

### **NONDISCRIMINATION/AFFIRMATIVE ACTION**

The Holmdel Township Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

**Source:** Regular Board Meeting

**Date:** August 20, 1986

**Revised:** September 28, 1994

**Revised:** February 22, 1995

**Revised:** January 24, 1996

**Revised:** March 8, 2006

**Legal References:** N.J.S.A. 18A:7A-5 Major elements; guidelines  
See particularly:  
N.J.S.A. 10:5-3, -4.1,  
-12, -27



**NONDISCRIMINATION/AFFIRMATIVE ACTION**

File Code: 4111.1

<u>N.J.S.A.</u>	18A:6-5, -6	Inquiry as to religion and religious tests prohibited...
<u>N.J.S.A.</u>	18A:7D-1 <u>et seq.</u>	Quality Education Act
<u>N.J.S.A.</u>	18A:18A-17	Facilities for handicapped persons
<u>N.J.S.A.</u>	18A:26-1, -1.1	Citizenship of teachers, etc...
<u>N.J.S.A.</u>	18A:29-2	Equality of compensation for male and female teachers
<u>N.J.S.A.</u>	18A:58-16	Rules (state aid)
<u>N.J.A.C.</u>	6:4-1.1 <u>et seq.</u>	Equality in educational programs
<u>See particularly:</u>		
<u>N.J.A.C.</u>	6:4-1.3, -1.6	
<u>N.J.A.C.</u>	6:8-4.3	Quality assurance
<u>N.J.A.C.</u>	6:8-4.10	State and Federally mandated programs and services

Ch. 52 P.L. 1990, Sec. 27 Quality Education Act

Executive Order 11246 as amended

Equal Pay Act of 1963 as amended, 29 U.S.C.A. 201

Title IX of the Education Amendments of 1972, 20 U.S.C.A. 1681

Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunities Act of 1972, 42 U.S.C.A. 2000e et seq.

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

Education of the Handicapped Act, 20 U.S.C.A. 1401 et seq.

Americans with Disabilities Act (ADA), U.S.C. 12101 et seq.

Meritor Savings Bank v. Vinson, 106 S. Ct. 2399 (1986)

School Board of Nassau County v. Arline, 107 S. Ct. 1123 (1987)

Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal, Sup. Ct. 1987)

Manual for the Evaluation of Local School Districts (June 1993)

**NONDISCRIMINATION/AFFIRMATIVE ACTION**

File Code: 4111.1

**Possible**

<b>Cross References:</b>	*2224	Nondiscrimination/affirmative action
	*3320	Purchasing procedures
	*4111	Recruitment, selection and hiring
	*4112.8	Nepotism
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action

\*Indicates policy is included in the Critical Policy Reference Manual