

# McMinnville School District #40

Code: JB-AR(1)  
Revised/Reviewed: 12/10/07  
Orig. Code: JB-AR

## Equal Educational Opportunity for Students

### Purpose and Objectives

#### 1. Intent of the Plan

To ensure that the McMinnville School District accomplishes the purposes of its policies and regulations within the spirit of Title VI of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, ORS Chapters 659 and 659A and Oregon Administrative Rules.

#### 2. Goals and Objectives of the Plan

- a. Access to Course Offerings. No course offerings, educational programs, or activities within the district shall be provided on a discriminatory basis as defined in ORS 659A.850.
- b. Employment Assistance. When district employees actively assist an agency, organization, or person in making employment available to any of its students, the district shall insure that such employment is made available without discrimination.
- c. Marital/Parental Status. The district shall not discriminate against any student or exclude any student from its educational program or activity including any class or extracurricular activity on the basis of the student's marital/parental status unless the student requests voluntarily to participate in a separate portion of the class or activity of the district.
- d. Athletics. All district-operated or sponsored interscholastic club or intramural athletics shall be provided on an equal opportunity basis for members of both sexes, all age and ethnic groups, and persons with disabilities. The district shall attempt to provide a selection of sports and levels of competition that effectively accommodate the interests and abilities of all students.
- e. Students Unable to Attend Because of Religious Beliefs. Any student who is unable to attend classes on a particular day because of religious beliefs shall be excused from attendance requirements and from any examination or other assignment on that day. The student, however, shall make up the examination or other assignment missed because of such absence.

### Dissemination of the Policy and Plan

1. The policy and plan will be implemented throughout the district and communicated to individuals and organizations through district publications and notices.
2. Administrators and other staff members shall be informed at meetings of the policies and practices pertaining to equal educational opportunities
3. The Title VI Coordinator shall periodically review various aspects of the plan with administrators and determine areas where improvement is necessary.

## **Complaint Procedures**

### **1. Employee Complaint**

Employees who believe discrimination has occurred relative to equal educational opportunity for students shall present their grievances through the district's established procedures and in accordance with the negotiated agreements.

If the employee is not satisfied with the administrator's or supervisor's decision, the written complaint may be presented to the Title VI Coordinator who will investigate the matter and make a report to the complainant and the immediate supervisor within ten (10) working days. If not satisfied with the decision of the Title VI Coordinator, the complainant may then file an appeal with the superintendent for a final decision.

### **2. Non-employee Complaint**

The Title VI Coordinator also shall be notified of any complaint made by any person who is not an employee of the district, charging unfair discrimination relative to equal educational opportunity. The officer shall investigate the matter and make a report and recommendations to the superintendent. A complaint form to be used for such complaints is included in this plan.

### **3. Appeal**

Persons may, after exhausting local grievance procedures or 45 days, whichever occurs first, appeal in writing to the Superintendent of Public Instruction. The superintendent shall review the district's procedures and findings of fact to determine if proper procedures were followed and what action if any shall be taken.

## **Program Evaluation**

The superintendent is responsible for evaluating the effectiveness of the district's Equal Educational Opportunity Plan. Evaluation will be on-going and continuous throughout the year. If requested by the Board, a final evaluation report shall be prepared at the end of the school year and presented at a regular Board meeting. The Title VI Coordinator will assist the Superintendent in the evaluation process. Any necessary corrective action found as a result of the evaluations will be initiated by the Superintendent.

1. **Textbooks and Curriculum Material.** Where materials are found upon investigation to provide discriminatory impact on the basis of race, national origin, religion, sex, sexual orientation age, disability or marital/parental status, there will be established resources for employees and students of the district for supplemental alternative non-discriminatory material.
2. **Use of Assessment and Counseling Materials.** In using testing or other materials for evaluating or counseling students, the district shall not use materials which discriminate on the basis of race, national origin, religion, sex, sexual orientation<sup>1</sup>, age, disability, or marital status, or use materials which permit or require different treatment of students on such basis.

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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.

3. **Bilingual or Linguistically Different Students.** The district shall develop and implement a plan for identifying students whose primary language is other than English and shall provide such students with appropriate programs until they are able to use the English language in a manner that allows effective and relevant participation in regular classroom instruction and other educational activities.
4. **Equal Educational Opportunity Plans.** The district shall develop and implement a plan which assures that all students have equal opportunity to participate in the educational programs and activities and equal access to facilities in the district. This plan shall include courses and/or components which provide students with an understanding of the pluralistic realities of our society, including multi-cultural/racial/ethnic education and equity in portraying all classes protected under ORS 659A.850. The district shall submit copies of this plan and other assurances as deemed necessary and proper to the State Superintendent upon request.

### **Responsibility for Implementation**

It is the responsibility of the School Board to develop and adopt the Equal Educational Opportunity Policy. Specific authority is delegated as follows:

1. The superintendent shall have the responsibility for implementation of the Equal Educational Opportunity Plan. S/he will designate a title VI Coordinator to coordinate the plan for the district. In implementing the policy and in defining and meeting the objectives, the Title VI Coordinator may be advised and assisted by other district and Oregon Department of Education personnel.
2. It is the responsibility of the superintendent of the district and the Title VI Coordinator to inform all employees of its commitment to equal educational opportunity for all students.
3. The policies and regulations related to equal educational opportunity and this EEO Plan shall be reviewed on a regular basis and revisions made as needed to assure that the district is complying with the law. The policies, regulations, and EEO Plan shall be maintained in the district policy manual, distributed to all administrators and buildings, and provided to all interested parties upon request.