**Discrimination & Protected Classes**

Discrimination is the unfair or unequal treatment of a person or a group because they are part of a defined group, known as a protected class. Discrimination can also occur when a school's policy is neutral on its face and is administered in an even handed manner but has a disparate impact—i.e., a disproportionate and unjustified effect—on students of a particular protected class.

Protected class refers to a group of people who share common characteristics, and who are protected from discrimination and harassment under federal and state laws. For example, in Washington, discrimination based on these protected classes is prohibited.

* Sex
* Race and color
* Religion and creed
* National origin
* Sexual orientation
* Gender identity and gender expression
* Disability and the use of a trained dog guide or service animal
* Honorably discharged veteran or military status

Several federal civil rights laws prohibit discrimination in programs or activities that receive federal financial assistance from the U.S. Department of Education:

* [Title VI of the Civil Rights Act of 1964](https://www.findlaw.com/civilrights/discrimination/title-vi-of-the-civil-rights-act-of-1964-non-discrimination-in.html) - prohibits discrimination on the bases of race, color, and national origin
* [Title IX of the Education Amendments of 1972](https://www.findlaw.com/education/discrimination-harassment-at-school/liability-under-title-ix-parties-and-standards.html) - prohibits sex discrimination
* [Section 504 of the Rehabilitation Act of 1973](https://www.findlaw.com/education/special-education-and-disabilities/504-accommodations-in-schools.html) - prohibits disability discrimination
* [Title II of the Americans with Disabilities Act of 1990](https://www.findlaw.com/civilrights/discrimination/the-americans-with-disabilities-act-overview.html) (ADA) - prohibits discrimination on the basis of disability. (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance)
* [Age Discrimination Act of 1975](https://www.findlaw.com/civilrights/discrimination/age-discrimination-act-of-1975.html) - prohibits age discrimination

Resources

[Know Your Rights](https://www2.ed.gov/about/offices/list/ocr/know.html) (U.S. Department of Education, Office for Civil Rights)

[Nondiscrimination Law & Policy | OSPI](https://www.k12.wa.us/policy-funding/equity-and-civil-rights/nondiscrimination-law-policy) (WA Office of Superintendent of Public Education, OSPI)

[Civil Rights Division | Types Of Educational Opportunities Discrimination](https://www.justice.gov/crt/types-educational-opportunities-discrimination) (U.S. Department of Justice, Civil Rights Division)

[DEPARTMENT OF EDUCATION - Adoption of Chapter 8-89 - Hawaii Administrative Rules](https://www.hawaiipublicschools.org/DOE%20Forms/Civil%20Rights/Chapter%2089.pdf) (Hawaii Department of Education)