

TO: PCTVS Community
FROM: Jerry Castaneda, Assistant Principal/Affirmative Action/Civil Rights Compliance Officer
CC: John F. Maiello, Chief School Administrator
All Administrators
DATE: August 31, 2024
RE: Annual Public Notice - Civil Rights Compliance Policy

PCTVS is dedicated to providing equal access and opportunity to all. Passaic County Technical-Vocational Schools is an Equal Opportunity Employer and Educational Program Provider that does not discriminate on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, disability, etc. in any of its practices, procedures, or protocols. These are all protected under the following federal statutes: Section 504, Title IX, Title VII, Title VI, Title II, and the Americans with Disabilities Act (ADA).

All candidates/students are provided equal access to district programs through an objective admissions/scheduling process. Admissions criteria for all of our programs are based on the evaluation of school transcripts from the previous two school years. Areas of evaluation include final academic averages, attendance, discipline, standardized test scores, and such other pertinent information to the viability of the candidate. The district will take steps to ensure that the lack of English language skills is not a barrier to admissions and participation in the programs. You can access a description for all programs by visiting our website: <https://pctvs.org/> and then click "Schools."

Reasonable accommodations are available to any person due to a disability or documented need. Students point of contact should be their School Counselor or members of the Child Study Team. All youth groups are provided equal access to facilities as available.

In the event that any individual/employee believes they have experienced, witnessed, or has evidence of discrimination on the basis of any of the above-listed areas, please report same to the / department supervisor / appropriate coordinator (see below).

Affirmative Action/Civil Rights Compliance Officer

Jerry Castaneda, Assistant Principal
Tel: 973-389-4142 E-Mail: jcastaneda@pctvs.org
Location: Rocco Building

District Title IX Coordinator

Scott Cumberbatch, Supervisor of Instruction
Tel: 973-389-2014 E-Mail: scumberbatch@pctvs.org
Location: STEM Building

District Section 504 Officer

Michele Rizzo, Director of Special Education
Tel: 973-389-4197 E-Mail: mrizzo@pctvs.org
Location: Child Study Team Office

Title II Coordinator

Manaf Stas, Supervisor of Buildings and Grounds
Tel: 973-389-3022 E-Mail: mstas@pctvs.org
Location: Maintenance Department

Sexual Harassment Officers

Nick Bucci, Director Student Personnel Services
Tel: 973-389-4197 E-Mail: nbucci@pctvs.org
Location: Guidance Office

Jeannie Holman, Assistant Principal
Tel: 973-389-4259 E-Mail: jholman@pctvs.org
Location: FX Wing

Mohamed Khairullah, Assistant Principal
Tel: 973-389-7202 E-Mail: mkhairullah@pctvs.org
Location: STEM Building

Kim Salma, Supervisor
Tel: 973-389-2007 E-Mail: ksalma@pctvs.org
Location: STEM Building

Darrlyn Alexander, Supervisor
Tel: 973-389-4140 E-Mail: dalexander@pctvs.org
Location: C Wing

PCTVS takes HIB related claims very seriously and every claim is investigated. The district utilizes an online reporting/tracking system for student related HIB reports. The system is available on the district webpage under District>Harassment, Intimidation, & Bullying or by using this link: <https://pctvs.org/hib>.

All affirmative action/civil rights compliance forms and grievance procedures for Section 504, Title IX, Title VII, Title II, and the Americans with Disabilities Act (ADA) are posted on the PCTVS webpage <https://pctvs.org/affirmative-action>. Please note that Names/Contact Information Postings, and Posting of Notice Locations are also on the same webpage. If you have any questions or concerns feel free to contact me directly at (973) 389-4142 or via email at jcastaneda@pctvs.org.

GRIEVANCE PROCEDURES (Policy/Reg 1510)

In keeping with federal and state anti-discrimination legislation, Passaic County Technical-Vocational Schools uses the within Grievance Procedure for the resolution of complaints.

Section 504

It is the policy of the Board of Education that no qualified handicapped or disabled person shall, on the basis of handicap or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity or vocational opportunities sponsored by this Board. The Board shall comply with §504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It shall also comply with the Individuals with Disabilities Education Act through the implementation of Policy No. 2460 and Regulations Nos. 2460 through 2460.14.

Notice of the Board's policy on nondiscrimination in employment (Policy and Regulation No. 1530) and education (Policy and Regulation No. 5750) will be included in the Board policy manual, posted throughout the district, and referenced in any district statement regarding the availability of employment positions or educational services.

Title IX

It is the policy of the Board of Education that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.

Employment

No employee or candidate for employment shall be discriminated against in recruitment, hiring, advancement, discharge, compensation, training, transfer, or any other term, condition, or privilege of employment solely because of their handicap/disability, provided the employee or candidate can, with or without reasonable accommodation, perform the essential functions of the position sought or held.

