

MULTNOMAH
EDUCATION SERVICE DISTRICT

Code: GBA

Adopted: 11/18/80

Amended: 3/17/87; 9/28/92; 6/9/93;
8/20/93 9/20/94; 3/15/05; 2/19/08

~~Orig. Code: 3210; 3000; 3100~~

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Board to provide equal employment opportunity and treatment to all present and prospective employees regardless of age, national origin, race, color, religion, sex, sexual orientation¹, marital status, family relationship and disability if disability does not preclude performance of ~~bona fide requirements~~ **the essential functions** of the position with or without reasonable accommodations.

MESD has ~~This equal employment opportunity policy shall be administered and supported through~~ an affirmative action program **since MESD employs more than 50 employees and enters into contracts with the Federal government.** ~~which shall~~ The program encompasses all organizational rules and procedures affecting employment recruiting and advertising, hiring, job assignments, transfers, compensations, benefits, training and all other terms and conditions of employment.

The Superintendent shall appoint and make known that the Director of Human Resource Services is the MESD's ADA Compliance Officer and the individuals 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.

In the event MESD is charged with a discrimination allegation, properly filed with an appropriate state or federal authority, the Board shall be advised of such charge at the first regularly scheduled meeting thereafter.

The Board authorizes the Superintendent to pursue, with the field representative of all appropriate state and federal agencies, discussions concerning possible pre-investigatory resolutions with individuals alleging discrimination against MESD.

The Board shall be informed of the alternative courses of action which could lead to possible resolution of any discrimination allegation and shall decide upon which course to follow.

END OF POLICY

¹ 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.

Legal Reference(s):

ORS 174.100	ORS-659A.030	OAR 581-021-0045
ORS 192.630	ORS-659A.040—659A.052	OAR 581-024-0245
ORS 243.672	ORS-659A.109	OAR 839-003-0000 to 0095
ORS 326.051	ORS-659A.142	
ORS 334.125 (5)	ORS-659A.145	
ORS 342.934	ORS-659A.233	
ORS 659.805	ORS-659A.236	
ORS 659.850	ORS-659A.309	
ORS 659.870	ORS-659A.321	
ORS-659A.003	ORS-659A.403	
ORS-659A.009	ORS-659A.406	
ORS-659A.029	ORS-659A.409	
ORS Chapter 659A	ORS-659A.850	

Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000**d** (2006)~~(d)~~.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000**e** (2006)~~(e)~~.

Age Discrimination in Employment Act of 1967, **as amended**, 29 U.S.C. **§§ Section** 621-634 (2006); 29 C.F.R. Part 1626 (2006).

Age Discrimination Act of 1975, 42 U.S.C. **§§ Section** 6101-6107 (2006).

Equal Pay Act of 1963, 29 U.S.C. **§§ Section** 206(d) (2006).

Rehabilitation Act of 1973, 29 U.S.C. **§§ Section** 791 et seq. ~~,793 and 794~~ (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. **§§ Section** 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006); **as amended by the ADA Amendments Act of 2008 (P.L. 110-325)**.

Wygant v. Jackson Board of Education, 476 U.S. 267 (1989).

MESD Policy Cross Reference(s):

AA	MESD Purpose and Goals
AC	Non Discrimination
AC-AR(1)	Discrimination Complaint Procedure
AC-AR(2)	Discrimination Complaint Form
ACA	Americans with Disabilities Act
ACA-AR(1)	Americans with Disabilities Act
ACA-AR)2	ADA Grievance Procedure
AE	MESD Goal Setting
AE-AR(1)	Instructional Service Goals
AE-AR(2)	Support Service Goals
GA	Personnel Policy Goals
GAA	Personnel: Definitions
GAB	Position Descriptions
GAB-AR	Position Descriptions
GB	Personnel Policies
GB-AR	General Personnel Policies
GBM	Staff Complaints
GBM-AR	Staff Complaints
GBN/JBA	Sexual Harassment
GBN/JBA-AR	Sexual Harassment

GBNA/JFCF	Hazing/Harassment/Intimidation/Bullying/Menacing
GBNA/JFCF-AR	Hazing/Harassment/Intimidation/Bullying/Menacing
GCC	Recruitment of Staff
GCC-AR	Recruitment of Staff
GCCA	Posting of all Employee Vacancies
GCDA/GDDA	Recruitment, Selection, Hiring, Criminal History
GCDA/GDDA-AR	Criminal History Records Checks/Fingerprinting
GC	Classified Employee/Classified Employee Positions