

PERSONNEL

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 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, gender, sexual orientation, gender identity and expression, ancestry, marital status, military status, citizenship status, culture, social origin or condition, use of lawful products while not at work, political affiliation or a mental, physical or sensory handicap, or by any other distinguishing characteristic if otherwise able to perform essential functions of a job with reasonable accommodations, and other legally protected categories

The District shall not retaliate against any employee for complaining about not receiving equal employment opportunities or other unlawful discriminatory practices, participating in a proceeding regarding the denial of equal employment opportunities, or otherwise opposing discrimination.

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. Covid-19 vaccine status will not be used as a basis to deny or allow equal opportunity to employment.

Persons who believe they have not received equal employment opportunities or have been retaliated against should report their claims to the building principal or department supervisor. 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 Procedure.

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: 1085 Uniform Complaint Procedure

Title IX Sexual Harassment Grievance Procedure
Section 504 and ADA Grievance Procedure

Legal Reference: 29 U.S.C. §§ 621, *et seq.* Age Discrimination in Employment Act
42 U.S.C. §§ 12111, *et seq.* Americans with Disabilities Act, Title I
29 U.S.C. § 206(d) Equal Pay Act
8 U.S.C. §§ 1324(a), *et seq.* Immigration Reform and Control Act
29 U.S.C. §§ 791, *et seq.* Rehabilitation Act of 1973
20 U.S.C. §§ 1681, *et seq.*; Title IX of the Education Amendments
34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education,
Montana Constitution, Art. X, § 1 - Educational goals and duties

§ 49-2-101, *et seq.* MCA Human Rights Act
§ 49-2-301, MCA Retaliation Prohibited
§ 49-1-102, MCA Freedom from discrimination
§ 49-2-303, MCA Discrimination in employment
§ 49-3-201, MCA *et seq.* Governmental Code of Fair Practices

§ 49-2-101, *et seq.*, MCA Human Rights Act
House Bill 702 Prohibits Discrimination Based on Vaccine
Status

§ 50-16-502, MCA Legislative findings (*Cited by House Bill 702*)
Bostock v. Clayton County, 140 S. Ct. 1731
(2020)

Policy History:
Adopted on: 8.13.2013
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