

MULTNOMAH  
EDUCATION SERVICE DISTRICT

Code: AC  
Adopted: 9/20/94  
Amended: 3/15/05; 9/20/05

NON-DISCRIMINATION

MESD shall **promote nondiscrimination and an environment free of harassment** ~~not discriminate on the~~ **based of** on an individual's race, color, religion, sex, national origin, sexual orientation<sup>1</sup>, disability, parental or marital status or age or because of the race, color, religion, sex, national origin, sexual orientation, disability, parental or marital status or age of any other persons with whom the individual associates.

**Federal law prohibits discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing and prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under Federal law.**

In keeping with requirements of federal and state law, MESD strives to remove any vestige of discrimination 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 MESD and to establish channels through which citizens can communicate their concerns to the administration and the Board.

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

**The Board** ~~will~~ **shall adopt and the MESD** ~~will~~ **shall publish grievance procedures providing for prompt** ~~and equitable~~ **resolution of student and employee complaints.**

The Superintendent or designee ~~will~~ **shall** develop and make available procedures providing for prompt review and resolution of student and staff complaints.

**END OF POLICY**

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<sup>1</sup> 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):**

<b>ORS 30.860</b>	<b>ORS 659A.003</b>	OAR 581-021-0045
<b>ORS 93.270</b>	<b>ORS 659A.006</b>	OAR 581-021-0046
<b>ORS 166.155</b>	<b>ORS 659A.009</b>	<b>OAR 581-021-0054</b>
<b>ORS 166.165</b>	<b>ORS 659A.029</b>	OAR 581-022-1140
<del><b>ORS 174.100</b></del>	<b>ORS 659A.030</b>	
ORS 192.630	<b>ORS 659A.043</b>	
ORS 326.051 (1)(e)	<b>ORS 659A.103</b>	
<b>ORS 338.125</b>	<b>ORS 659A.109</b>	
ORS 342.934 (3)	<b>ORS 659A.112-659A.139</b>	
ORS 659.805	<b>ORS 659A.142</b>	
ORS 659.815	<del><b>ORS 659A.145</b></del>	
ORS 659.850	<b>ORS 659A.233</b>	
ORS 659.865	<b>ORS 659A.236</b>	
ORS 659.870	<del><b>ORS 659A.309</b></del>	
<b>ORS Chapter 659A</b>	<b>ORS 659A.321</b>	

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).

Age Discrimination Act of 1975, as amended, 42 U.S.C. Sections 6101-6107 (2006).

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; (2006) Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 CFR Part 106 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2006); 28 CFR 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).

**Individuals with Disabilities Education Act (IDEA), 20 U.S. C. §§ 1400-1427 (2006)**

**MESD Policy Cross Reference(s):**

<b>AA</b>	<b>MESD Purpose and Goals</b>
<b>AC-AR(1)</b>	<b>Discrimination Complaint Procedure</b>
<b>AC-AR(2)</b>	<b>Discrimination Complaint Form</b>
<b>ACA/ACA-AR</b>	<b>Americans With Disabilities Act</b>
<b>AD</b>	<b>Educational Philosophy</b>
<b>GA</b>	<b>Personnel Policy Goals</b>
<b>GB</b>	<b>Personnel Policies</b>
<b>GB-AR</b>	<b>General Personnel Policies</b>
<b>GBA</b>	<b>Equal Employment Opportunity</b>
<b>GBM</b>	<b>Staff Complaints</b>
<b>GBM-AR</b>	<b>Staff Complaints</b>
<b>GBN/JBA</b>	<b>Sexual Harassment</b>
<b>GBN/JBA-AR</b>	<b>Sexual Harassment</b>
<b>GBNA/JFCF</b>	<b>Hazing/Harassment/Intimidation/Bullying Menacing</b>
<b>GBNA/JFCF-AR</b>	<b>Hazing/Harassment/Intimidation/Bullying/Menacing</b>

**MESD Policy Cross Reference(s) continued**

<b>GCC</b>	<b>Recruitment of Staff</b>
<b>GCC-AR</b>	<b>Recruitment of Staff</b>
<b>GCCA</b>	<b>Posting of All Employee Vacancies</b>
<b>IGBAE</b>	<b>Special Education – Participation in Regular Education Programs</b>
<b>IGBAF</b>	<b>Special Education – Individualized Education Program (IEP)**</b>
<b>IGBAH</b>	<b>Special Education – Evaluation Procedures</b>
<b>IGBAJ</b>	<b>Special Education – Free Appropriate Public Education (FAPE)</b>
<b>IGBHA</b>	<b>Alternative Education Programs</b>
<b>II/IIA</b>	<b>Instructional Resources/Instructional Materials</b>
<b>II/IIA-AR</b>	<b>Instructional Materials Selection</b>
<b>JA/JAA</b>	<b>Student Policies, Goals and Objectives</b>
<b>JB</b>	<b>Equal Educational Opportunity</b>
<b>JB-AR</b>	<b>Equal Opportunity Plan Students</b>
<b>JECD</b>	<b>Assignment of Students to Classes</b>
<b>JECD-AR</b>	<b>Assignment of Students to Classes</b>
<b>JFE</b>	<b>Pregnant Students</b>
<b>JFF</b>	<b>Married Students</b>