aware of harassment report such harassment to designated individuals

- Explanation of how complaints of harassment will be investigated and resolved – must include same elements as grievance procedure (could incorporate grievance procedures by reference)
- Statement that if an investigation reveals that discriminatory harassment occurred, the school will take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring
- Prohibition of retaliation against an individual who complains of harassment or otherwise participates in complaint process
- Name and Contact Information for Title IX Coordinator, Section 504/Title II Coordinator, and any other individuals responsible for coordinating compliance with civil rights requirements
- Widely disseminated to students, staff and family
- **Sexual Harassment Policy**
  - If school has separate sexual harassment policy, elements of grievance procedure and bullying/harassment policy must be incorporated
  - Definitions of sexual harassment (which includes sexual violence) and an explanation as to when such conduct creates a hostile environment
  - Notice of a student's right to file a criminal complaint and a Title IX complaint simultaneously
  - Notice of available interim measures that may be taken to protect the student in the educational setting
  - Evidentiary standard that must be used (preponderance of the evidence – i.e. more likely than not that sexual harassment/violence occurred) in resolving complaints
- **Discipline Policy**
  - Affords students notice and an opportunity to be heard prior to any suspension
  - Provides more formal procedures for long-term suspensions (over 10 days) and expulsions, including the opportunity for a hearing with an impartial decision maker where the student can present evidence in his defense and be represented by an attorney
  - Does not discriminate on the basis of race, disability, religion and sex
    - Students are not treated differently based on race, disability, religion and sex
    - Policy does not have an unjustified adverse impact against students based on race, disability, religion and sex

□ **Staffing**

- Section 504/Title II Coordinator
- ELL Coordinator
- Title IX Coordinator

□ **Staff Training**

- Special Education/Section 504
- ELL
- Bullying/Harassment
- Grievance Procedure
- Discipline

□ **Student Recruitment**

- Efforts occur in all segments of the community
- Outreach information is provided in languages other than English as necessary for parents who are not proficient in English
- Auxiliary aids and services are made available when necessary for parents with disabilities

□ **Physically Accessible Facilities**

□ **Language Access**

- Translating and interpreting resources available
- Parents have been notified of available interpreter and translator services
  - Notice has been translated into languages most commonly spoken at the school and has been disseminated widely
- Staff on notice of how to request interpreters and translators
- Important documents are translated into languages most commonly spoken at the school