

Board of Trustees Douglas County School District

OBJECTIVES

FAIR EMPLOYMENT PRACTICES AND NONDISCRIMINATION

Purpose

The purpose of this policy is to ensure that all personnel actions in Douglas County School District are based on merit and fitness and are free from discrimination, harassment, and retaliation, in accordance with federal and Nevada law. This policy applies to all phases of employment, including recruitment, selection, appointment, promotion, compensation, benefits, training, evaluation, discipline, and termination.

The District provides equal employment opportunity to all applicants and employees and does not discriminate on the basis of race, color, creed/religion, marital status, sex (including pregnancy), sexual orientation, age, gender, disability, national origin, ethnic origin, ancestry, domestic partnership, genetic information, gender identity or expression, political affiliation, veteran or military status (including membership in the Nevada National Guard), or any other category protected by applicable state or federal law.

Relationship to Title IX and Policy 117

If the alleged discrimination involves sexual harassment as defined by Title IX and its implementing regulations, Board Policy 117 and Administrative Regulations 117 instead of this Board Policy 104 and its Administrative Regulations. ¹

Because the District must follow specific procedures whenever any employee has notice of sexual harassment under Title IX, all District employees are required to promptly report any information they receive about conduct that could constitute sexual harassment under Title IX directly to the District's Title IX Coordinator, as soon as practicable and no later than the same day on which the employee became aware of the conduct. Reports may be made in person, by telephone, and/or by email to the school district's Title IX Coordinator as follows:

¹ Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:

- a. A school employee conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo*); or
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity; or
- c. Sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.

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Executive Director of Human Resources

Douglas County School District

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The Title IX Coordinator will assist the employee in determining whether the allegation could constitute sexual harassment under Title IX. If so, the District will follow Board Policy 117 and its implementing regulations rather than Board Policy 104.

The District will:

- Recruit, hire, train, assign, evaluate, promote, and compensate for all job classifications without regard to any protected characteristic identified in this policy, and ensure that all compensation, benefits, transfers, layoffs, return from layoffs, District-sponsored training, social, and recreation programs, and other terms and conditions of employment are administered in conformance with this policy and applicable law.
- Comply with all applicable laws prohibiting discrimination in employment including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Employment Opportunity Act of 1972, the Immigration Reform and Control Act of 1986, the Americans with Disabilities Act, as amended, the Genetic Information Nondiscrimination Act of 2008, 613 (Employment practices), NRS 281.370 (Merit-based personnel actions; discrimination prohibited), Nevada Revised Statutes regarding National Guard service (NRS 412.139/.1395), and any other applicable federal, state, and local statutes and regulations.
- Provide reasonable accommodation to qualified applicants and employees with disabilities, and to employees related to pregnancy, childbirth, or related medical conditions, when the need for such accommodation is known or requested, unless doing so would cause undue hardship. Reasonable accommodation may include changes to the work environment or to how a job is performed that enable the individual to participate in the application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

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- Hold all administrators or managers, and supervisors responsible for ensuring that personnel policies, guidelines, practices, procedures, and activities within their areas of responsibility are in compliance with federal and state fair employment practices laws, regulations, and this policy, and for promptly addressing concerns or complaints of discrimination, harassment, or retaliation.
- The Superintendent shall develop and maintain administrative regulations implementing this policy, which provide employees and applicants with a prompt, fair, and accessible process to raise, challenge, and resolve concerns regarding alleged discrimination, harassment, or denial of equal employment opportunity. Such regulations will include appropriate due process protections, clearly defined timelines for District response and appeal, multiple avenues for reporting (including anonymous or third-party reports where practicable), and information about how to file complaints with external agencies such as the Nevada Equal Rights Commission and the U.S. Equal Employment Opportunity Commission.

[See the Administrative Regulation related to this Policy](#)

Legal References:

- NRS 613.330–613.438 – Unlawful employment practices; reasonable accommodation; pregnancy accommodations; posting requirements
- NRS 281.370 – Actions concerning personnel to be based on merit and fitness; discrimination prohibited
- Title VII of the Civil Rights Act of 1964
- Age Discrimination in Employment Act of 1967
- Equal Employment Opportunity Act of 1972
- Americans with Disabilities Act, as amended (ADA)
- Genetic Information Nondiscrimination Act of 2008 (GINA)
- Immigration Reform and Control Act of 1986

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

Title IX federal regulations, 34 CFR Part 106

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