

## Equal Educational Opportunity

Every student of the ESD will be given equal educational opportunities regardless of age, sex, sexual orientation<sup>1</sup> race<sup>2</sup>, gender identity, religion, color, national origin, disability, parental status, familial status, marital status, linguistic background, culture, socioeconomic status, capability or geographic location.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any program or service conducted by the ESD or denied access to facilities in the ESD.

A student or parent may access and use the ESD's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The ESD will communicate the availability of policy and available complaint procedures to students and their parents through available ESD communication systems and will be published to the ESD website and made available at the ESD office during regular business hours.

A student of the ESD may not be subjected to retaliation by the ESD for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

### END OF POLICY

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#### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051](#)  
[ORS 329.025](#)  
[ORS 334.125](#)  
[ORS 336.086](#)  
[ORS 659.850](#)

[ORS 659.852](#)  
[ORS 659A.001](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)  
[ORS 659A.103 - 659A.145](#)  
[ORS 659A.400](#)  
[ORS 659A.403](#)

[ORS 659A.406](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2310](#)  
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018) ; 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020). Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019). Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).

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<sup>1</sup> "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual's sex at birth.

<sup>2</sup> Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).