

**[District] School District**

**PERSONNEL**

5010

Equal Employment Opportunity and Non-Discrimination

As required by federal law, including but not limited to the Civil Rights Act of 1964, Title IX, and Section 504 and the Americans with Disabilities Act and their regulations The District will provide equal employment opportunities to and will not discriminate in its educational programs or activities, including in the area of employment, with respect to all persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work, physical or mental handicap or disability, if otherwise able to perform essential functions of a job with reasonable accommodations, and other legally protected categories. For purposes of this policy, "sex" includes sexual orientation and gender identity and expression.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District.

Persons who believe they have not received equal employment opportunities or have been retaliated against should report their claims to the building principal. Inquiries regarding sex discrimination or sexual harassment may also be directed to the District's Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both. Claims of sexual harassment will be handled through the District's Title IX Sexual Harassment Grievance Procedures. Claims of disability discrimination will be handled through the District's Section 504 and ADA Grievance Procedure. All other claims will be handled through the Uniform Complaint Protocol. No employee or applicant will be discriminated against because he or she initiated a complaint, was a witness, supplied information or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws. The District reserves the right to take action against any individual who knowingly makes false accusations or knowingly provides false information.

Retaliation against an employee who has filed a discrimination complaint, testified or participated in any manner in a discrimination investigation or proceeding is prohibited.

Cross Reference:     1700 Uniform Complaint Procedure  
                          Title IX Sexual Harassment Grievance Procedure  
                          Section 504 and ADA Grievance Procedure

Legal Reference:     Age Discrimination in Employment Act, 29 U.S.C. §§ 621, *et seq.*  
                          Americans with Disabilities Act, Title I, 42 U.S.C. §§ 12111, *et seq.*  
                          Equal Pay Act, 29 U.S.C. § 206(d)  
                          Immigration Reform and Control Act, 8 U.S.C. §§ 1324(a), *et seq.*  
                          Rehabilitation Act of 1973, 29 U.S.C. §§ 791, *et seq.*  
                          Title IX of the Education Amendments, 20 U.S.C. §§ 1681, *et seq.*;  
                          Nondiscrimination on the Basis of Sex in Education, 34 C.F.R. Part 106

Montana Constitution, Art. X, § 1 - Educational goals and duties  
§ 49-2-101, *et seq.*, MCA - Human Rights Act  
*Bostock v. Clayton County*, 140 S.Ct. 1731 (2020)

Policy History:

Adopted on:

Reviewed on:

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