No candidate for employment shall be required to answer a question or submit to an examination regarding a handicap/disability except as such handicap/disability relates directly to the performance of the job sought. No candidate will be discriminated against on the basis of a handicap/disability that is not directly related to the essential function of the position for which they have applied.

Reasonable accommodations, not directly affecting the educational and/or instructional program, shall be made to accommodate employment conditions to the needs of qualified persons with handicaps/disabilities. Such accommodations may include, but are not limited to rescheduling; restructuring jobs; making facilities accessible; acquiring or modifying equipment; modifying examinations, training materials, policies and procedures; and providing readers or interpreters.

The Board employment policies and procedures shall comply with the Americans with Disabilities Act.

Facilities Accessibility

No qualified handicapped/disabled person shall, because of the school district's facilities being inaccessible or unusable by handicapped/disabled persons, be denied the benefits of, be excluded from participation in or otherwise be subjected to discrimination under any program or activity offered by the Board. No new facilities shall be constructed that do not fully comply with §504 of the Rehabilitation Act of 1973 and the American with Disabilities Act. Alterations to existing facilities or part thereof, shall be altered in such a manner to the maximum extent feasible, that the facilities are readily accessible and usable by individuals with handicaps/disabilities who have a need to access Board facilities.

Educational Program Accessibility

No qualified handicapped/disabled person shall be denied the benefit of, be excluded from participation in, or otherwise be subjected to discrimination in any activity offered by this district.

The Board has an affirmative obligation to evaluate a pupil who is suspected of having a handicap/disability to determine the pupil's need for special education and related services. The Board directs that all reasonable efforts be made to identify unserved children with handicaps/disabilities in this district who are eligible for special education and/or related services in accordance with Policy No. 2460 and Regulations Nos. 2460 through 2460.14, the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Section 504 of the Rehabilitation Act requires the Board to address the needs of people who are considered handicapped/disabled under §504 and do not qualify for services under the Individuals with Disabilities Education Act. A person may be handicapped/disabled within the meaning of §504, and therefore entitled to regular or special education and related aids and services under the §504 regulation, even though the person may not be eligible for special education and related services under Part B of the Individuals with Disabilities Education Act.

No person will be denied, because of their educational handicap/disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the pupils of this district.

There will be grievance procedures for persons alleging discriminatory acts by the Board and/or staff. The due process rights of pupils with handicaps/disabilities and their parents will be rigorously enforced.

Enforcement

In the event that any individual/employee believes they have experienced, witnessed, or has evidence of discrimination on the basis of any of the above-listed areas, please report to the department supervisor / appropriate coordinator (see below).

Affirmative Action/Civil Rights Compliance Officer

Jerry Castaneda, Assistant Principal
Tel: 973-389-4142 E-Mail: jcastaneda@pctvs.org
Location: Rocco Building

District Title IX Coordinator

Scott Cumberbatch, Supervisor of Instruction
Tel: 973-389-2014 E-Mail: scumberbatch@pctvs.org
Location: STEM Building

District Section 504 Officer

Michele Rizzo, Director of Special Education

Sexual Harassment Officers

Nick Bucci, Director Student Personnel Services
Tel: 973-389-4197 E-Mail: nbucci@pctvs.org
Location: Child Study Team Office

Jeannie Holman, Assistant Principal
Tel: 973-389-4259 E-Mail: jholman@pctvs.org
Location: FX Wing

Mohamed Khairullah, Assistant Principal
Tel: 973-389-7202 E-Mail: mkhairullah@pctvs.org
Location: STEM Building

Tel: 973-389-4197 E-Mail: mrizzo@pctvs.org
Location: Child Study Team Office

Title II Coordinator

Manaf Stas, Supervisor of Buildings and Grounds
Tel: 973-389-3022 E-Mail: mstas@pctvs.org
Location: Maintenance Department

Kim Salma, Supervisor
Tel: 973-389-2007 E-Mail: ksalma@pctvs.org
Location: STEM Building

Darrlyn Alexander, Supervisor
Tel: 973-389-4140 E-Mail: dalexander@pctvs.org
Location: C Wing

A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.

The complainant shall be notified of their rights of appeal at each step of the process, and accommodations to the needs of handicapped/disabled complainants shall be made. A complainant shall be informed of their right to file a formal action for redress with or without recourse to the complaint procedure established by this policy and its accompanying regulation.

A complaint regarding the identification, evaluation, classification, or educational program of a pupil with a handicap/disability shall be governed by the due process rules of the State Board of Education, N.J.A.C. 6A:14-2.7 and the Office of Administrative Law, N.J.A.C. 1:6A-1 et seq., and by the procedural safeguard processes established by Board Policy No. 2460 and Regulation No. 2460.6 or the grievance procedures established in Regulation No. 1510.

