

## **Equal Employment Opportunity and Nondiscrimination**

It is the policy of Rainier School District 13 Board of Directors to provide equal employment opportunity to all qualified persons and to prohibit discrimination or harassment in employment on the basis of race, color, national origin, sex (gender), marital status, sexual orientation, age, pregnancy, disability, religion, or veteran status.

This policy applies to all employment-related actions including, but not limited to, recruitment, selection, promotion, assignment and transfer, demotion, termination, compensation, benefits, layoff and recall, and training opportunities.

Furthermore, this policy applies to harassment or intimidation of an employee by another employee, or by a nonemployee, because of race, color, national origin, sex (gender), marital status, sexual orientation, age, pregnancy, disability, religion, or veteran status. The board expects the district to conform to all relevant federal and state laws and orders and related school board policies.

It is the policy of the district that no individual shall be subject to retaliation for identifying or reporting employment discrimination or harassment.

### **Workforce Diversity**

One of the many goals of an excellent educational system is the successful preparation of all its students as responsible adults in a dynamic and ever changing society. An important component is that of diversity. Diversity requires all students to understand and respect differences: differences in race, culture, religion, gender, abilities, and socioeconomic factors. But diversity is also about diversity of thought, diversity of values, and diversity of perspectives. For students to respect and value diversity, they must experience adult workers who are reflective of the varied cultures and backgrounds that make up our community and our nation.

The Rainier School District 13 Board of Directors recognizes the importance of workforce diversity and its role in the education of its students. Therefore, the Board has established and implemented a Workforce Diversity Plan, which contains two major objectives.

1. The Workforce Diversity Plan is intended to promote nondiscrimination, and the respecting and valuing of diversity in all employment matters. It reaffirms the district's commitment to equal employment opportunity without regard to race, color, sex, national origin, age, religion, marital status, disability, Vietnam era veteran status, sexual orientation, familial status, socioeconomic status, or any other extraneous consideration not directly and substantively related to effective job performance.
2. The Workforce Diversity Plan also is intended to promote the recruitment, hiring, advancement, and retention of racial/ethnic minorities, women (and in some cases men), and people with disabilities in all segments of the district workforce. To accomplish this objective it will be the policy of the district to undertake affirmative action efforts that recognize and value the racial/ethnic minority, gender, or disability status of employees and applicants for employment as additional and positive

qualification to those that are specific to job requirements. As such, the racial/ethnic minority, gender, or disability status of candidates will be considered in employment decisions when such persons are finalists for a position in a job group where they are underrepresented, and the finalists are equally well qualified.

The Board of Directors reaffirms its strong commitment to the principles of equal employment opportunity and the taking of affirmative action leading to workforce diversity. It is the duty and obligation of all employees to support and aid in all appropriate ways the implementation of the Workforce Diversity Plan.

### **Employment of Persons with Disabilities**

Persons with disabilities will be encouraged to apply for positions in the district for which they are qualified. Such applicants will be given fair consideration for positions, and the district will make reasonable accommodation to such disabilities wherever feasible.

The superintendent will appoint an employee to serve as the office in charge of compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008 (ADA), and Section 504 of the Rehabilitation Act of 1973. 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 procedure as are necessary to implement this policy.

END OF POLICY

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#### **Legal Reference(s):**

<a href="#">ORS 174.100</a>	<a href="#">ORS 659A.009</a>	<a href="#">ORS 659A.805</a>
<a href="#">ORS 192.630</a>	<a href="#">ORS 659A.029</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 243.672</a>	<a href="#">ORS 659A.030</a>	<a href="#">OAR 581-022-1720</a>
<a href="#">ORS 326.051</a>	<a href="#">ORS 659A.109</a>	<a href="#">OAR 839-003-0000</a>
<a href="#">ORS 332.505</a>	<a href="#">ORS 659A.142</a>	<a href="#">OAR 839-006-0435</a>
<a href="#">ORS 342.934</a>	<a href="#">ORS 659A.145</a>	<a href="#">OAR 839-006-0440</a>
<a href="#">ORS 408.225 to -408.238</a>	<a href="#">ORS 659A.233</a>	<a href="#">OAR 839-006-0445</a>
<a href="#">ORS 659.850</a>	<a href="#">ORS 659A.236</a>	<a href="#">OAR 839-006-0450</a>
<a href="#">ORS 659.870</a>	<a href="#">ORS 659A.309</a>	<a href="#">OAR 839-006-0455</a>
<a href="#">ORS 659A.003</a>	<a href="#">ORS 659A.321</a>	<a href="#">OAR 839-006-0460</a>
<a href="#">ORS 659A.006</a>	<a href="#">ORS 659A.409</a>	<a href="#">OAR 839-006-0465</a>

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2012).

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 IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (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.

**Cross Reference(s):**

AC - Nondiscrimination