



Long Valley Charter School

Imagine-Achieve-Inspire

NON-DISCRIMINATION IN EMPLOYMENT

Approved by: Board of Directors

Date: 11/09/2004

Number: 1002

Procedures:

The Board of Director's prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religious creed, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender or sexual orientation, at any district site and/or activity. The Board also prohibits retaliation against any district employees or job applicant who complains, testifies or in any way participates in the district in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in unlawful discrimination or harassment shall be subject to disciplinary action up to and including dismissal.

Any district employee who permits unlawful discrimination or harassment may be subject to disciplinary action up to and including dismissal. A district employee shall be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident or discrimination and/or harassment, whether or not the victim complains.

The Principal or designee shall regularly publicize, within the district and in the community, the district's non-discrimination policy and the availability of complaint procedures.

The Board designates the following position(s) as Coordinator(s) for Non-discrimination in Employment:

Director

PO Box 7

Doyle, CA 96109

(530) 827-2395

Other Remedies

An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the Equal Employment Opportunity Commission (EEOC) or the California

Department of Fair Employment and Housing (DFEH). The time limits for filing such complaints are as follows:

1. To file a valid complaint with EEOC. The employee must file his/her complaint within 300 days of the alleged discriminatory act(s). (42 USC 2000e-5)
2. To file a valid complaint with DFEH, the employee must file his/he complaint within one year of the alleged discriminatory act(s). (Government Code 12960)

Employees wishing to file complaints with the DFEH and EEOC should contact the non-discrimination coordinator for more information.

NON-DISCRIMINATION IN EMPLOYMENT

Unlawful discrimination or harassment of an individual includes:

1. Slurs, epithets, threats or verbal abuse
2. Derogatory or delegating comments, descriptions, drawing, pictures or gestures
3. Unwelcome jokes, stories, teasing or taunting
4. Any other verbal, written, visual or physical conduct against the individual which:
 - a. Adversely affects his/her employment opportunities, or
 - b. Has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive work environment.

Any employee or job applicant who feels that he/she has been or is being unlawfully discriminated against or harassed should immediately contact his/her supervisor, the non-discrimination coordinator or the Director in order to obtain procedures for reporting a complaint. Such complaints shall be filled in accordance with AR 4031 – Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor when the supervisor is the alleged offender.

Any supervisor who receives a discrimination/harassment complaint shall immediately notify the non-discrimination coordinator or the Director, who shall ensure that the complaint is appropriately investigate in accordance with district policy and regulations.

The Director or designee shall ensure that annual training is provided to all employees regarding the issues of discrimination.

Legal Reference:

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as Amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 American with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.8 Notice

106.8 Designated of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISION

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisor, June 1999

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, March 1999

OFFICE OF CIVIL RIGHTS

Notice of Non-Discrimination, January 1999

WEB SITES

EEOC: <http://www.eeoc.gov>

OCR: <http://www.ed.gov/offices/OCR>

DFEH: <http://www.dfeh.ca.gov>