

<p>3.0110 NONDISCRIMINATION</p> <p><i>GENERAL NONDISCRIMINATION</i></p> <p><i>Issue Date: 9/12/96 Updated: 11/14/19 CAA</i></p> <p>The District shall not, because of an individual’s race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity:</p> <ol style="list-style-type: none"> 1. Discharge, demote, terminate, retaliate against, harass, or refuse to hire or to promote any otherwise qualified individual; or, 2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, and conditions of employment. <p><i>Utah Code § 34a-5-106(1)(a)(i) (2016) Utah Admin. Rules R277-112-3 (January 1, 2017)</i></p>	<p>Employment Objectives:</p> <p><i>Nondiscrimination</i></p> <p>General Nondiscrimination—</p> <p>DAA</p> <p>The District shall not, because of an individual’s race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability or handicap; sexual orientation; or gender identity:</p> <ol style="list-style-type: none"> 1. Discharge, demote, terminate, retaliate against, harass, or refuse to hire or to promote any otherwise qualified individual; or, 2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, and conditions of employment. <p><u><i>Utah Code § 34a-5-106(1)(a)(i) (2016)</i></u></p> <p>District Policy—</p> <p>The Board of Education of the _____ School District does not discriminate on the basis of sex in its programs and activities and is required by Title IX and 34 CFR Part 106 not to discriminate on the basis of sex, including but not limited to such discrimination in employment and in admission.</p> <p>Notice of this policy shall be given to all applicants for employment, to all employees, and to all employee associations and shall be included in any employee handbooks. Questions about rights under Title IX and about the application of Title IX to the District can be directed to the Title IX Coordinator</p>	<p>Employment Objectives:</p> <p><i>Nondiscrimination</i></p> <p>District Policy—</p> <p>The Board of Education does not discriminate on the basis of sex in its programs and activities and is required by Title IX and 34 CFR Part 106 not to discriminate on the basis of sex, including but not limited to such discrimination in employment and in admission.</p> <p>Notice of this policy shall be given to all applicants for employment, to all employees, and to all employee associations and shall be included in any employee handbooks. Questions about rights under Title IX and about the application of Title IX to the District can be directed to the Title IX Coordinator identified in this policy or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.</p> <p><u><i>34 CFR § 106.8(b)(1)</i></u> <u><i>20 U.S.C. § 1701-21</i></u></p> <p>The District encourages all victims of sex discrimination and persons with knowledge of sex discrimination to immediately report that to the Title IX Coordinator or an administrator. All complainants have the right to be free from retaliation of any kind. Complaints relating to sexual harassment (one form of sex discrimination) are addressed under Policy DKB and Policy FHAB. Complaints regarding other types of sex discrimination may be addressed through the grievance procedures set out in Policy DHC (for employees) and Policy FGE (for students).</p> <p><u><i>34 CFR § 106.8(c)</i></u></p>
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	<p>identified in this policy or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.</p> <p style="text-align: center;"><u>34 CFR § 106.8(b)(1)</u> <u>20 U.S.C. § 1701-21</u></p> <p>The District encourages all victims of sex discrimination and persons with knowledge of sex discrimination to immediately report that to the Title IX Coordinator or an administrator. All complainants have the right to be free from retaliation of any kind. Complaints relating to sexual harassment (one form of sex discrimination) are addressed under Policy DKB and Policy FHAB. Complaints regarding other types of sex discrimination may be addressed through the grievance procedures set out in Policy DHC (for employees) and Policy FGE (for students).</p> <p style="text-align: center;"><i>34 CFR § 106.8(c)</i></p>	
<p>3.0110.04</p> <p><i>TITLE IX COORDINATOR</i></p> <p><i>Issue Date: 9/12/96 Updated: 11/14/19 CAA</i></p> <p>3.0110.05</p> <p><i>NOTICE</i></p> <p><i>Issue Date: 9/12/96 Updated: 11/14/19 CAA</i></p> <p>The notification may take the following form:</p> <p>The District shall designate at least one employee whose responsibilities shall include coordination of the District's efforts to comply</p>	<p>Title IX Coordinator—</p> <p>The District shall designate one or more employees to serve as Title IX Coordinator. The Title IX Coordinator is responsible and has authority to coordinate the District’s compliance with Title IX, including but not limited to responding to complaints of sex discrimination. The designated Title IX Coordinator for the District is: Phillip M. Bertoch. The contact information for the Title IX Coordinator is:</p> <p>Name: Phillip M. Bertoch</p> <p>Title/Position: H.R. Coordinator/Title IX Coordinator</p> <p>Mailing Address: 1010 E. 200 N. Roosevelt, UT. 84066</p> <p>Office Email: pbertoch@dcsd.org</p> <p>Telephone: 435-725-4520_</p>	<p>Title IX Coordinator—</p> <p>The District shall designate one or more employees to serve as Title IX Coordinator. The Title IX Coordinator is responsible and has authority to coordinate the District’s compliance with Title IX, including but not limited to responding to complaints of sex discrimination. The designated Title IX Coordinator for the District is: Phillip M. Bertoch. The contact information for the Title IX Coordinator is:</p> <p>Name: Phillip M. Bertoch</p> <p>Title/Position: H.R. Coordinator/Title IX Coordinator</p>

with Title IX of the Education Amendments of 1972, as amended, and its implementing regulations. The District shall notify all employees of the name, office address, office telephone number, and e-mail address of the employee(s) so designated.

