

### 0178 NONDISCRIMINATION, EQUITY, AND CULTURAL PROFICIENCY

#### A. Purpose

The West Orange Public Schools Board of Education is deeply committed to fostering a thriving educational community which: (1) recognizes that each and every student matters; (2) ensures that all staff have high expectations of the ability and right of every student to succeed; (3) supports and challenges each and every student to succeed; and (4) empowers all staff to utilize their best teaching methods and performance to obtain from each and every student their best effort and performance. Educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Board recognizes that equity demands intensive focus and attention by all members of the West Orange Public School District community to eliminate all gaps in student achievement.

The West Orange Public School District is committed to preparing all students to live and work in a globally-minded society, in a positive learning environment that embraces all unique and individual differences.

The Board expects all members of the West Orange Public School community to be culturally proficient, and to demonstrate mutual respect and sensitivity to any individual's actual or perceived personal characteristics.

The Board and the leadership of the West Orange Public School District require compliance with all federal, state, and local nondiscrimination laws, guidelines, and policies.

#### B. ISSUE

Discrimination in any form will not be tolerated. The West Orange Public Schools recognizes and will uphold at all times the duty to sustain and promote an inclusive and diverse community that values, supports and enforces equity, inclusion, and acceptance for all in all educational programming and District operations.

The Board recognizes that equity goes beyond meeting the letter of the law. Equity also requires proactive steps to identify and redress implicit biases and structural and institutional barriers that too often have resulted in identifiable groups of students and staff being unjustifiably or disproportionately excluded from or underrepresented in key educational program areas and sectors of the workforce, as well as over-identified in student discipline actions. Continued vigilance is necessary to end identified inequities that students and staff experience because of their actual or perceived personal characteristics.



### C. DEFINITIONS

For the purposes of this bylaw, the following definitions are used:

1. *Personal Characteristics* include actual or perceived race, ethnicity, color, ancestry, national origin, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family/parental status, marital status, age, physical or mental disability, poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations.
2. *Cultural proficiency* is the ongoing process of becoming knowledgeable of one's own culture, as well as the cultures of others in order to foster an appreciation, understanding, and respect for varying cultural expressions that exist in the actions and interactions of an organization, as well as to strengthen and enrich the organization and the community at large with the presence and contributions of many cultures.
3. *Discrimination* includes actions that are motivated by an individual's intent to target individuals based on their actual or perceived personal characteristics, as well as acts of hate, violence, insensitivity, disrespect, or retaliation such as verbal abuse, harassment, bullying, slurs, threats, physical violence, vandalism, or destruction of property that impede or affect the learning or work environment. Discrimination also includes conduct or practices that may be facially neutral, but that have an unjustified disparate impact based on individuals' actual or perceived personal characteristics. Discrimination encompasses racism, sexism, and other forms of institutional prejudice in all their manifestations.
4. *Equity* is the commitment to ensure that every student and staff member, without regard to their actual or perceived personal characteristics, is given the individual challenges, support, and opportunities to exceed a rigorous common standard in order to be prepared for academic and career success.
5. *Implicit bias* refers to the attitudes or stereotypes that affect our understanding, actions, and decisions. These biases, which encompass both favorable and unfavorable assessments, may be activated by commonplace verbal behavior or conduct that implicitly communicates a preconceived or prejudicial opinion toward an individual or group based on the actual or perceived characteristics of the individual or group, with or without an individual's awareness or intentional control.





