MITCH Charter School

Code: **AC**
Adopted: 7/20/23

Nondiscrimination

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

The public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation, gender identity, income level, proficiency in English language, the terms of an individualized education program (IEP), or athletic ability, except as authorized under Oregon law. A public charter school may limit admission to students within a given grade level. The public charter school must select students through an equitable lottery selection process if the number of student applicants exceeds the capacity of a program, class, grade level or building. The public charter school may implement a weighted lottery that favors historically underserved students in accordance with ORS 338.125[2]. The public charter school may give priority for admission to students in accordance with ORS 338.125.

The public charter school prohibits discrimination and harassment in, but not limited to: employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to the school and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The public charter school prohibits retaliation and discrimination against an individual who 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, and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

The Board encourages staff to improve human relations within the school, to respect all individuals, and to establish channels through which the school community can communicate their concerns to school administration and the Board.

The executive director shall appoint individuals at the public charter school to contact on issues concerning the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Titles VI and VII 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 (as amended by House Bill 2935 (2021)).

[2] As amended by House Bill 2954 (2021).

the Civil Rights Act, Title IX of the Education Amendments Act, and other civil rights or discrimination issues, and notify students, parents, and employees with their names, office addresses, and phone numbers.

The Board will adopt and the public charter school will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees, and the public, and such procedures will be available at the school's administrative office [during business hours] and published on the home page of the school's website.

END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 192.630
ORS 326.051(1)(e)
ORS 338.115
ORS 338.125
ORS 408.230
ORS 659.805
ORS 659.815
ORS 659.850 - 659.860
ORS 659.865
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 581-021-0045
OAR 581-021-0046
OAR 581-021-0047
OAR 839-003

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).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (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, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
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).
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).
House Bill 2935 (2021).
House Bill 2954 (2021).
House Bill 3041 (2021).

Cross Reference(s):

ACA - Americans with Disabilities Act
ACB - Every Student Belongs
JBB - Educational Equity
GBA - Equal Employment Opportunity
GBEA - Workplace Harassment
JB - Equal Educational Opportunity
KL - Public Complaints