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**Equity in ~~Affirmative Action Program~~ for School  
and Classroom Practices**  
Feb 24  
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[See POLICY ALERT Nos. 191, 209, and 232]

## 2260 EQUITY IN ~~AFFIRMATIVE ACTION PROGRAM FOR SCHOOL~~ AND CLASSROOM PRACTICES

The Board of Education shall provide **all students with equitable** ~~equal~~ and bias-free access ~~for all students~~ to all school facilities, courses, programs, activities, and services, regardless of **the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status,~~ by:

1. Ensuring ~~equal and~~ barrier-free access to all school and classroom facilities;
2. Attaining, **within each school**, diverse ~~minority~~ representation ~~within each school, that which~~ approximates the district's overall cultural ~~minority~~ representation. Exact apportionment is not required, ~~however~~, the ultimate goal is a reasonable plan achieving the greatest degree of **a representative racial** balance; ~~that which~~ is feasible and consistent with sound educational values and procedures;
3. Utilizing, **on an annual basis**, a State-approved English language proficiency **assessment that evaluates a student's English language proficiency on the four domains of listening, speaking, writing, and reading** ~~measure on an annual basis~~ for determining the **eligibility and placement** ~~special needs~~ of **students who may be identified as multilingual English language learners** ~~and their progress in learning English~~ pursuant to N.J.A.C. 6A:15-1.3(a)**3.(b)**;
4. Utilizing bias-free multiple measures for determining the special needs of students with disabilities, pursuant to N.J.A.C. 6A:14-3.4;



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5. Ensuring ~~that~~ support services, including intervention and referral services and school health services pursuant to N.J.A.C. 6A:16, are available to all students; and

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6. Ensuring ~~that~~ a student is not discriminated against because of a medical condition. A student shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies ~~that~~ such exclusion is necessary. ~~If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.~~

- a. **If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.**

Pursuant to N.J.A.C. 6A:7-1.7(b), ~~t~~The Board of Education shall ensure ~~that~~ the district's curriculum and instruction are aligned to the **New Jersey Student Learning Standards (NJSL)**. ~~State's Core Curriculum Content Standards and The Board also shall ensure its curriculum and instruction~~ address the elimination of discrimination by narrowing the achievement **and opportunity** gaps, by providing equity in educational **activities and** programs, and by providing opportunities for students to interact positively with others regardless of **the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status,~~ by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of **the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;~~



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2. Ensuring courses shall not be offered separately on the basis of **the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;~~

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- a. Portions of classes ~~that which~~ deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions **based on gender identity for male and female students**, provided that the course content for such separately conducted sessions is the same.
3. **Increasing and promoting equitable representation** ~~Reducing or preventing the underrepresentation of all minority, female, and male students in all classes and programs including gifted and talented, accelerated, and advanced classes;~~
4. Ensuring ~~that~~ schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and **ensuring that** students understand the basic tenet of multiculturalism;
5. Ensuring **the Amistad Commission Curriculum** ~~that African American history, as well as the history of other cultures, is infused into the curriculum and is taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and~~
6. Ensuring **the Commission** ~~that instruction on the Holocaust Education curriculum and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28; and-~~
7. **Ensuring all curricular requirements pursuant to N.J.A.C. 6A:8 and the NJSLS are taught, including any curriculum**



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developed concerning any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or curriculum developed by any commissions constituted for the development of curriculum concerning any of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

~~The Board of Education shall ensure all students have access to adequate and appropriate counseling services. When informing students about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of race, creed, color, national origin,~~

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~~ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. The district will not use tests, guidance, or counseling materials which are biased or stereotyped on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.~~

The Board of Education shall ensure ~~that~~ the district's physical education ~~program and its athletic programs are~~ **is in a equitable, co-educational setting that is developmentally appropriate,** and ~~does de~~ not discriminate on the basis of **the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status,~~ as follows:

1. The district shall provide separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for students of each gender shall be comparable;
2. ~~The A school within the school~~ district may choose to operate separate teams **based on sex** ~~for both genders~~ in one or more sports or single teams open competitively to members of **all sexes both genders,** ~~as so~~ long as the athletic program as a whole provides equal opportunities for students of **all sexes both genders** to participate in sports at comparable levels of difficulty and competency; and



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3. The activities comprising such athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.

N.J.S.A. 18A:36-20

N.J.A.C. **6A:7-1.1**; **6A:7-1.3**; 6A:7-1.7

Adopted:

