

Book	Policy Manual
Section	Section A: Foundations And Basic Commitments
Title	Nondiscrimination
Code	AC
Status	Active
Adopted	June 13, 1994
Last Revised	June 28, 2021
Prior Revised Dates	07/21/2014, 04/15/2019, 09/21/2020

### **Nondiscrimination**

The Board is committed to an environment in which all individuals, including students, staff, job applicants, the general public and individuals with whom it does business, are treated with dignity and respect. The Board prohibits discrimination based on race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability, military status or legally acquired genetic information.

#### **District Compliance Officer(s)**

The Board designates the following individual(s) to serve as the District's compliance officer:

Title: Superintendent  
Address: 8639 Oakes Road Arcanum, OH 45304  
Phone number: 937-947-1212  
Email: [jeremy.pequignot@fmlsd.org](mailto:jeremy.pequignot@fmlsd.org)

The name, title, and contact information of this individual is annually published in District handbooks and on the District website.

The compliance officer is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination in Employment Act of 1975.

The compliance officer is responsible for addressing any inquiries or complaints regarding discrimination or retaliation in a prompt and equitable manner.

#### **Reports and Complaints of Unlawful Discrimination/Harassment**

Individuals who feel they have been subjected to unlawful discrimination or retaliation may file a complaint, either orally or in writing, with the compliance officer or an administrator, supervisor or other district-level administrator. Employees are required to promptly report to the compliance officer or an administrator, supervisor or other district-level administrator when they become aware of incidents of unlawful discrimination or retaliation. All other persons associated with the District are encouraged to promptly report when they become aware of such incidents. Any administrator, supervisor or district-level administrator who receives such a complaint must forward it to the compliance officer.

The Board has developed complaint procedures, which are made available to every member of the school community. The complaint procedures are not intended to interfere with the rights of any individual to pursue action through State and/or Federal law, contact law enforcement, or file a complaint with the United States Department of Education, Office of Civil Rights, the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

The Board has adopted separate policies and procedures for sexual harassment, including the identification of the Title IX Coordinator. All sexual harassment reports must be managed in accordance with the sexual harassment policy and procedure.

### **Interim Measures and Responsive Action**

Upon receiving a complaint, the compliance officer will consider whether any interim measures should be taken to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter discrimination.

The District shall enforce its prohibitions against unlawful discrimination by taking responsive action reasonably calculated to stop and prevent further misconduct. Employees or students who engage in unlawful discrimination or retaliation may be subject to disciplinary action. The Board has identified disciplinary penalties, which may be imposed on the offender(s).

### **Confidentiality**

Matters, including the identity of both the reporting party and the responding party, are kept confidential to the extent possible.

### **Retaliation**

No one shall retaliate against an employee or student because he/she files a grievance; assists or participates in an investigation, proceeding or hearing regarding the charge of discrimination of an individual; or because he/she has opposed language or conduct that violates this policy. Any administrator, supervisor or district-level administrator who is aware of such retaliation shall forward it to the compliance officer. Reported acts of retaliation will be promptly investigated and addressed.

CROSS REFS.: Staff Handbooks  
Student Handbooks

### Legal

[Civil Rights Act, Title VI; 42 USC 2000d et seq.](#)  
[Civil Rights Act, Title VII; 42 USC 2000e et seq.](#)  
[Education Amendments of 1972, Title IX; 20 USC 1681 et seq.](#)  
[Executive Order 11246, 1965, amended by Executive Order 11375](#)  
[Equal Pay Act; 29 USC 206](#)  
[Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.](#)  
[Rehabilitation Act; 29 USC 794](#)  
[Individuals with Disabilities Education Act; 20 USC 1400 et seq.](#)  
[Age Discrimination in Employment Act; 29 USC 623](#)  
[Immigration Reform and Control Act; 8 USC 1324a et seq.](#)  
[Americans with Disabilities Act; 42 USC 12101 et seq.](#)  
[Ohio Constitution Art. I, Section 2](#)  
[ORC Chapter 3323](#)  
[ORC Chapter 4112](#)  
[OAC 3301-35-02](#)  
CONTRACT REF.: Teachers' Negotiated Agreement  
CONTRACT REF.: Classified Staff Negotiated Agreement

### Cross References

[ACA - Nondiscrimination on the Basis of Sex](#)

[ACAA - Sexual Harassment](#)

[ACB - Nondiscrimination on the Basis of Disability](#)

[EDE - Computer/Online Services \(Acceptable Use and Internet Safety\)](#)

[GBA - Equal Opportunity Employment](#)

[GBO - Verification of Employment Eligibility](#)

[IGAB - Human Relations Education](#)

[IGBA - Programs for Students With Disabilities](#)

[JB - Equal Educational Opportunities](#)

[JFC - Student Conduct \(Zero Tolerance\)](#)

[JFCEA - Gangs](#)

[JFCF - Hazing and Bullying \(Harassment, Intimidation and Dating Violence\)](#)