

**Linn Benton Lincoln
Education Service District**

Code: **GBA**
Adopted: 7/8/98
Revised: 2/16/22

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the ESD regardless of race¹, color, national origin, religion, gender, sexual orientation, gender identity, age, marital status, pregnancy, childbirth or a related medical condition² veterans' status³, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁴ if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The Superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), and Section 504 of the Rehabilitation Act. The Superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments of 1972. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The Superintendent will develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

¹ 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)).

² This unlawful employment practice related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies to employers who employ six or more persons.

³ The ESD grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

⁴ This unlawful employment practice related to disability as described in ORS 659A.112 applies to employers who employ six or more persons (ORS 659A.106).

Legal Reference(s):

[ORS 174.100](#)

[ORS 243.317 – 243.323](#)

[ORS 659A.003](#)

[ORS 326.051](#)

[ORS 334.125\(5\)](#)

[ORS 342.934](#)

[ORS 408.225](#)

[ORS 408.230](#)

[ORS 408.235](#)

[ORS 659.805](#)

[ORS 659.850](#)

[ORS 659.870](#)

[ORS 659A.009](#)

[ORS 659A.029](#)

[ORS 659A.006](#)

[ORS 659A.040 - 659A.052](#)

[ORS 659A.109](#)

[ORS 659A.082](#)

[ORS 659A.112](#)

[ORS 659A.147](#)

[ORS 659A.030](#)

[ORS 659A.233](#)

[ORS 659A.236](#)

[ORS 659A.309](#)

[ORS 659A.321](#)

[ORS 659A.409](#)

[ORS 659A.820](#)

[OAR 581-021-0045](#)

[OAR 581-024-0245](#)

[OAR 839-003-0000](#)

[OAR 839-006-0435](#)

[OAR 839-006-0440](#)

[OAR 839-006-0450](#)

[OAR 839-006-0455](#)

[OAR 839-006-0460](#)

[OAR 839-006-0465](#)

[House Bill 2935 \(2021\)](#)

[House Bill 3041 \(2021\)](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e. et.seq. (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2018); 29 C.F.R Part 1626 (2019).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§, 791-794 (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, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2019~~2020).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2018); 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).
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. § 2000ff-1 (2018).
Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002)
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (2018).
House Bill 2935 (2021)
House Bill 3041 (2021)