No. 4610
SECTION: PERSONNEL
TITLE: NONDISCRIMINATION IN EMPLOYMENT/CONTRACT PRACTICES

ADOPTED: 10/28/03
READOPTED: 4/18/06;1/29/14;11/15/16; 8/20/19;5/18/21;9/16/25
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OXFORD AREA SCHOOL DISTRICT

The Board declares it to be the policy of this district to provide all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin or handicap/disability. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.

The Board encourages employees and third parties who have been subject to discrimination to promptly report such incidents to the Compliance Officer.

The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, to the extent possible, consistent with the district's legal and investigative obligations.

No reprisals or retaliation shall occur as a result of good faith charges of discrimination.

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Director of Human Resources as the district's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents, employees and the public.

Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Development of position qualifications, job descriptions and essential job functions

2. Recruitment materials and practices

3. Procedures for screening, interviewing and hiring

4. Promotions

5. Disciplinary actions, up to and including terminations

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the employee or third party of the right to file a complaint and the complaint procedure and refer the complainant to the Compliance Officer.

2. Refer the complainant to the Superintendent if the Compliance Officer is the subject of the complaint.

3. The Compliance Office will notify the complainant and the accused of the progress at appropriate states of the procedure.

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal. The building principal will then notify the Compliance Officer.

If the Compliance Officer is the subject of a complaint, the employee or third party shall report the incident directly to the Superintendent. The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer will investigate the complaint, unless the Compliance Officer is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The Compliance Officer shall prepare a written report promptly, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.
Copies of the report shall be provided to the complainant, the accused, and the Superintendent.

Step 4 - District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Disciplinary actions shall be consistent with Board policies and district procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Superintendent of Schools within fifteen (15) days.

2. The Superintendent of Schools shall review the investigation and the investigative report and may also conduct a reasonable investigation.

3. The Superintendent of Schools shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Compliance Officer who conducted the initial investigation.