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name

_____ Position

_____ Office Address

_____ Office E-mail

_____ Office Telephone

Reports about any form of sex discrimination (including sexual harassment) may be made to the Title IX Coordinator by any person (whether or not the discrimination was directed at that person) using any of the contact methods listed above or by any other means and at any time (including during non-business hours).

34 CFR § 106.8(a)Retaliation Prohibited—

It is prohibited to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or implementing regulations or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing relating to any type of sex discrimination. Prohibited retaliation includes acting with the purpose of interfering with any right or privilege secured by Title IX or implementing regulations or this policy by intimidation, threats, coercion, or discrimination. If brought for the purpose of interfering with these rights, prohibited retaliation includes charges against an individual for violations that do not involve sex discrimination but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment. Reports of retaliation should be made to the Title IX Coordinator designated in this policy. Complaints regarding retaliation against a student may be raised under Policy FGE or as applicable under Policy FGAD or regarding retaliation against an employee under Policy DHC or as applicable under Policy DLA or Policy DLB.

34 CFR § 106.71(a)

Confidentiality—

Except to the extent required to appropriately respond to complaints of sex discrimination, or as

Mailing Address: 1010 E. 200 N. Roosevelt, UT. 84066

Office Email: pbertoch@dcsd.org

Telephone: 435-725-4520_

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required by law, the District shall keep confidential the identity of (a) any individual who reports or complains of sex discrimination (including filing a formal complaint), (b) any individual reported to have perpetrated sex discrimination, and (c) any witness regarding sex discrimination. Except to the extent that maintaining confidentiality would impair the District's ability to provide supportive measures, the District shall keep confidential any supportive measures provided to a complainant or accused individual. (In appropriately responding to complaints of sex discrimination, the District may need to disclose the identity of individuals for purposes of an appropriate investigation and following the grievance process or for purposes of appropriate supportive measures.) Disclosure is also allowed to the extent permitted by FERPA and its implementing regulations.

34 CFR § 106.71(a)

34 CFR § 106.30(a)

Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate authorities and the confidentiality of the information will be maintained as required by Utah Code § 62A-4a-412. (See Policy DDA.)

Utah Code § 62A-4a-403 (2018)

Utah Code § 62A-4a-412 (2020)

Dissemination of Policy—

Notice of this policy and of the name and contact information of the Title IX Coordinator shall be provided to applicants for employment or for admission, employees, employee associations, students, and parents of students. The contact information for the Title IX Coordinator shall be prominently displayed on the District's website and in employment application materials and student admission materials. In addition, a copy of this policy shall be published on the District website and included in employment application

Policy FGE or as applicable under Policy FGAD or regarding retaliation against an employee under Policy DHC or as applicable under Policy DLA or Policy DLB.

34 CFR § 106.71(a)

Confidentiality—

Except to the extent required to appropriately respond to complaints of sex discrimination, or as required by law, the District shall keep confidential the identity of (a) any individual who reports or complains of sex discrimination (including filing a formal complaint), (b) any individual reported to have perpetrated sex discrimination, and (c) any witness regarding sex discrimination. Except to the extent that maintaining confidentiality would impair the District's ability to provide supportive measures, the District shall keep confidential any supportive measures provided to a complainant or accused individual. (In appropriately responding to complaints of sex discrimination, the District may need to disclose the identity of individuals for purposes of an appropriate investigation and following the grievance process or for purposes of appropriate supportive measures.) Disclosure is also allowed to the extent permitted by FERPA and its implementing regulations.

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	<p>materials, in student admission materials, in materials provided to employees, and in student handbooks. A copy of this policy shall also be provided to the appropriate officer of each employee association.</p> <p><i>34 CFR § 106.8(b)(2), (c)</i></p>	<p><u><i>Utah Code § 62A-4a-403 (2018)</i></u></p> <p><u><i>Utah Code § 62A-4a-412 (2020)</i></u></p> <p>Dissemination of Policy—</p> <p>Notice of this policy and of the name and contact information of the Title IX Coordinator shall be provided to applicants for employment or for admission, employees, employee associations, students, and parents of students. The contact information for the Title IX Coordinator shall be prominently displayed on the District’s website and in employment application materials and student admission materials. In addition, a copy of this policy shall be published on the District website and included in employment application materials, in student admission materials, in materials provided to employees, and in student handbooks. A copy of this policy shall also be provided to the appropriate officer of each employee association.</p> <p><i>34 CFR § 106.8(b)(2), (c)</i></p>
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