

The Center for Advanced Learning

Code: AC
Adopted: 8/20/14

Nondiscrimination

The public charter school shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation¹, national origin, marital status, age or disability, because of the race, color, religion, sex, sexual orientation, national origin, marital status, age or disability of any other persons with whom the individual associates.

A public charter school may not limit student admission based on ethnicity, national origin, race, religion, disability, gender, income level, proficiency in English language or athletic ability, but may limit admission to students within a given age group or grade level.

In keeping with requirements of federal and state law, the public charter school strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to the school and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The public charter school board encourages staff to improve human relations within the school and to establish channels through which citizens can communicate their concerns to the public charter school administration and the public charter school board.

The public charter school director shall appoint and make known, the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues.² The public charter school board will adopt and the public charter school will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice; or because that person has filed a charge; testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

¹“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.

²Public charter schools are reminded that the public charter school is required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

Legal Reference(s):

<u>ORS 174.100</u>	<u>ORS 659A.006</u>	<u>ORS 659A.236</u>
<u>ORS 192.630</u>	<u>ORS 659A.009</u>	<u>ORS 659A.309</u>
<u>ORS 326.051(1)(e)</u>	<u>ORS 659A.029</u>	<u>ORS 659A.321</u>
<u>ORS 338.125(3)</u>	<u>ORS 659A.030</u>	<u>ORS 659A.409</u>
<u>ORS 342.934(3)</u>	<u>ORS 659A.043</u>	
<u>ORS 659.150</u>	<u>ORS 659A.103</u>	<u>OAR 581-021-0045</u>
<u>ORS 659.805</u>	<u>ORS 659A.109</u>	<u>OAR 581-021-0046</u>
<u>ORS 659.815</u>	<u>ORS 659A.112 - 659A.139</u>	<u>OAR 581-021-0049</u>
<u>ORS 659.850</u>	<u>ORS 659A.142</u>	<u>OAR 581-022-1140</u>
<u>ORS 659.865</u>	<u>ORS 659A.145</u>	
<u>ORS 659.870</u>	<u>ORS 659A.233</u>	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (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).
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).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (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):

ACA - Americans with Disabilities Act
GBA - Equal Employment Opportunity
JB - Equal Educational Opportunity

Discrimination Complaint/Grievance Procedure

Complaints regarding the interpretation or application of the public charter school's nondiscrimination policy shall be processed in accordance with the following procedures:

Informal Procedure

Any person who feels that he or she has been discriminated against should discuss the matter with the director, who shall in turn investigate the complaint and respond to the complainant within five school days. If this response is not acceptable to the complainant, he or she may initiate formal procedures.

If the director is the subject of the complaint, the complaint may be filed with the public charter school board chair.

Formal Procedure

- Step 1: A written complaint must be filed with the director within five school days of receipt of the response to the informal complaint. The director shall further investigate, decide the merits of the complaint and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days.
- Step 2: If the complainant is not satisfied with the decision of the director, a written appeal may be filed with the public charter school board within five school days of receipt of the director's response to Step 1. In an attempt to resolve the complaint, the public charter school board shall meet with the concerned parties and their representative at the next regular or special Board meeting. A copy of the public charter school board's decision shall be sent to the complainant within 10 days of this meeting.

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he or she may appeal in writing to the Superintendent of Public Instruction.

**Center for Advanced Learning
DISCRIMINATION COMPLAINT FORM**

Name of Person Filing Complaint

Date

School or Activity

Student/Parent Employee Nonemployee (Job applicant)

Type of discrimination:

Race

Color

Religion

Sex

National Origin

Disability

Marital Status

Age

Sexual Orientation

Income level

Athletic ability

Proficiency in English
language

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)

Remedy requested:

The complaint form should be mailed or taken to the director. Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.