

***EQUAL EDUCATIONAL OPPORTUNITY; EQUAL EMPLOYMENT OPPORTUNITY:
NON-DISCRIMINATION***

Lyon County School District (the school district) does not discriminate on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, or gender identity or expression, or any other category protected by applicable state or federal law in its programs and activities and provides equal access to the Boy Scouts of America and other designated youth groups.

In keeping with requirements of federal and state law, Lyon County School District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

Notice of Nondiscrimination on the Basis of Sex Under Title IX

Lyon County School District does not discriminate on the basis of sex in the education program or activity that it operates, and the school district is required by Title IX and 34 CFR Part 106 not to discriminate in this manner. The requirement not to discriminate in the school district's education program or activity extends to employment.

Inquiries about the application of Title IX and the Title IX regulations to Lyon County School District may be referred to the school district's Title IX Coordinator, or to the Assistant Secretary at the U.S. Department of Education, or both.

The school district has designated the following employee to coordinate its efforts to comply with Title IX. The school district's Title IX Coordinator is:

Director of Human Resources
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775) 463-6800
bhogan@lyoncsd.org

The Assistant Secretary may be contacted at:

Assistant Secretary for Civil Rights
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, D.C. 20202

Notice of Nondiscrimination on the Basis of Disability

Lyon County School District shall ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be

subjected to discrimination under any program of the school district. Lyon County School District, in providing any aid, benefit, or service, shall not, directly or through contractual, licensing, or other arrangements, on the basis of disability:

- a. deny a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit, or service;
- b. afford a qualified person with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;
- c. provide a qualified person with a disability with an aid, benefit, or service that is not as effective as that provided to others;
- d. provide different or separate aid, benefits, or services to persons with disabilities or to any class of disabled persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;
- e. deny a qualified person with a disability the opportunity to participate as a member of planning or advisory boards; or
- f. otherwise limit a qualified person with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

Prohibition on Retaliation

Lyon County School District is committed to providing an educational and work environment that is free from all forms of retaliation. The school district prohibits and will not tolerate retaliation against any employee or student who brought a claim of discrimination, participated in an investigation, proceeding or hearing concerning a claim of discrimination, or who in good faith has opposed a practice he or she reasonably believes constituted prohibited discrimination. The school district will take prompt and equitable action to eliminate such retaliation.

Grievance Procedures

The school district has established grievance procedures and processes to address allegations of discrimination, including harassment.

Employee Complaints:

1. For employee complaints alleging bullying, harassment, sexual harassment (**except sexual harassment prohibited by Title IX**), intimidation, discrimination and/or retaliation, see the procedures in **Board Policy GBBC and Policy GL**.
2. For employee complaints alleging sexual harassment prohibited by Title IX, see the grievance process in **Board Policy AB**.

Student Complaints:

3. For student complaints alleging bullying and/or cyber-bullying (**except sexual harassment prohibited by Title IX**), see the procedures in **Board Policy JFCC and Policy GBBA**.
4. For student complaints alleging sexual harassment prohibited by Title IX, see the **grievance process in Board Policy AB**.
5. For student complaints alleging discrimination, including harassment, based on disability, **see the procedures in Board Policy AC**.

Other Complaints:

LYON COUNTY SCHOOL DISTRICT
BOARD POLICY

AA

6. For all other complaints alleging discrimination, including harassment, see the grievance procedures in the Administrative Regulation accompanying this Board Policy AA.

If an employee or volunteer has reasonable cause to believe that sexual harassment in violation of Title IX arises to abuse or neglect under NRS 432B and/or NRS 392.275 *et seq.*, such misconduct will be reported to law enforcement officials and/or Child Protective Service agency personnel in accordance with the procedures set forth in Board policies and regulations concerning mandatory reporting. These procedures are addressed in Board Policy JHG.

