

## **Equal Opportunity Plan – Students**

The Board declares that no person shall be subjected to discrimination in any MESD program, service, or activity because of age or a disability. The policy of the Board is that in situations of alleged discrimination against a student with a disability, the parties involved should meet to endeavor to reach an agreement. Where an agreement is not reached, the following grievance procedure shall be followed:

### **Definitions**

1. “Discrimination” means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form, but discriminatory in operation, either of which is based on the disability of a student.
2. A person has a “disability” if the person:
  - a. Has a physical or mental impairment which substantially limits one or more of the person’s major life activities;
  - b. Has a record of such impairment; or
  - c. Is regarded as having an impairment.

**GOAL #1** To ensure that all students, regardless of financial ability, age, disability, national origin, race, color, religion, sex, sexual orientation or marital status, have the right to fair, equal and impartial education and the right to equal access to course offerings and opportunities in all aspects of MESD’s curriculum and activities.

### **Objectives**

- a. To review and, as necessary, to modify instructional and guidance materials, especially those prepared by MESD, in order to eliminate stereotypes based upon financial ability, age, disability, national origin, race, color, religion, sex, sexual orientation or marital status. In all curricula MESD encourages the use of instructional materials which deal positively with differences among cultures, religions, races, sexes, native and ethnic groups and physical and mental abilities.
- b. To review and modify, as necessary, course catalogs and policies to assure equal access to courses for all students.
- c. To provide supplemental instruction to a student for whom English is a second language, at least until he/she is able to use English proficiently in regular classroom instruction.
- d. To ensure that students are not denied educational rights because of their religious beliefs.

- e. To ensure that as far as is consistent within the classroom setting each student receives an education without curtailing the expression of his/her cultural, ethnic, racial and religious background.

**GOAL #2** To maintain an effective and responsive set of complaint procedures.

### **Complaint Procedures**

A student or his/her parent or guardian who believes that he/she is the recipient of discrimination from another student may report the incident to the staff member on duty at that time or to the student's teacher or to the administrator. The teacher will report complaint to supervisor/principal who will investigate the complaint. The supervisor/principal shall take appropriate action which may include disciplinary action. Other staff members will report the incident to the teacher/administrator, who will take appropriate action, which may include disciplinary action.

If a student and his/her parent or guardian believe the student is the recipient of discrimination from an MESD staff member or one of its volunteers, they are encouraged to follow MESD's discrimination complaint procedure by filling out form JB-AR(2) and submitting it to the building administrator or supervisor. The administrator shall follow the complaint procedures as:

#### **Step 1: Acknowledgment**

Within five (5) school days of receiving a written complaint, the administrator shall send a written acknowledgment of the receipt of the written complaint to the complainant.

#### **Step 2: Investigation and Findings**

When a formal complaint is filed, the administrator will complete an investigation by reviewing the written complaint, interviewing the complainant, accused, and all witnesses to the incident. A written response (including the complaint procedure) will be given to the complainant within ten (10) school days following the investigation.

#### **Step 3: Appeal to Superintendent**

If the complainant is not satisfied with the decision of the administrator he/she may submit a written appeal to the Superintendent or designee. The Superintendent or designee shall meet with all parties involved to discuss the complaint and will respond, in writing, to the complaint within ten (10) school days.

#### **Step 4: Appeal to Board**

If the complainant is not satisfied with the decision of the Superintendent or designee, he/she may submit a written appeal to the Board. This appeal should be

filed within five (5) school days of receipt of the Superintendent's or designee's decision.

The Board shall consider the appeal at its next regularly scheduled Board meeting. The Board will reply to the complaint, in writing, within ten (10) school days after the Board meeting. The decision of the Board is final, subject to any rights the complainant may have under Oregon law to further appeal the decision.

**Step 5: Appeal to Oregon Department of Education/US Department of Education, Office for Civil Rights**

If the complaint is not satisfactorily resolved, direct complaints related to program and services may be made to the Oregon Department of Education or the U.S. Department of Education, Office for Civil Rights.

Changes to the above procedure may be made if an administrator is named in the complaint.

Confidentiality will be maintained to the extent possible and no reprisals or retaliation will be allowed to occur because of the good faith reporting of charges of discrimination.

**GOAL #3** To achieve sensitivity to bias and stereotyping on the basis of financial ability, sex, sexual orientation, race, color, age, disability, national origin, religion or marital status and to avoid degrading and discriminating practices.

**Objectives**

- a. Staff and volunteers shall be sensitive to those areas in which different treatment of students is mostly likely to occur within the educational setting:
  - (1) Course offerings must be open to students regardless of disability, national origin, race, religion, sex, sexual orientation or financial ability;
  - (2) A student's access to classes must not be denied solely on the basis of disability, national origin, race, religion, sex, sexual orientation or financial ability;
  - (3) Students must not be ignored, made to be visible, or segregated on the basis of disability, national origin, race, religion, sex, sexual orientation or financial ability;
  - (4) Use of descriptive terms which are derogatory to persons by disability, national origin, race, religion, sex, sexual orientation or financial ability must be avoided.
  
- b. To ensure that appropriate staff are knowledgeable about the cultural, ethnic and racial backgrounds of all students, MESD will:
  - (1) Require all such new employees to attend in-service training on cultural sensitivity and bias awareness;
  - (2) Require all such employees to attend in-service training on cultural sensitivity and bias awareness every two years.

**GOAL #4** To assure equal access to equipment and facilities and to provide adequate funding to meet the needs of student educational programs and activities for both sexes.

**Objectives**

- a. To ensure that each administrator is delegated the responsibility for identifying potential access problems in his/her program and for proposing solutions for remedying the situation;
- b. To ensure that MESD facilities, such as classrooms, restrooms, toilet stalls, locker rooms, dining areas, drinking fountains, telephones, sidewalks, parking areas, curbs, entrances, exits, vocational facilities, athletic facilities, are constructed or remodeled in such a way that an individual with disabilities can function safely and comfortably.