

401 EQUAL EMPLOYMENT OPPORTUNITY

[Note: School districts are not required by statute to have a policy addressing these issues. However, the Equal Employment Opportunity Commission strongly encourages the adoption of a policy and will look for such a policy during accreditation visits, audits, or investigations.]

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees.

II. GENERAL STATEMENT OF POLICY

A. It is the school district's policy to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status or veteran status. The school district also makes reasonable accommodations for disabled employees.

[Note: The Minnesota Human Rights Act defines "sexual orientation" to include "having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness." Minn. Stat. § 363A.03, Subd. 44.]

B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.

C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities or privileges of employment.

D. Every school district employee shall be responsible for following this policy.

E. Any person with questions, concerns, or complaints about discrimination in the workplace should immediately bring these issues to the attention of his/her supervisor or John Landgaard, Superintendent, 1117 Marine Ave., Worthington, MN 56187, (507) 372-2172, john.landgaard@isd518.net. The school district will not retaliate against anyone making a claim or bringing a concern of discrimination forward, nor will it tolerate retaliation engaged in by its staff. This includes, but is not limited to, retaliation in the form of an adverse employment action such as termination, compensation decrease, or demotion, and harassment, intimidation or threats of physical harm. Any individual who believes he/she has been retaliated against must contact his/her supervisor or the Superintendent immediately. Anyone found to be engaging in unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. The school district will enforce this policy consistent with applicable law, including the requirements of Title VII and the ADA.

Legal References: Minn. Stat. Ch. 363 (Minnesota Human Rights Act)
29 U.S.C. § 621 et. seq. (Age Discrimination in Employment Act)
29 U.S.C. § 2615 (Family and Medical Leave Act)
38 U.S.C. § 4301 et seq. (Vietnam Era Veterans' Readjustment Assistance Act)
38 U.S.C. § 4211 et. seq. (Veterans' Reemployment Rights Act)
42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 405 (Veteran's Preference)
MSBA/MASA Model Policy 413 (Harassment and Violence)

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