Contact Information

For student-related disability discrimination concerns, contact the following person:

Director of Special Services
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775) 463-6800
rstewart@lyoncsd.org

For all other concerns, including any arising under Title IX, contact the following person:

Director of Human Resources
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775) 463-6800
bhogan@lyoncsd.org

***EQUAL EDUCATIONAL OPPORTUNITY; EQUAL EMPLOYMENT OPPORTUNITY;
NONDISCRIMINATION—ADMINISTRATIVE REGULATION***

Lyon County School District provides Equal Educational Opportunities and Equal Employment Opportunities and does not discriminate on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and provides equal access to the Boy Scouts of America and other designated youth groups.

What is discrimination?

Discrimination is unfair or unlawful treatment of a person or group because they are part of a defined group, known as a protected class. Discrimination may include treating a person or group differently or denying someone access to a program, service, or activity, because they are part of a protected class, or failing to accommodate a person's disability. Discriminatory harassment is verbal or physical harassment based on a protected class.

What is a protected class?

A protected class is a group of people who share common characteristics and are protected from discrimination and harassment by federal, state, or local laws. Protected classes in the school district are those groups identified in the nondiscrimination statement above, such as race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, or gender identity or expression.

How do I file a complaint about discrimination?

If you believe that you or your student has experienced discrimination or discriminatory harassment in the school district, you have the right to file a formal complaint. All formal complaints must: (a) be in writing, (b) be signed by the complainant, and (c) set forth the specific acts, conditions, or circumstances alleged to have occurred that constitute discrimination. Before filing a complaint, you may want to discuss your concerns with the following school official:

Director of Human Resources
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775) 463-6800
bhogan@lyoncsd.org

Will my complaint be kept confidential?

Confidentiality cannot be guaranteed. We often need to disclose the identity of the complainant to investigate complaint allegations. We will attempt to maintain as much confidentiality as possible by sharing information only with those persons who are considered essential to the investigation and disposition of your complaint. Due process requirements for any person(s) complained about may also require that the school district release information regarding the complaint to the accused. Therefore, requests that any accused person *not* be informed of the complaint may limit our ability to respond to, investigate, and resolve your formal complaint concerns.

Is retaliation prohibited?

Yes. It is both illegal and against school district policy for anyone to retaliate against you for filing your complaint.

Discrimination Complaint Procedure

The school district has specific complaint procedures for certain allegations of discrimination and harassment, as follows:

Employee Complaints:

1. For employee complaints alleging bullying, harassment, sexual harassment (**except sexual harassment prohibited by Title IX**), intimidation, discrimination and/or retaliation, see the procedures in **Board Policy GBBA and Policy GL**.
2. For employee complaints alleging sexual harassment prohibited by Title IX, see the grievance process in **Board Policy AB**.

Student Complaints:

3. For student complaints alleging bullying and/or cyber-bullying (**except sexual harassment prohibited by Title IX**), see the procedures in **Board Policy GBBA and Policy JFCC**.
4. For student complaints alleging sexual harassment prohibited by Title IX, see the grievance process in **Board Policy AB**.
5. For student complaints alleging discrimination, including harassment, based on disability, see the procedures in **Board Policy AC**.

Students, parents/guardians, employees, or other individuals may **use this procedure** to file a complaint **for all other allegations of discrimination** on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, sex, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and including the provision of equal access to the Boy Scouts of America and other designated youth groups.

All complaints alleging discrimination will be addressed under applicable district procedures and processes, regardless of whether the complainant accesses the applicable procedure in the first instance.

STEP ONE

Provide a signed, written statement about your complaint or complete the form on the following pages. Be as specific as possible when discussing the acts, conditions, or circumstances alleged to have occurred that constitute discrimination. Include the date(s), incident(s) that occurred, the name(s) of the person(s) involved, and the name(s) of those who may have additional information. You are encouraged to attach additional materials, which may assist in the investigation process.

COMPLAINT ALLEGING DISCRIMINATION

Personal Information

First Name

Last Name

Phone Number

(work/cell)

Email

Home Address

City

State

Zip

Type of Complaint (mark all that apply)

Discrimination based on:

- Race Color Religion National Origin Ancestry
 Disability Age Marital Status Sex Sexual Orientation
 Gender Identity or Expression Other (specify)

Date(s) Discrimination Allegedly Took Place

Earliest Date

Latest Date

Person and/or School District Program Allegedly Discriminating

Name

School/Department

Name

School/Department

Name

School/Department

Describe Your Complaint

Please describe your complaint. Specifically, how were you or your child discriminated against or treated differently from others on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law? Attach additional pages, if necessary.

LYON COUNTY SCHOOL DISTRICT
BOARD POLICY

AA

Please identify all school district employees to whom you have reported your concerns:

Reported to (Name) _____ Date(s) _____

Describe how concerns were reported

Describe results

Reported to (Name) _____ Date(s) _____

Describe how concerns were reported

Describe results

Please identify person(s) who have relevant information concerning your complaint:

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number _____ Email _____

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number _____ Email _____

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number _____ Email _____

Corrective Action Desired

How would you like the school district to resolve your complaint? Attach additional pages, if needed.

Your Signature

Date

STEP ONE (continued)

Send your complaint by mail, email, or hand delivery to:

Director of Human Resources
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775) 463-6800
bhogan@lyoncsd.org

STEP TWO

The school district Director of Human Resources or designee will conduct a prompt, thorough, and equitable investigation of your complaint and respond to you within 60 calendar days after receiving your complaint, unless the school district extends the timeline. If resolution will take more than 60 calendar days, the school district will notify you in writing about the reasons for the extension and the anticipated response date.

When the school district Director of Human Resources or designee responds to your complaint, the response will include:

1. A summary of the results of the investigation;
2. Whether or not the school district has failed to comply with requirements related to your complaint;
3. Notice of your right to appeal, including where and to whom the appeal must be filed; and
4. Any corrective measures determined necessary to correct any noncompliance.

STEP THREE

If you disagree with the determination of the Director of Human Resources or designee, you may appeal to the Superintendent. You must file a notice of appeal in writing to the Superintendent within 10 business days after you received the response to your complaint. The date you received the response will be the date of personal delivery, or the date of delivery by email, or three days after deposit by first-class mail if delivered by mail. The notice of appeal must specifically state the nature of the disagreement, the reasons underlying such disagreement and how the outcome would be changed by reconsideration of the determination.

The Superintendent or designee will conduct a review of the record to determine whether the preponderance of the evidence supports the determination made by the Director of Human Resources or designee. The Superintendent or designee will issue a written decision and mail it to you within 15 business days of the receipt of the appeal. The decision of the Superintendent or designee is a final decision.

COMPLAINTS TO AN EXTERNAL AGENCY

If a party is not satisfied at any time, including with the Superintendent's decision, the party may file a complaint with the Office for Civil Rights ("OCR") in Seattle, Washington. More information is available at the United States Department of Education, Office for Civil Rights, 915 2nd Avenue, Suite 3310, Seattle, WA, 981174-1099, (206)684-4500. Individuals may also file complaints with any other civil rights entities such as the Nevada Equal Rights Commission:

- Las Vegas Office: 1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104, phone (702)486-7161, fax (702)486-7054
- Northern Nevada Office: 1325 Corporate Blvd., Room 115, Reno, NV 89502, phone (775) 823-6690, fax (775)688-1292

Legal Reference(s):

Title VI of the Civil Rights Act of 1964, as amended, 42 USC 2000(d)

Title VII of the Civil Rights Act of 1964, as amended, 42 USC 2000(e)

Title IX of the Education Amendments of 1972, 20 USC 1681-1683

Americans with Disabilities Act, Amendments Act of 2008, 42 USC 12101-12213

Rehabilitation Act of 1973, 29 USC 791, 793 and 794

Boy Scouts of America Equal Access Act, 20 USC 7905

Nevada Revised Statutes, 388.121 *et seq.*, Provision of Safe and Respectful Learning Environment

Nevada Revised Statutes, 392.275 *et seq.*, Reports of Abuse, Neglect and Other Illegal Conduct

Nevada Revised Statutes, 432B.010 *et seq.*, Protection of Children from Abuse and Neglect

Nevada Revised Statutes, 651.050 *et seq.*, Equal Enjoyment of Places of Public Accommodation