

**Linn Benton Lincoln  
Education Service District**

Code: **AC**  
Adopted: 7/8/98  
Revised: 1 /19/22

**Nondiscrimination**

The ESD prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual

1. Race<sup>1</sup>,
2. Color,
3. Religion,
4. Sex,
5. Sexual orientation,
6. Gender identity,
7. National or ethnic origin,
8. Mental or physical disability,
9. Pregnancy,
10. Familial status,
11. Economic status,
12. Veterans' status,
13. Marital status,
14. Or age

and of any other persons with whom the individual associates.

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<sup>1</sup> Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

The ESD prohibits discrimination and harassment, including but not limited to, 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 maintain positive and productive human relations within the ESD, to respect all individuals and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint individuals at the ESD for whom to contact on issues concerning the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Title VI, Title VII, Title IX and other civil rights or discrimination issues and notify students, parents, and staff with their names, office addresses, and phone numbers. The ESD will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public and such procedures will be available at the ESD administrative office and available on the home page of the ESD website.

The ESD prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

#### END OF POLICY

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#### Legal Reference(s):

<a href="#">ORS 174.100</a>	<a href="#">ORS 192.630</a>
<a href="#">ORS 326.051(1)(e)</a>	<a href="#">ORS 659.805</a>
<a href="#">ORS 659.815</a>	<a href="#">ORS 659.850 to .860</a>
<a href="#">ORS 659.865</a>	<a href="#">ORS 659.870</a>
<a href="#">ORS 659A.001</a>	
<a href="#">ORS 659A.003</a>	<a href="#">ORS 659A.006</a>
<a href="#">ORS 659A.029</a>	<a href="#">ORS 659A.030</a>
<a href="#">ORS 659A.040</a>	<a href="#">ORS 659A.103to .145</a>
<a href="#">ORS 659A.230 to 233</a>	<a href="#">ORS 659A.236</a>
<a href="#">ORS 659A.309</a>	<a href="#">ORS 659A.321</a>
<a href="#">ORS 659A.409</a>	<a href="#">ORS 659A-009</a>
<a href="#">OAR 581-002-0001-002-0005</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">OAR 581-021-0047</a>	<a href="#">OAR 581-022-2310</a>
<a href="#">OAR 581-022-2370</a>	<a href="#">OAR 839-003</a>

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019)

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R. Part 1626 (2019)

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018)

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2018). ; 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112; 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. §4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. §20000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

House Bill 2935 (2021).

House Bill 3041 (2021).

**Cross Reference(s):**

*GBA - Equal Employment Opportunity*

*JB - Equal Educational Opportunity*