

# AC - Nondiscrimination/Equal Opportunity and Affirmative Action

## **AC - NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

MSAD #35 does not discriminate on the basis of sex and other protected categories in its education programs and activities, as required by federal and state laws and regulations.

MSAD #35 prohibits discrimination, including harassment, of school employees on the basis of:

- Race (including traits associated with race involving hair texture, Afro hairstyles and protective hairstyles such as braids, twists, and locks);
- Sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, pregnancy or related conditions;
- Parental, family, or marital status;
- Color;
- Religion;
- Ancestry or national origin;
- Age;
- Disability; and
- Genetic information.

MSAD #35 prohibits discrimination, including harassment, of students on the basis of:

- Race (including traits associated with race involving hair texture, Afro hairstyles and protective hairstyles such as braids, twists, and locks);
- Sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, pregnancy or related conditions;
- Parental, family, or marital status;
- Color;
- Religion;
- Ancestry or national origin; and
- Disability.

The Board directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students and other individuals having access rights to school premises, programs, and activities.

MSAD #35 has designated and authorized an Affirmative Action Officer/Title IX Coordinator who is responsible for ensuring compliance with all federal and state requirements prohibiting discrimination, including sexual/sex-based harassment. The Affirmative Action Officer/Title IX Coordinator is a person with direct access to the Superintendent.

MSAD #35 has implemented complaint procedures for resolving complaints of discrimination and harassment under this policy. The school unit provides required notices of non-discrimination policies and complaint procedures, how they can be accessed, and the school unit's compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents, and other interested parties.

#### Legal References:

Equal Employment Opportunity Act of 1972 (P.L. 92-261), amending Title VII of the Civil Rights Act of 1965, 42 U.S.C. §§ 2000e to 2000e-17.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, as amended by 34 C.F.R. § 106.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7. Age Discrimination in Employment Act, 29 U.S.C. §§ 623-634.

Equal Pay Act of 1963, 29 U.S.C. § 206.

Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, as amended by 34 C.F.R. § 104.7.

Americans with Disabilities Act, 42 U.S.C. §§ 12101-12213, as amended by 28 C.F.R. § 35.107.

Genetic Information Nondiscrimination Act of 2008, 29 U.S.C. §§ 2000ff to 2000ff-11.

Pregnant Workers Fairness Act, 42 U.S.C. §§ 2000gg to 2000gg-6. Maine Human Rights Act, 5 M.R.S.A. §§ 4551-4634 (2023).

#### Cross References:

MSAD #35 Affirmative Action Plan

ACAA- Harassment of Students

ACAA-R1 – Student Discrimination and Harassment Complaint Procedure

ACAA-R2 – Student Sex Discrimination/Harassment Complaint Procedure

ACAB – Harassment of Employees

ACAB-R1 – Employee Discrimination and Harassment Complaint Procedure

ACAB-R2 – Employee Sex Discrimination/Harassment Complaint Procedure

GBGB – Workplace Bullying

JICK – Bullying

JIE – Pregnant Students

*Policy Adopted: January 20, 1993*

*Policy Revised: April 25, 2001, December 4, 2002, January 5, 2005, February 25, 2009, July 18, 2018, December 18, 2019, November 18, 2020, April 27, 2022, December 21, 2022; November 20, 2024*

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