6. *Micro-aggressions* are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership. (Sue, D.W., 2010)

### D. BOARD POSITION

1. The Board expects the leadership of the district to develop and promote a culture of high expectations for all students and staff performance that will eliminate inequities of opportunities, raise the level of achievement for all students, and significantly reduce achievement gaps.
2. The Board expects all students and staff to conduct themselves in a manner that demonstrates mutual respect without regard to an individual's actual or perceived personal characteristics.
3. The Board prohibits discrimination, by students and staff, of any kind, directed at persons because of their actual or perceived personal characteristics.
4. The Board commits to modeling the expectations in this bylaw, and expects all Board and West Orange Public Schools' presentations, reports, and decision making to take into account the equity implications of this bylaw.
5. The Board expects the leadership of the West Orange Public Schools to promote equality of educational opportunity by:
  - a. Addressing disparities in levels of access to factors critical to the success of all students.
  - b. Working to identify and address structural and institutional barriers that could prevent students from equitably accessing educational opportunities in all schools.
  - c. Equitably administering disciplinary consequences, including Restorative Practices, as one of the essential components to equitable access to educational opportunities in schools.
  - d. Taking proactive steps to help English language learners overcome language and other barriers so they can meaningfully participate in their schools' educational programs.



- e. Providing access to rigorous coursework and equal access to comparable academic programs both among schools and among students within the same school without regard to actual or perceived personal characteristics.
- f. Taking proactive steps to help special education students overcome barriers so they can meaningfully participate in their schools' educational programs.
- g. Encouraging all students to pursue their goals and interests, without regard to historical barriers or stereotypes.
- h. Providing all students with wide access to various and multiple opportunities to enroll in challenging programs and participate in a wide variety of school activities, including athletics, extracurricular and non-academic programs, to enrich their perspectives and to prepare for meaningful and fulfilling work in their chosen careers.
- i. Promoting and encouraging schools, classrooms, work sites, and school-sponsored representations (including mascots, logos, team names, chants, or musical accompaniments) to be inclusive and bias-free, and to provide a welcoming climate for all.
- j. Providing a culturally responsive Prekindergarten to Grade 12 and special education 18-21 curriculum that promotes equity, respect, and civility among our diverse community, which accurately depicts and represents the distinctive contributions of our global community, and provides opportunities for staff and students to model cultural proficiency in every school and program. The curriculum shall enable staff to model and students to develop the following attitudes, skills, and behaviors:
  - (1) Value one's heritage and the heritage of others;
  - (2) Respect, value, and celebrate diversity as an essential component of a healthy and thriving community;
  - (3) Value the richness of cultural pluralism and commonality;
  - (4) Develop and promote inclusive relationships and work effectively in cross-cultural environments; and



- (5) Confront and eliminate stereotypes related to individuals' actual or perceived personal characteristics.
  - k. Using instructional materials that reflect the diversity of the global community, the aspirations, issues, and achievements of members of, including but not limited to, the following groups: women, persons with disabilities, medical challenges, and persons from diverse racial, ethnic, cultural, and LGBTQ+ backgrounds.
  - l. Training and education to achieve districtwide cultural proficiency.
  - m. Encouraging effective collaboration among staff, parents/guardians, and community members by offering opportunities to enhance cultural proficiency, creating districtwide engagement, and promoting understanding and resolution of differences and disagreements.
  - n. Encouraging parents/guardians to have expectations for their children that are consistent with the beliefs, intentions, and obligations set forth in law and as reflected in this bylaw, and to collaborate with West Orange Public Schools staff to meet these expectations.
  - o. Promoting engagement of all parents/guardians in their children's education and work to remove barriers that impede their active participation without regard to actual or perceived personal characteristics.
  - p. Seeking broad participation on task forces, committees, commissions, and other advisory bodies which represent diverse communities
6. The Board expects the leadership of the West Orange Public Schools to promote equality of employment opportunities by:
- a. Continuing to monitor and promote a diverse workforce and taking appropriate action to create a district free of implicit bias and discrimination in all aspects of employment.
  - b. Taking positive steps to eliminate structural and institutional barriers to the recruitment, hiring, retaining, and promoting of a diverse workforce.





- c. Identifying staff positions in which individuals from diverse backgrounds are underrepresented, and acting to promote a diverse workforce by actively recruiting and/or promoting qualified candidates from diverse backgrounds, consistent with negotiated agreements.
- d. Continuing to recruit staff to positions that are nontraditional for their gender.
- e. Empowering staff to promote the Board's beliefs expressed in this bylaw in daily interactions with peers, students, parents/guardians and members of the community.

