

# Malheur Education Service District

Code: AC  
Adopted: 8/16/05  
Readopted: 7/15/14  
Orig. Code(s): AC

## Nondiscrimination

The ESD shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation<sup>1</sup>, national origin, disability, marital status or age or because of the race, color, religion, sex, sexual orientation, national origin, disability, marital status or age of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, the ESD 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 the ESD and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The superintendent shall appoint and make known the names of the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008, Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the ESD will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Section 504 and ADA prohibit 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. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

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### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051\(1\)\(e\)](#)  
[ORS 342.934\(3\)](#)  
[ORS 659.805](#)  
[ORS 659.815](#)  
[ORS 659.850](#)

[ORS 659.865](#)  
[ORS 659.870](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)  
[ORS 659A.009](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)

[ORS 659A.043](#)  
[ORS 659A.103](#)  
[ORS 659A.109](#)  
[ORS 659A.112 - 659A.139](#)  
[ORS 659A.142](#)  
[ORS 659A.145](#)  
[ORS 659A.233](#)

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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.

[ORS 659A.236](#)  
[ORS 659A.309](#)  
[ORS 659A.321](#)  
[ORS 659A.409](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0049](#)

[OAR 581-022-1140](#)  
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).  
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).  
Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).  
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).  
Americans with Disabilities Act Amendments Act of 2008.  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.  
Title II of the Genetic Information Nondiscrimination Act of 2008.

**Cross Reference(s):**

ACA - Americans with Disabilities Act  
GBA - Equal Employment Opportunity  
JB - Equal Educational Opportunity