

## **6-4 Federal Civil Rights and Education Legislation**

### **FEDERAL CIVIL RIGHTS AND EDUCATION LEGISLATION**

#### ***\*TITLE VI: Title VI of the Civil Rights Act of 1964***

Prohibits discrimination, exclusion from participation, and denial of benefits based on race,

color, or national origin in programs or activities receiving federal financial assistance.

Title VI

is codified at 42 U.S.C. 200d et seq.; regulations have been promulgated under it in the Code of

Federal Regulations at 34 CFR Part 100 (available at

<http://www.ed.gov/offices/OCR/regs/34cfr100.html>).

#### ***\*EEOA: The Equal Educational Opportunities Act of 1974***

Prohibits the denial of equal educational opportunity in public schools on account of race, color,

gender, or national origin. The EEOA is codified at 20 U.S.C. 1701 et seq.

#### ***\*Title IX: Title IX of the Education Amendments of 1972***

Prohibits discrimination, exclusion from participation, and denial of benefits based on gender in

educational programs and activities receiving federal financial assistance. Title IX is codified at

20 U.S.C. 1681 et seq.; regulations have been promulgated under it at 34 CFR Part 106

(available at <http://www.ed.gov/offices/OCR/regs/34cfr106.html>).

#### ***\*Section 504: Section 504 of the Rehabilitation Act of 1973***

Prohibits discrimination, exclusion from participation, and denial of benefits based on disability

in programs or activities receiving federal financial assistance. Section 504 is codified at 29

U.S.C. 794; regulations have been promulgated under it at 34 CFR Part 104 (available at

<http://www.ed.gov/offices/OCR/regs/34cfr104.html>).

#### ***\*Title II. Title II of the Americans with Disabilities Act of 1990***

Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of

disability in public entities. Title II is codified at 42 U.S.C. 12131 et seq.; regulations have been

promulgated under it at 28 CFR Part 35 (available at

<http://www.ed.gov/offices/OCR/regs/28cfr35.html>).

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#### ***\*\*IDEA: Individuals with Disabilities Education Act of 1997***

Governs special education, IDEA is codified at 20 U.S.C. 1400 et seq.; regulations have been

promulgated under it at 34 CFR 300 (available at

<http://www.ideapractices.org/law/index.php>).

#### ***NCLB: No Child Left Behind Act of 2001***

Governs elementary and secondary education. NCLB is available at

<http://www.ed.gov/legislation/ESEA02/>.

**\*McKinney-Ventro Homeless Assistance Act: (Reauthorization Component of No Child**

**Left Behind Act NCLB 2001)**

Protects educational rights of homeless students.

\*Coordinated by Director of Guidance

\*\*Coordinated by Director of Support Services

Civil Rights and Homeless Coordinator for Shawsheen:

Director of Guidance

(978) 671-3612 [jo'sullivan@shawsheen.tec.ma.us](mailto:jo'sullivan@shawsheen.tec.ma.us)

**6-5 Equal Educational Opportunity/Rights of the Disabled Person  
Chapter 622/Title IX & Section 504 Rehabilitation Act of 1973**

No person shall be excluded from or discriminated against in admission to a public school or any

town, or in obtaining the advantages, privileges and courses of study of such public school on

account of race, color, sex, religion, or national origin.

No person in the United States shall, on the basis of sex, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any education program or activity

receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 guarantees the right of disabled people to equal

opportunity and the freedom from discrimination in all programs and activities that receive

federal financial assistance. Section 504 states: "No otherwise qualified handicapped individual

in the United States ... shall, solely by reason of his (sic) handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or

activity receiving federal financial assistance." If you have any questions regarding the regulations of Section 5W, contact the office of the Principal at (978) 667-2111 extension 140.

Any person who believes that they have been denied access to programs or activities, or have

otherwise received unequal treatment because of race, gender, religion, national origin, sexual

orientation, or disability may bring forward a complaint to the Director of Guidance.

An individual who believes they have a valid basis for grievance shall discuss the grievance

informally with the Director of Guidance or his designee. The Director will investigate the complaint and respond to the complainant within five (5) business days.

If after receiving the Director of Guidance's response, the complainant wishes to initiate formal

procedures, he/she may do so in accordance with the following steps:

STEP I: A written statement of the grievance signed by the complainant shall be submitted to the Principal within five (5) days after receipt of response by the Director of Guidance 50

concerning the informal complaint. The Principal shall further investigate the matters of the grievance and reply to the complainant within five (5) business days.

STEP II: If the complainant wishes to appeal the decision of the Principal, he/she may submit a signed statement of appeal to the Superintendent-Director within five (5) business days

after receipt of the Principal's response. The Superintendent-Director shall meet with all parties

involved, formulate a conclusion and respond in writing to the complainant within ten (10)

business days.

STEP III: If the complainant remains unsatisfied, he/she may appeal in writing to the Board

of Education within five (5) business days of receipt of the Superintendent-Director's response.

In an attempt to resolve the grievance, the Board of Education shall meet with the concerned

parties and their representatives within 40 days of the appeal request. A copy of the Board's

disposition of the appeal shall be sent to each of the concerned parties within ten (10) business

days of the meeting.

STEP IV: Grievances that have not been satisfactorily resolved during the formal appeals

process may be further appealed to the following agency: Office on Civil Rights, 222 J. W.

McCormack Place, 90 Devonshire Street, Boston, MA 02109-4557.

A copy of each of the acts and regulations upon which this notice is based may be found in the guidance office.

**Civil Rights and Homeless Coordinator for Shawsheen:**  
**Director of Guidance**  
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