

5.10.030-P Grievance Procedure – Sex Discrimination

The grievance procedure generally applicable to an employee making the complaint may be utilized by such employee for resolution of claims that the district or its personnel have violated, misinterpreted or erroneously applied Section 901 or Section 902, Title IX, of the Education Amendments of 1972, as amended by Public Law 93-568 (20 USC, Sections 1681 and 1682) or valid regulations of the United States Department of Health, Education and Welfare adopted to effectuate such laws contained in 45 CFR, Part 86 (relating to sex discrimination). For such purposes, the complainant shall be deemed an "aggrieved" within the meaning of that term as defined in the applicable grievance procedure, provided that the complainant must be directly affected by the action complained of. The complaint shall be regarded a "grievance" thereunder, but is otherwise subject to the same definitions, exclusions, limitations and procedures as apply to grievances and the processing thereof in the generally applicable grievance procedure. The final level of such grievance procedure shall be at the superintendent level, and the decision of the superintendent shall not be subject to arbitration.

See also additional provisions in negotiated/professional agreements.

Legal References: ORS 243.706; ORS 659.010 (14); OAR 584-020-0040; ORS 342.700; ORS 659.020; OAR 584-020-0041; ORS 342.704; ORS 659.029; ORS 342.708; ORS 659.030; ORS 342.850; ORS 659.040; ORS 342.865; ORS 659.150; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985); Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adpt. 7/15/76