

## Affirmative Action Plan

This administrative regulation has been established in accordance with the Civil Rights Act of 1964 which prohibits discrimination in education on the basis of race, color or national origin and with the Age Discrimination Act of 1967. This regulation is also intended to satisfy the requirements of the 1972 Equal Employment Opportunity Act which protects the civil rights of women employees and women students.

### 1. Nondiscrimination Policy

- a. It is the policy of Morrow County School District to seek out and hire persons without regard to race, color, religion, sex, age, national origin, marital status or disability for all levels and types of positions.

The district commits its support of affirmative action in accordance with the provisions of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, Equal Pay Act of 1963, Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972 and the Americans with Disabilities Act of 1990, each as amended.

It shall be the duty and obligation of all employees to support and aid in appropriate ways the implementation of affirmative action in this regard.

- b. It is the policy of Morrow County School District not to discriminate in its educational programs on the basis of sex, color or religion as required by the Civil Rights Act and by Title IX of the 1972 Education Amendments to Equal Employment Opportunity Act.

Inquiries may be directed to the Superintendent of Schools, Morrow County School District, Box 368, Lexington, Oregon 97389, who is the designated individual for compliance with the Equal Employment Opportunity Act and all other provisions of this policy. Phone: 541-989-8202.

### 2. Equal Opportunity for Employment Procedure

- a. Hiring of Professional Staff

1. Notice of vacancy: Vacancies for professional staff shall be advertised **via the Internet (i.e., COSA powered by EdZapp.com; the Umatilla-Morrow ESD website; the district website).** ~~with placement agencies of each of the state colleges or universities that are responsible for the training of teachers.~~ Notices shall include level of teaching or administrative assignment and the location of the school, and **the application procedure.** ~~address of where application blanks may be secured.~~ The notice shall refrain from any discriminatory reference to age, sex, color, race, national origin, religion, marital status or disability.

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2. Screening of applications: Screening for a specific professional position shall be done by the building principal of the school in which the vacancy exists.

Screening for administrative positions shall be by the superintendent and a committee appointed by the Board.

Applicants who wish to be considered are expected to provide a complete application form, a resume, transcripts, ~~and~~ recommendations, **and a copy of license**.

Interviews are to be arranged with candidates who are most qualified for the position. The superintendent and the building principal will conduct the interview, if this is possible, otherwise the interview will be conducted by two selected administrators.

3. Hiring: After interviews are completed and a written report made, the superintendent and the principal shall confer and make a decision on the person who is to be selected for the position.
4. Notification of applicants: Successful candidates shall be notified as quickly as possible of their selection. Notification of other candidates who have been interviewed will not be made until the successful candidate has indicated acceptance. All other candidates who have been interviewed will be notified in writing that the position has been filled.

Candidates whose applications are sent to the district at other than the district's direct request to the candidate will not be notified when a position has been filled unless the candidate has been granted an interview.

5. Record: Applications (most recent and first successful) will be kept on file in the school district office for one year. After a year, a record will be made of the application including the date of application, the position and whether or not the person was interviewed. This record, and the application, shall be maintained for 75 years after date of hire, as required by OAR 166-412-0010 (7).

#### Hiring of Classified Staff

1. Notice of vacancy: Notice of vacancy shall be published in at least one newspaper of general circulation within the county, **the employment department, all district schools and the district website**. ~~Notice shall also be posted in one public location, other than a school, in the town where the vacancy occurs.~~ The notice shall refrain from any discriminatory reference to age, sex, color, religion, race, national origin, religion, marital status or disability. Additional requirements are specified in the classified employee agreement.

2. Screening of applicants: Applicants who expect to be considered are expected to complete the district application form. Applicants whose applications are on file shall be treated equally with new applicants.

Interviews will be conducted by the building principal who will be the immediate supervisor.

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Where custodians also serve as bus drivers, the applicants will also be interviewed by the district bus supervisor.

- b. General Conditions - All Employees
  - i. The district will refrain from administering tests or applying other criteria that may have an adverse effect in persons because of race, color, sex, religion, age, national origin, marital status or disability.
  - ii. The district will seek to recruit employees from sources which do not differentiate on the basis of age, sex, color, race, religion, national origin, marital status or disability.
  - iii. The district will not establish rates of pay on the basis of sex.
  - iv. The district will not establish job classifications on the basis of sex.
  - v. The district shall make no inquiry as to the marital status of any application form and shall treat any pregnancies among employees as required by law.
  - vi. The district shall refrain from any expression of preference based on sex in any job application unless sex is a bona fide occupational qualification for a particular job **(i.e., male/female assistant for PE classes; SpEd 1 on 1 assistant)**.

