

**Linn Benton Lincoln
Education Service District**

Code: AC
Adopted: 7/8/98
Revised: 8/13/19

Nondiscrimination

The ESD prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual:

1. Race¹;
2. Color;
3. Religion;
4. Sex;
5. Sexual orientation²;
5. National or ethnic origin;
6. Marital status;
7. Disability;
8. Veterans status; or
9. The protected status of any other person with whom the individual associates.

The ESD prohibits discrimination and harassment, including but not limited to, in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within the ESD, to respect all individuals and to establish channels through which citizens can communicate their concerns to the administration and the Board.

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047.

² "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

The Superintendent shall appoint individuals at the ESD to contact on issues concerning the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues and notify students, parents, and staff with their names, office addresses, and phone numbers. The ESD will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public and such procedures will be available at the ESD administrative office and available on the home page of the ESD website.

The ESD prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 192.630
ORS 326.051(1)(e)	ORS 659.805
ORS 659.815	ORS 659.850 to .860
ORS 659.865	ORS 659.870
ORS 659A.003	ORS 659A.006
ORS 659A.029	ORS 659A.030
ORS 659A.040	ORS 659A.103to .145
ORS 659A.230 to 233	ORS 659A.236
ORS 659A.309	ORS 659A.321
ORS 659A.409	ORS 659A-009
OAR 581-002-0001-002-0005	OAR 581-021-0046
OAR 581-021-0047	OAR 581-022-2310
OAR 581-022-2370	OAR 839-003

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2017); 28 C.F.R. §§ 42.101-42.106 (2018)

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2017); 29 C.F.R. § 1601 (2018)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2017).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2012); 29 C.F.R. Part 1626 (2018)

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2017)

Rehabilitation Act of 1973, 29 U.S.C. §§ ~~503~~, 791, 793-794 (2017).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2017); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2018).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112; 29 C.F.R. Part 1630 (2018); 28 C.F.R. Part 35 (2018).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008 42 U.S.C §§ 12101-12133 (2012).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. §4212 (2017).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. §2000ff-1 (2012).

Cross Reference(s):

GBA - Equal Employment Opportunity

JB - Equal Educational Opportunity