

EAST RUTHERFORD BOARD OF EDUCATION

Job Description

TITLE: CIVIL RIGHTS COMPLIANCE OFFICER (Title IX Section 504)

QUALIFICATIONS:

1. Proof of current or pending residency in New Jersey

REPORTS TO: Superintendent

JOB GOAL:

PERFORMANCE RESPONSIBILITIES:

1. Organize and maintain files which will contain a written record of all of the actions and procedures as required by law. Such files will contain copies of records and reports required to be kept.
2. Prepare and certify the reports and audits required by law and to compile any and all other reports, statistics, charts, and graphs as may be required by law or the Superintendent.
3. Prepare all required letterheads and posters to be displayed; to include the phrase "The ER School District does not discriminate in its program offerings, or student activities regardless of race, color, national origin, sex and disability.
4. Monitor the operation of this program with regards to its effect upon the Board members, employees, students, and the ER School District to bring to the attention of the superintendent revisions and/or updating that may be appropriate, and to recommend to the Superintendent those steps which should be taken to improve school diversity and insure harassment-free programs.
5. Keep abreast of current OCR (Federal/State) developments, modifications, law, regulations and trends in the field of education as they relate to non-discrimination and anti-harassment programs, and to suggest any necessary changes.
6. Keep appropriate records with regard to the Board's recruiting, hiring, promotion, transfer, and in-service education activities to facilitate the Board's Policy against discrimination.
7. Provide representatives of bargaining units with information about the discrimination and harassment policy and procedures and to act as liaison officer with such representatives concerning the policy and procedures.
8. Be available for consulting with employees with regard to their rights and responsibilities concerning discrimination and harassment when so requested or when it appears that such consultation is warranted.
9. Serve as liaison officer with all federal, state, and local government compliance or investigation officers in all matters involving discrimination and harassment complaints or required reports.
10. Review job titles and job descriptions in order to determine whether they correlate with job requirements and to assure that requirements of training, experience, certification, licensing, and/or skills do not unnecessarily impede or bar the utilization of qualified applicants and employees.
11. Periodically examine recruiting method and employment procedures to assure that they do not illegally discriminate against qualified applicants.
12. Provide inservice training to all employees concerning Title VI (race, color, national origin) Title IX (sex/gender) and Section 504-disability, expressly inservices concerning the district's Discrimination and Harassment Policy.

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13. Investigate sources of books, videos, et.al., which are directed at youth from grades K-5 whereas they will not be exposed to sexual and anti-harassment language which may be offensive to naive youth.
13. The compliance office (Title IX/504 Coordinator's) should make on-site reviews at all schools buildings . including community schools to ensure that building managers are in compliance with federal and state guidelines concerning civil rights issues and to ensure that building administrators and staff are adhering to anti-harassment treatment in respect to all students regardless to race, color, national origin, sex/gender, disability (Federal guidelines).
14. Keep a school year record of all out of school suspensions by sex, race, disability and reasons for said suspensions. Prepare charts for district to show percentages of the above category and the teachers in each schools who have the most suspensions. Also, the same type of charts, (race, color, national origins, sex, and disability) for district expulsions.
15. Conduct investigations of alleged discrimination and harassment complaints. The compliance officer (Title IX/Section 504) Coordinator should have access to board level management people (where there is no conflict of interest) to assist in complex harassment and discrimination investigation cases, or be able to hire retired administrators and supervisors, human resource persons, counselors, in some cases select teachers who may be trained to become investigators and pay them at a rate equal to a substitute teacher, plus mileage.
- 17 The coordinator should have great "people skills", be an excellent spokesperson and trainer, and a person who "makes things happen".

TERMS OF

EMPLOYMENT: Work year and salary to be determined by the board.

ANNUAL

EVALUATION: Performance of this job will be evaluated annually in accordance with New Jersey State law and the provisions of the board's policy on evaluation of certified staff.

Approved by: Board of Education

Date: March 26, 2015

LEGAL REFERENCES:

<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
<u>N.J.S.A. 18A:6-7.1</u>	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
<u>N.J.S.A. 18A:6-10</u>	Dismissal and reduction in compensation of persons under tenure in public school system
<u>N.J.S.A. 18A:16-2</u>	Physical examinations; requirement
<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
<u>N.J.S.A. 18A:25-4</u>	School register; keeping'
<u>N.J.S.A. 18A:26-1</u>	Citizenship of teachers, etc.
<u>N.J.S.A. 18A:26-1.1</u>	Residence requirements prohibited
<u>N.J.S.A. 18A:26-2</u>	Certificates required; exception
<u>N.J.S.A. 18A:27</u>	Employment and contracts
<u>N.J.S.A. 18A:28-3</u>	No tenure for noncitizens
<u>N.J.S.A. 18A:28-5</u>	Tenure of teaching staff members

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<u>N.J.S.A. 18A:28-8</u>	Notice of intention to resign required
<u>N.J.S.A. 18A:37</u>	Discipline of pupils
<u>N.J.S.A. 18A:46</u>	Classes and facilities for handicapped children
<u>N.J.A.C. 6A:7</u>	Managing for equality and equity in education
<u>N.J.A.C. 6A:8</u>	Standards and assessment
<u>N.J.A.C. 6A:9</u>	Professional licensure and standards
See particularly:	
<u>N.J.A.C. 6A:9-3.3</u>	Professional standards for teachers
<u>N.J.A.C. 6A:9-5</u>	General certification policies
<u>N.J.A.C. 6A:9-8</u>	Requirements for instructional certificate
<u>N.J.A.C. 6A:9-9.5</u>	Special education
<u>N.J.A.C. 6A:9-11.3</u>	Special education
<u>N.J.A.C. 6A:9-15</u>	Required professional development for teachers
<u>N.J.A.C. 6A:16</u>	Programs to support student development
<u>N.J.A.C. 6A:14</u>	Special education
<u>N.J.A.C. 6A:32-4</u>	Employment of teaching staff
<u>N.J.A.C. 6A:32-4.4</u>	Evaluation of tenured teaching staff members
<u>N.J.A.C. 6A:32-4.5</u>	Evaluation of nontenured teaching staff members
<u>N.J.A.C. 6A:32-5.1</u>	Standards for determining seniority
<u>N.J.A.C. 6A:32-6</u>	School employee physical examinations
<u>N.J.A.C. 6A:32-7</u>	Student records
<u>N.J.A.C. 6A:32-8</u>	Attendance and pupil accounting

Immigration Reform and Control Act of 1986, 8 U.S.C.A. 1100 et seq.

20 U.S.C. 1400 et seq., Individuals With Disabilities Education Act (IDEA), reauthorized 1997, P.L.105-17 (formerly the Education for All Handicapped Act)

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

34 CFR 76.1 et seq. - General Administrative Regulation EDGAR

34 CFR 77.1 et seq. - General Administrative Regulation EDGAR

34 CFR 300 - Assistance to States for the Education of Children with Disabilities

Agostini v. Felton, 65 U.S.L.W. 4524 (1997), overruling Aguilar v. Felton 473 U.S. 402 (1985)

Honig v. Doe 484 U.S. 305 (1988)

Oberti v. Board of Education of Clementon School District, 995 F.2d 1204, 1216-17 (3d Cir. 1993)

Manual for the Evaluation of Local School Districts

No Child Left Behind Act of 2001, P.L. 107-110, 20 U.S.C.A. 6301 et seq.