

Book	Policy Manual
Section	Section A: Foundations And Basic Commitments
Title	Nondiscrimination
Code	AC
Status	Active
Adopted	June 13, 1994
Last Revised	September 21, 2020
Prior Revised Dates	07/21/2014, 04/15/2019

### **Nondiscrimination**

The Board's policy of nondiscrimination extends to students, staff, job applicants, the general public and individuals with whom it does business and applies to race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability or military status.

The Board does not discriminate on the basis of legally acquired genetic information.

The Board does not permit discriminatory practices and views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means including the use of electronic communications devices, of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred, contempt or prejudice or to have the effect of insulting or stigmatizing an individual.

Employees or students who engage in discrimination of another employee or student shall be subject to disciplinary action.

Permission, consent or assumption of risk by an individual subjected to discrimination does not lessen the prohibition contained in this policy.

No one shall retaliate against an employee or student because he/she files a grievance; assists or participates in an investigation, proceeding or hearing regarding the charge of discrimination of an individual; or because he/she has opposed language or conduct that violates this policy.

The Board designates the following individual to serve as the District's compliance officer/civil rights coordinator:

Title: Superintendent  
Address: 8591 Oakes Road Arcanum, Ohio 45304  
Phone number: 937-947-1212  
Email: jeremy.pequignot@fmlsd.org

The name, title, and contact information of this individual is annually published in District handbooks and on the District website. The Board has adopted separate policies and procedures for sexual harassment, including the identification of a Title IX Coordinator. All sexual harassment reports must be managed in accordance with the sexual harassment policy and procedure.

The compliance officer is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address any inquiries or complaints regarding discrimination/retaliation or denial of equal access in a prompt and equitable manner.

### **Reports and Complaints of Unlawful Discrimination/Harassment**

All persons associated with the District, including, but not limited to, the Board, administration, staff, students and third parties are encouraged to promptly report incidents of unlawful discrimination/harassment.

The Board has developed complaint procedures, which are made available to every member of the school community. The Board also has identified disciplinary penalties, which may be imposed on the offender(s).

Matters, including the identity of both the reporting party and the responding party, are kept confidential to the extent possible.

CROSS REFS.: Staff Handbooks  
Student Handbooks

## Legal

Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
Executive Order 11246, 1965, amended by Executive Order 11375  
Equal Pay Act; 29 USC 206  
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.  
Rehabilitation Act; 29 USC 794  
Individuals with Disabilities Education Act; 20 USC 1400 et seq.  
Age Discrimination in Employment Act; 29 USC 623  
Immigration Reform and Control Act; 8 USC 1324a et seq.  
Americans with Disabilities Act; 42 USC 12101 et seq.  
Ohio Constitution Art. I, Section 2  
ORC Chapter 3323  
ORC Chapter 4112  
OAC 3301-35-02  
CONTRACT REF.: Teachers' Negotiated Agreement

## Cross References

ACA - Nondiscrimination on the Basis of Sex  
ACAA - Sexual Harassment  
ACB - Nondiscrimination on the Basis of Disability  
EDE - Computer/Online Services (Acceptable Use and Internet Safety)  
GBA - Equal Opportunity Employment  
GBO - Verification of Employment Eligibility  
IGAB - Human Relations Education  
IGBA - Programs for Students With Disabilities  
JB - Equal Educational Opportunities  
JFC - Student Conduct (Zero Tolerance)  
JFCEA - Gangs  
JFCF - Hazing and Bullying (Harassment, Intimidation and Dating Violence)