RESOLUTION 26-065 –Approval of Amended Board Policy AC-Non-Discrimination and Civil Rights

Background: Policy AC – Nondiscrimination establishes MESD's commitment to providing an educational and work environment free from discrimination, harassment, and retaliation. The policy outlines protections for students, staff, families, and the public in accordance with applicable state and federal civil rights laws. It also establishes procedures for reporting and resolving discrimination complaints and identifies designated MESD coordinators responsible for addressing concerns related to Title IX, Section 504, the Americans with Disabilities Act (ADA), and other civil rights protections. These provisions reinforce MESD's commitment to equity, inclusion, accountability, and ensuring equal access to educational programs, services, and employment opportunities.

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WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee reviewed and discussed Board Policy AC-Non-Discrimination and Civil Rights;

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee recommends the Board adopt Amended Board Policy AC-Non-Discrimination and Civil Rights;

NOW THEREFORE BE IT RESOLVED, that Amended Board Policy AC-Non-Discrimination and Civil Rights is approved as written or as further modified..

BE IT FURTHER RESOLVED, that if no further discussion is required, Amended Board PolicyAC-Non-Discrimination and Civil Rights is approved as proposed and does not require a second reading.

Multnomah Education Service District

Code: **AC**
Adopted: 9/20/94
Revised/Reviewed: 3/15/05; 9/20/05; 6/15/10; 8/01/13; 1/19/16; 11/21/17; 9/17/19; 11/16/21; 12/17/24; 11/17/16

Non-Discrimination and Civil Rights

The MESD does not discriminate on any basis listed below and prohibits discrimination and harassment on any basis protected by law, including but not limited to, individual's perceived or actual race[1], citizenship status, immigration status, color, religion, sex, national or ethnic origin, sexual orientation[2], gender identity, mental or physical disability or perceived disability, pregnancy, familial status, economic status, veterans' status, parental or marital status or age, or because of the perceived or actual race, citizenship status, immigration status, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, mental or physical disability or perceived disability, pregnancy, familial status, economic status, veterans' status, parental or marital status or age of any other persons with whom the individual associates.

MESD 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 Federal law.

MESD 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 improve human relations within MESD, 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 MESD to contact on issues concerning the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, 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 MESD will publish complaint procedures providing for prompt and equitable resolution of

[1] 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.
[2]Sexual 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.

complaints from students, employees and the public, and such procedures will be available at the ESD's administrative office and available on the home page of the ESD's website. Complaint procedures are published in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

The Board shall adopt and the Superintendent or designee will develop and make available procedures providing for prompt and equitable review and resolution of student and employee complaints.

The following employee(s) has been designated to handle questions and complaints of alleged discrimination:

Title IX Coordinator (sex discrimination):
Title: Contracts & Risk Manager
Address: 11611 NE Ainsworth Circle, Portland, OR 97220
Phone Number: (503) 257-1518
Email Address: nondiscrimination@mesd.k12.or.us

Section 504 Coordinator (disability discrimination):
Title: Senior Program Administrator, Student Services
Address: 11611 NE Ainsworth Circle, Portland, OR 97220
Phone Number: (503) 257-1661
Email Address: nondiscrimination@mesd.k12.or.us

ADA/Title II Coordinator (staffing):
Title: Human Resources Director
Address: 11611 NE Ainsworth Circle, Portland, OR 97220
Phone Number: (503) 257-1513
Email Address: nondiscrimination@mesd.k12.or.us

ADA/Title II Coordinator (buildings):
Title: Facilities & Fleet Manager
Address: 11611 NE Ainsworth Circle, Portland, OR 97220
Phone Number: (503) 257-1630
Email Address: nondiscrimination@mesd.k12.or.us

Civil Rights Coordinator (any discrimination):
Title: Contracts & Risk Manager
Address: 11611 NE Ainsworth Circle, Portland, OR 97220
Phone Number: (503) 257-1518
Email Address: nondiscrimination@mesd.k12.or.us

END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 192.630
ORS 326.051(1)(e)
ORS 659.805
ORS 659.815
ORS 659.850 – 659.860

ORS 659.865
ORS 659.870
ORS 659A.001
ORS 659A.003
ORS 659A.006
ORS 659A.009
ORS 659A.029
ORS 659A.030
ORS 659A.040
ORS 659A.103 – 659A.145
ORS 659A.230 – 659A.233
ORS 659A.236
ORS 659A.309
ORS 659A.321
ORS 659A.409
OAR 581-021-0046
OAR 581-021-0047
OAR 581-022-2310
OAR 581-022-2370
OAR 581-024-0210
OAR 581-075-0001 - 075-0005
OAR 581-075-0901
OAR 839-003

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. §§ 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/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12112 (2012); 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).
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); 29 C.F.R. Part 1635 (2019).

Cross Reference(s):

ACA - Americans with Disabilities Act
ACB - All Students Belong
JBB - Educational Equity
GBA - Equal Employment Opportunity
GBEA - Workers' Compensation Insurance
JB - Equal Educational Opportunity
KL - Public Complaints