

Multnomah Education Service District

Code: **GBA**

Adopted: 11/18/80; 3/17/87; 9/28/92;
6/9/93; 8/20/93

Amended: 9/20/94; 3/15/05, 2/19/08;
1/18/11

Reviewed:

Equal Employment Opportunity

MESD shall provide equal employment opportunity and treatment to all present and prospective employees regardless of age, national origin, race, color, religion, sex, sexual orientation¹, marital status, family relationship, veterans' status, genetic information, or disability if disability does not preclude performance of essential functions of the position with or without reasonable accommodations.

As long as MESD employs more than 50 employees and enters into contracts with the federal government, mesd is required to maintain an affirmative action program. The affirmative action program shall encompass all organizational rules and procedures affecting employment recruiting and advertising, hiring, job assignments, transfers, compensations, benefits, training and all other terms and conditions of employment.

The superintendent shall appoint and make known that the director of human resource services is the MESD's Americans with Disability Act (ADA) Compliance Officer and the appropriate individual to contact on issues concerning the ADA of 1990 and the ADA Amendments of 2008, Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues.

In the event MESD is charged with a discrimination allegation, properly filed with an appropriate state or federal authority, the superintendent or designee shall inform the Board of the employment discrimination allegation and describe the allegation completely for the Board at the first regularly scheduled meeting thereafter.

The Board authorizes the superintendent to respond to any inquiries from state or federal agencies charged with investigating, monitoring or mediating employment discrimination allegations concerning possible pre-investigatory resolutions with individuals alleging discrimination against MESD.

In the event of such an investigation into allegations of employment discrimination against MESD, the Superintendent or designee shall inform the Board at the earliest opportunity of the alternative courses of action including any that could lead to resolution of the allegation. The Board shall determine any actions to be taken by MESD in response to the allegation.

END OF POLICY

¹Sexual 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):

ORS 174.100	ORS 659A.006	OAR 581-021-0045
ORS 192.630	ORS 659A.009	OAR 581-024-0245
ORS 243.672	ORS 659A.029	OAR 839-003-0000
ORS 326.051	ORS 659A.030	OAR 839-003-0000
ORS 334.125(5)	ORS 659A.040 to-659A.052	OAR 839-006-0435
ORS 342.934	ORS 659A.109	OAR 839-006-0440
ORS 408.225	ORS 659A.142	OAR 839-006-0445
ORS 408.230	ORS 659A.145	OAR 839-006-0450
ORS 408.235	ORS 659A.233	OAR 839-006-0455
ORS 659.805	ORS 659A.236	OAR 839-006-0460
ORS 659.850	ORS 659A.309	OAR 839-006-0465
ORS 659.870	ORS 659A.321	
ORS 659A.003	ORS 659A.409	

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 in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (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 VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (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.

MESD Policy Cross Reference(s):

AA - MESD Purpose and Goals
AC - Non Discrimination
ACA - Americans with Disabilities Act
AE - MESD Goal Setting
GA - Personnel Policy Goals
GAB - Position Descriptions
GB - Personnel Policies
GBM - Staff Complaints
GBN/JBA - Sexual Harassment
GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing
GCC - Recruitment of Staff
GCDA/GDDA - Recruitment, Selection, Hiring, Criminal History
GD - Classified Employee/Classified Employee Positions