### E. DESIRED OUTCOMES

- 1. Every school and work site will embody a culture of respect among all individuals, regardless of perceived or actual personal characteristics, grounded in the Board's foundational expectation that all individuals and groups of individuals will interact in a respectful and civil manner.
- 2. Structural and institutional barriers to educational and employment opportunities will be eliminated.
- 3. Every school and work site will be free of discriminatory acts of hate, violence, insensitivity, and disrespect.
- 4. Educational outcomes shall not be predictable by actual or perceived personal characteristics, and gaps in student achievement will be significantly reduced.
- 5. Students and staff will continue to be models in the community of civility, acceptance, respect, and positive interactions.
- 6. The educational experiences of all students will be enriched by providing exposure to staff from many backgrounds reflecting the pluralistic nature of the community and broader world, thereby providing settings for education that promote understanding of diversity and contribute to the quality of the exchange of ideas inherent in the educational setting.



### F. IMPLEMENTATION STRATEGIES

1. The Board will address disparities in levels of access to resources critical to the success of students by allocating resources, within budgetary constraints, to students in greater need, as well as to schools that serve larger numbers of students in need.
2. The leadership of the West Orange Public Schools will:
  - a. Engage with staff, students, parents/guardians, and the entire community to build and sustain a culture emblematic of the ideals of this Bylaw.
  - b. Identify the multiple indicators necessary to monitor student outcomes, engagement, and school climate, and specific data that will be used to: (1) ensure accountability for student, school, and districtwide performance; (2) reduce variability in outcomes; (3) ensure that academic outcomes will not be predictable by actual or perceived personal characteristics; and (4) ensure that student performance is assessed and reported transparently to the public.
  - c. Develop programs, curricula, instructional materials, and activities, including athletics, extracurricular and non-academic programs and activities, that will provide all students with the knowledge, skills, attitudes, and behaviors conducive for living and working together in our increasingly diverse township, county, state, nation, and world.
  - d. Provide professional development and training to ensure that all staff are culturally proficient and possess the skills, knowledge, and beliefs about social emotional learning and the mental health of students to create a learning environment that is student-centered and meets the individual and diverse needs of students.
  - e. Train and support staff in fostering welcoming environments for all by encouraging respectful and civil discourse and interactions among all staff, students, parents/guardians, and community members at all times; and in using resources, such as interpreters and translated documents, to remove cultural or linguistic barriers that may prevent families from engaging with their children's education.



- f. Implement strategies, including professional learning, SEL and school culture and climate initiatives, to review relevant policies and procedures with staff, families, and students to prevent discrimination and the procedures to be followed to resolve, monitor, and analyze such incidents if they occur.
  - g. Work cooperatively with staff, students, parents/guardians/caretakers, the West Orange Town Council, local law enforcement agencies, other county agencies, community groups, business organizations, and other stakeholders to increase equity and reduce discrimination for students and staff.
  - h. Present to the public at least twice annually including the District Assessment Report and mid-year district goal update on progress toward eliminating disproportionalities, as reflected in various measures of student achievement and success, including but not limited to, standardized testing, attendance, suspensions, college admission, and enrollment in higher level and AP coursework and Gifted and Talented programs.
3. Goal setting by the Board, district administration, and certificated staff will be based, at least in part, on the objectives, focuses, and priorities outlined in this bylaw.

#### Related Sources:

U.S. Constitution (U.S.C.), Amendment 14;  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.;  
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq.;  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.;  
34 Code of Federal Regulations (CFR), Part 106, 34 CFR Part 100;  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § § 1400-1487;  
Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794;  
Americans with Disabilities Act (ADA), 42 U.S.C. § 12131 et seq.;  
Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981;  
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634;  
Equal Pay Act of 1963, 29 U.S.C. § 206(d).

Adopted: 10 September 2020

