

## **Equal Educational Opportunities**

Every student enrolled in a BOCES program will have equal educational opportunities regardless of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.

This concept of equal educational opportunity will guide the Board and staff in making decisions related to BOCES facilities, selection of educational materials, equipment, curriculum, and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities will be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

In order to ensure that BOCES programs are in compliance with applicable laws and regulations, the Board directs the executive director or designee(s) to periodically monitor the following areas:

1. **Training** – provide training for students and staff to identify and alleviate problems of discrimination.
2. **Student access** – review programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
3. **BOCES support** – ensure that BOCES resources are equitably distributed among BOCES *[schools and programs]* including but not limited to staffing and compensation, facilities, equipment, and related matters.

(Adoption date: January 19, 2022)

**LEGAL REFS.:** 20 U.S.C. §1681 (*Title IX of the Education Amendments of 1972*)  
20 U.S.C. §1701-1758 (*Equal Educational Opportunities Act of 1974*)  
29 U.S.C. §701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)  
C.R.S. 2-4-401 (3.4) (*definition of gender expression*)  
C.R.S. 2-4-401 (3.5) (*definition of gender identity*)  
C.R.S. 2-4-401 (13.5) (*definition of sexual orientation*)  
C.R.S. 22-32-110 (1)(k) (*definition of racial or ethnic background includes hair texture, definition of protective hairstyle*)  
C.R.S. 24-34-601 (*unlawful discrimination in places of public accommodation*)

**C.R.S. 24-34-602 (penalty and civil liability for unlawful discrimination)**

**CROSS REFS.: AC, Nondiscrimination/Equal Opportunity  
JBB\*, Sexual Harassment**

**NOTE: For purposes of this policy, these terms have the following meanings:**

- **"Race" includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).**
- **"Protective Hairstyle" includes such hairstyles as braids, locs, twists, tight coils or curls, comrows, bantu knots, afros, and head wraps. Id.**
- **"Sexual Orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5).**
- **"Gender Expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4).**
- **"Gender Identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth. C.R.S. 2-4-401 (3.5).**

**[Revised September 2021]  
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