3. Equal Opportunity for Participation in Athletic Programs Procedure:

- a. Participation in interscholastic varsity sports shall be determined at the discretion of the coaching staff and shall be on the basis of competitive skill;
- b. Body contact sports: Football, basketball and wrestling shall be conducted separately on the basis of sex and interest;
- c. The sport of baseball will be offered as a male sport in the spring. However, girls who wish to may participate in baseball on the basis of competitive skill;
- d. Track, tennis and golf when offered, shall be open to both sexes.

Selection of coaching staff shall be on the basis of merit rather than by sex for all sports. Volleyball shall be conducted at a time when at least one male segregated sport is being conducted.

In the event that sufficient interest is not shown in a sex-segregated noncontact sport to permit conducting that sport, those interested in that sport may try out for any other noncontact sport on a nonsegregated basis even though this sport may originally have been segregated by sex.

- e. Intramural noncontact sports shall be based on interest and shall not be segregated by sex.

Equal opportunity for all students regardless of sex shall be provided in the following ways:

- i. The interests and abilities of both sexes shall be accommodated in the opportunity provided in the district sports program;
- ii. Adequate equipment and supplies will be provided;
- iii. Travel and travel-related costs will be provided;
- iv. Coaching will be provided;
- v. Locker rooms and athletic space for practice and games will be provided;
- vi. Efforts to provide publicity will be made;
- vii. Scheduling of seasons and games will be considered on an equal basis;

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viii. Uniform eligibility regulations will be adhered to.

#### 4. Equality of Conduct for Personnel Procedure

The Morrow County School District will not apply separate rules of behavior by sex, color, race, religion, national origin, marital status or disability.

The guidelines for conduct for paid staff personnel shall be those found in the district policy handbook.

The district guidelines for student conduct shall be those found in the student conduct code.

- a. These guidelines shall not subject any person to separate rules of behavior or treatment.
- b. These guidelines shall not apply a different standard of compliance on the basis of sex, color, race, religion, national origin, marital status or disability.

#### 5. Equal Opportunity for Awards and Honors Procedure

- a. The district will provide equal opportunity in the presentation of awards and honors and will not discriminate on the basis of sex, race, color, religion, national origin, marital status or disability.
- b. All honor societies will be nonsegregated and will be open to every qualified person regardless of sex, race, color, religion, disability, national origin, marital status or disability.
- c. All clubs approved by the school will be conducted on a nonsegregated basis and will be open to all qualified persons regardless of sex, race, color, religion, national origin, marital status or disability.
- d. Individual opportunities for special honors and recognition shall be equal to all.
- e. Criteria for selection to receive honors shall be equal regardless of sex.

#### 6. Special Education Students

- a. Due process of matters related to proposed changes in a student's program (Special Education) will be provided.

#### 7. Appeals

- a. An appeal to the Board is proper if, after the review, the parents or student are not satisfied with the recommended action. The parents or student may appeal to the Board where the action of the reviewing panel may be reviewed and affirmed, reversed or modified.

END OF POLICY

Legal Reference(s):

[ORS 243.672](#)  
[ORS 326.051](#)

[ORS 332.505](#)  
[ORS 342.934](#)

[ORS 659.850](#)  
[ORS 659.870](#)

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[ORS 659A.009](#)  
[ORS 659A.029](#)  
[ORS 659A](#)

.030  
[ORS 659A.109](#)  
[ORS 659A.142](#)  
[ORS 659A](#)??145  
[ORS 659A.233](#)  
[ORS 659A.236](#)  
[ORS 659A.309](#)  
[ORS 659A.321](#)  
[ORS 659A](#)

.409  
[ORS 659A.805](#)

[OAR 581-021-0045](#)

[OAR 581-022-1720](#)

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 in Employment Act of 1967, as amended, 29 U.S.C. Sections 621-634.  
Age Discrimination Act of 1975, as amended, 42 U.S.C. Sections 6101-6107.  
Equal Pay Act of 1963, as amended, 29 U.S.C. Section 206(d).  
Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.  
Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).  
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).  
Wygant v. Jackson Board of Education, 476 U.S. 267 (1989).

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