

NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION		File: AC
Section:	Adopted: 6/11/1998	Last Revised: 5/4/2018

NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The MECDHH/GBSD Board is committed to maintaining a workplace and learning environment that is free from illegal discrimination and harassment.

In accordance with applicable Federal and/or State laws and regulations, MECDHH/GBSD prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, disability, and being identified as a victim in crimes such as, but not limited to, human trafficking, and civil rights violations. For the purpose of this policy, “sexual orientation” means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

Further, in compliance with Federal law, MECDHH/GBSD prohibits discrimination against school unit employees and candidates for employment on the basis of age, pregnancy, or genetic information.

The Board delegates to the Executive Director the responsibility for implementing this policy.

The Executive Director shall be responsible for ensuring that notice of compliance with Federal and State civil rights laws, to include the Civil Rights Act of 1964 (Title VI), is provided to all applicants for employment, employees, students, parents and others, as appropriate.

STUDENT RIGHTS AND RESPONSIBILITIES

Students have certain legal rights under federal/state constitutions and statutes as interpreted in pertinent court decisions. In connection with these rights are responsibilities that must be assumed by students. Among these rights and responsibilities are the following:

- A. Civil rights, including the right to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
- B. The right to attend free public schools in accordance with provisions of Maine statutes and policies of the board; the responsibility to attend school as required by law;
- C. The right to due process with respect to suspension, expulsion, or an administrative decision which a student believes has injured his/her rights; the responsibility to observe school rules and regulations essential for permitting others to learn at school;
- D. The right to free inquiry and expression and to voice grievances; the responsibility to observe reasonable rules regarding these rights and to express themselves in a manner that does not materially or substantially disrupt the operation of the school or conflict with the school’s basic educational mission;
- E. The right to privacy regarding the content of student records—as defined by the Family Educational Rights and Privacy Act—and the right to dress as he/she pleases within reasonable guidelines related to health, safety, and the avoiding of potential disruption; and
- F. The right to be free from unreasonable searches and seizures; the responsibility to comply with school rules and policies.

It is the Board’s belief that as part of the educational process, all students should be made aware of their legal rights and also of the legal authority of the Board to make or delegate authority to its staff to make rules and regulations regarding the orderly operation of the schools. As such, this policy shall be included in school handbooks or otherwise communicated to students and parents at the beginning of each school year. The Board expects all staff to abide by this policy to most effectively achieve mutual respect of rights and the acceptance of responsibility.

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HUMAN TRAFFICING

Definition

“Severe forms of trafficking in persons” is defined as “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt, bondage, or slavery, and sex.

Policy

1. It is an ethical obligation for all employees and anyone who represents the interests of anywhere in the world not to traffic in persons, or engage in any of the activities related to trafficking that are set forth in this policy.
2. A) 22 U.S.C.7102, Executive Order 13627 and the implementing regulations FAR 52.222-50 Combating Trafficking in Persons and FAR 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan, and ADS 303 Standard Provisions, Trafficking In Persons.
3. All employees, consultants, subcontractors, subrecipients, and agents are prohibited from the following, whether or not they are engaged on a U.S. government contract:
 - a. procuring commercial sex acts;
 - b. using forced labor;
 - c. destroying, concealing, confiscating, or otherwise denying access by an employee to the regardless of issuing authority;
 - d. using misleading or fraudulent practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant cost to be charged to the employee, and, if applicable, the hazardous nature of the work;
 - e. using recruiters that do not comply with local labor laws of the country in which the recruiting takes place;
 - f. charging employees recruitment fees;
 - g. failing to provide return transportation or pay for the cost of return transportation upon the end of employment, for an employee who is not a national of the country in which the work is taking place and who was brought into that country for the purpose of working on an contract or subcontract;
 - h. providing or arranging housing that fails to meet the host country housing and safety standards; and
 - i. failing to provide an employment contract, recruiting agreement or other work document in writing where required by law in the language that the employee understands. If the employment requires the employee to relocate, the work document shall be provided to the employee at least five days prior to the employee relocating. The work document shall include, but not be limited to, details about work description, wages, prohibition on charging recruitment fees, work location(s), living accommodations and associated costs (if applicable), time off, roundtrip transportation arrangements, grievance process, and the content of applicable laws and regulations that prohibit trafficking in persons.
4. shall cooperate fully in any Inspector General or agency investigation regarding allegations of human trafficking and compliance with its Trafficking in Persons Compliance Plan, including timely and and staff.
5. shall protect all employees suspected of being victims of or witnesses to prohibited activities, prior to returning to the country from which the employee was recruited, and shall not prevent of hinder the ability of these employees from cooperating fully with Government authorities.

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6. Violations of the policy may result in the following, removal from the contract, reduction in benefits, or termination of employment.

This Board policy is designed for educational and informational purposes and is not intended to create, expand, or restrict any student rights or responsibilities.