Complaint/Grievance and Resolution Process (Policy/Reg 1510)

1. A complainant who believes that they have been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall first discuss the matter with the area supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the District Coordinator. The complaint will include:
 - a. The complainant's name and address;
 - b. The specific act or practice of which the complainant complains;
 - c. The employee, if any, responsible for the allegedly discriminatory act;
 - d. Results of discussions conducted in accordance with paragraph 1 above; and
 - e. Reasons why those results are not satisfactory.
3. The District Coordinator will investigate the matter informally and will respond to the complainant in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the District Coordinator may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.

5. On their timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require at the hearing the presence of the staff member charged with a discriminatory act and any other person with knowledge of the complained act.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the School Business Administrator/Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. If a staff member is charged with a discriminatory act, the Board will provide a copy of the appeal to that staff member.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. All time periods identified herein may be reasonably extended as needed due to extenuating circumstances or as otherwise agreed to by the parties.
12. The complainant will be informed of their right to appeal the Board's decision to the:

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530

13. An individual who believes they or a specific class of individuals has been subjected to discrimination on the basis of disability by the district may, themselves, or an authorized representative, at any time, file a complaint directly with OCR.
14. Record:
 - a. The record of any complaint processed in accordance with this procedure will be maintained in a file kept by the District Coordinator.
 - b. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file where applicable.

Guarantee of Rights

The Board shall not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.

The Board shall not discriminate against any person for that person's opposition to any act or practice made unlawful by law or this policy or for that person's participation in any manner in an investigation or proceeding arising under §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.

Evaluation and Compliance

The Board directs the Superintendent to evaluate district programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliance as are required by law.

Annual Publication

This Policy will be published yearly prior to the beginning of the school year in a regional newspaper, magazine and/or other written communication that is available to the public.

AFFIRMATIVE ACTION/CIVIL RIGHTS COMPLIANCE OFFICER

Jerry Castaneda, Assistant Principal
Tel: 973-389-4142 Email: jcastaneda@pctvs.org
Location: **Rocco Building**

DISTRICT SECTION 504 OFFICER

Michele Rizzo, Director of Special Education
Tel: 973-389-4197 E-Mail: mrizzo@pctvs.org
Location: **Child Study Team Office**

DISTRICT TITLE IX COORDINATOR

Scott Cumberbatch, Supervisor of Instruction
Tel: 973-389-2014 E-Mail: scumberbatch@pctvs.org
Location: **STEM Building**

DISTRICT TITLE II COORDINATOR

Manaf Stas, Supervisor of Buildings and Grounds
Tel: 973-389-3022 E-Mail: mstas@pctvs.org
Location: **Maintenance Department**

SEXUAL HARASSMENT OFFICERS

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Location: **STEM Building**

PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS
ANNUAL NOTICE OF NON-DISCRIMINATION FOR EMPLOYMENT AND
VOCATIONAL OPPORTUNITIES

The Board guarantees to all persons equal access to all categories of employment, retention and advancement in Passaic County Technical-Vocational Schools regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, disability, etc. in any of its practices, procedures, or protocols.

No student enrolled or seeking to enroll in Passaic County Technical-Vocational Schools shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational or vocational opportunity, program or activity of this district on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, disability, etc. in any of its practices, procedures, or protocols.

Should anyone have questions/issues regarding any of the above areas, please contact one of the following designated individual[s]:

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Location: C Wing

Posting of Notice

Affirmative Action/Civil Rights Compliance Officers
Section 504 Officer
Title II Coordinator
Title IX Coordinator
Sexual Harassment Officers

Notice has been posted in the following areas:

PCTVS Website:	https://pctvs.org/affirmative-action
Main Building:	Central Office (<i>display wall at copier</i>) General Office (<i>lobby wall across from main desk</i>) Library (<i>bulletin board</i>) C-Wing / F-Wing Custodial Maintenance Dept. (<i>wall near time clock</i>) Faculty Room (<i>bulletin board</i>) C-Wing Student Success Office (<i>display wall at copier</i>)
Biotech Building	Main Office Faculty Room
Rocco Building:	Main Office (<i>wall by main desk/sign-in area</i>) Faculty Room
HX - Auto Bldg.	Main Entrance (<i>wall in lobby</i>)
F-Wing:	Faculty Work Room Office of SRO (Student Resource Officer) (<i>display wall</i>) Office of Substance Awareness Coordinator (<i>display walls</i>) Office of Student Success (<i>display wall</i>)
FX-Wing:	Faculty Work Room Conference Room- 2 nd Fl.
Athletic Center:	Office of the Athletic Director (<i>display wall</i>)
STEM Building	Main Office Faculty Room
Business Office:	Main Office
LPN Program:	Main Office (<i>bulletin board</i>)
Learning Center:	Main Office (<i>bulletin board</i>)