

TITLE IX AND SECTION 504 NONDISCRIMINATORY

NONDISCRIMINATION

The Department of Education Section 504 regulation prohibits discrimination against qualified handicapped persons in all employment-related decisions and actions in federally assisted programs. The prohibition of discrimination in employment in the Section 504 regulation includes, but is not limited to, recruitment, hiring, promotion, award of tenure, layoff and rehiring, rates of pay, fringe benefits, leave, job assignment, training, and participation in employer-sponsored activities.

A qualified handicapped person is any individual with a handicap who, with reasonable accommodation, can perform the essential functions of a job. The employment prohibitions of the Section 504 regulation apply to decisions and actions made directly by recipients, as well as those made indirectly through contractual arrangements or other relationships with organizations such as employment agencies, labor unions, organizations providing or administering fringe benefits, and organizations providing training and apprenticeship programs.

Under the Section 504 regulation:

- Reasonable accommodation may include making facilities used by employees accessible to and usable by individuals with handicaps, job restructuring, modifying work schedules, acquiring new or modifying existing equipment, or providing a reader for a blind person or an interpreter for a deaf person.
- If a recipient can demonstrate that an accommodation would impose undue hardship on the operation of its program, it is not obligated to provide the accommodation.
- A recipient excused from providing an accommodation may not discriminate against a handicapped applicant or employee who is able and willing to make his or her own arrangements to provide the accommodation.
- Recipients are obligated to make reasonable accommodation only to the known mental and physical limitations of an otherwise qualified handicapped person.

NONDISCRIMINATION BASED ON SEX IN ANY PROGRAM

According to the U.S. Department of Education's Office for Civil Rights, CCCTC will not discriminate and will enforce Title IX's prohibition on discrimination on the basis of sex to include: (1) discrimination based on sexual orientation; and (2) discrimination based on gender identity. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any education program or activity offered by a recipient of federal financial assistance.

CCCTC supports and upholds the initiative: "The Department of Education strives to provide schools with the support they need to create learning environments that enable all students to succeed, regardless of their gender identity or sexual orientation. Equity in education means all students have access to schools that allow them to learn and thrive in all aspects of their educational experience," said Acting Assistant Secretary for Civil Rights Suzanne B. Goldberg. "As part of our mission to protect all students' civil rights, it is essential that OCR acts to eliminate discrimination that targets LGBTQ+ students." CCCTC has a zero tolerance for discrimination based on sex. CCCTC promotes a safe and inclusive schools for all students, including LGBTQ+ students. This action is part of the Biden-Harris Administration's commitment to advance the rights of the LGBTQ+ community, set out in President Biden's [*Executive Order on Guaranteeing an Educational*](#)

Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity and the Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation.