

Adopted: December 8, 1997

MSBA/MASA Model Policy 401

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Orig. 1995

Rev. 2022

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school is 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, gender, 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.
- 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 having any questions regarding this policy should discuss it with the Director of Human Resources.
- F. The school district may require employees and potential employees to undergo a physical examination.
- G. The school district supports and desires to be in compliance with the Minnesota Employee Right-To-Know Act.

- H. Background Checks: An offer of employment from South St. Paul Public Schools to an applicant for a position will be conditioned upon a determination by the district that applicant's background does not preclude the application from employment with the district.

The district will inform applicants that they will be asked to give their informed consent for a background check as described in the Minnesota Child Protection Background Check Act, MN SS 299C.60 et.seq., or other background checks as required by law.

The district specifically reserves any and all rights it may have to conduct background checks regarding current employees and applicants.

The district reserves the right and, unless there are compelling circumstances, will exercise the right to hire individuals or to terminate individuals who have been convicted of a background check crime as defined in MN SS 299C.60 et.seq. and enumerated in the district's Informed Consent Form or other crimes.

Legal References:

- Minn. Stat. Ch. 363A (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.* (Employment and Training of Veterans)
- 38 U.S.C. § 4211 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
- 42 U.S.C. § 2000e *et seq.* (Equal Employment Opportunities; Title VII of the Civil Rights Act)
- 42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

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)