

## NON DISCRIMINATION POLICY

The Toledo Public School system will not discriminate against otherwise qualified individuals because of age, race, color, national origin, sexual orientation, gender identity, sex, religion, or disability in the admission, access to, treatment, or employment in its programs and activities. This policy is applicable in all programs and activities of the school system.

### Equal Employment Opportunity

The district will provide equal opportunities for employment, retention and advancement of all qualified personnel regardless of race, color, national origin, political affiliation, age, sex, or religion or disability.

This Board encourages all personnel to assist in the accomplishment of this goal through their personal commitment to the concept of equal opportunity for all qualified personnel without discrimination on the basis of race, color, national origin, political affiliation, age, sex, religion or disability.

Legally required notices regarding nondiscrimination in employment and equal employment opportunities will be posted in all locations at which hiring and steps relating to hiring take place.

### Equal Educational Opportunity

The Board is committed to the goal of equal educational opportunity for all students.

No otherwise qualified student will be denied admission to the public schools or to a particular course or instructional program, or otherwise discriminated against, for reasons of race, color, religion, national origin, sex, marital status, disability, sexual orientation, gender identity, or any other basis of unlawful discrimination.

The Toledo Public Schools recognize:

1. Curricula in grades K-12 should present in context the accomplishments and contributions of all races and cultures, including the inter-cultural nature of our cities, our country, and our world.
2. Curricula in grades K-12 should create a learning environment that develops respect and tolerance of culturally diverse peoples, their customs, and historic legacy.
3. The school district should provide its professional staff with ongoing opportunities to enhance their skills in multi-cultural educational strategies and renew their understanding that the public schools are one of the primary instruments for furthering, upgrading, and strengthening the nation's democracy.
4. The school district's curriculum and instruction should develop within each child a positive image of him/her-self and her/his culture.

## Implementation

The Toledo Public Schools will:

1. Work cooperatively with community agencies and the Equal Employment Opportunity Compliance (EEOC) council, as defined under 4. A of this policy, in constructive efforts to eliminate artificial segregation on the basis of race, or economic condition, and will not seek to perpetuate the separation of minority groups.
2. Strive to eliminate artificial barriers to integration when reaching decisions on the location of new schools, expansion of existing schools, and redistricting of existing schools.
3. Fill all personnel assignments without regard to race, color, religion, national origin, sexual orientation, gender, gender identity, physical and/or mental disability, age, marital status.
4. Designate an individual to be an EEOC director who will report directly to the Superintendent of Schools.
  - A. The Toledo Public Schools EEOC director shall establish a nine or eleven member EEOC advisory council. This council will participate and assist in planning training programs, seminars, and conferences that will establish sensitivity to civil rights.
  - B. This advisory council should consist of representatives from the community, civil rights organizations, and the Toledo Public Schools.
  - C. Members of the advisory council will serve two-year staggered terms. In order to accomplish this stagger, the council's initial two-year term shall have five members serving the full two years and the remaining members serving one year. No council member shall serve more than two consecutive two-year terms.
  - D. At least three members of the advisory council shall be minorities and at least two advisory council members shall be women. The advisory council should elect one of its members as a chairman and shall further elect its officers.
5. The EEOC advisory council should be a permanent committee and assist the Toledo Public Schools in the selection and recruitment of an EEOC director, when and if necessary. The director will assist and advise in the planning, development, and implementation of the EEOC program.
6. The EEOC director shall, among other duties, in support of this policy, prepare an annual summary of minority and female employee utilization.
7. The EEOC will recognize and support the negotiated grievance process and procedures for individuals who have a complaint of a discriminatory nature.

### Contracting with Vendors

The Toledo Board of Education will enter into contractual relationships only with those vendors and contractors who affirm that they comply with all applicable existing local, state, and national laws or executive orders to insure equal employment opportunities. The Board will enter into contractual relationships only with those vendors and contractors who affirm that they comply with all applicable local, state, and national laws and executive orders pertaining to equal opportunity employment. The contractor will be required to show evidence of action that ensures nondiscrimination. It is the policy of the Board of Education that businesses owned and operated by members of minority groups be encouraged to enter competitive bidding for the sale and delivery of goods and services required by the Board.

### Bidding Requirements

Whenever it is determined to build, repair, enlarge, improve, or demolish a school building, the cost of which will exceed the maximum dollar amount established by state law, competitive bids shall be solicited pursuant to state statute. The Board, at its discretion, may seek competitive quotations for amounts less than the maximum dollar amount required by state law. In that event, the request for quotation shall be identified as an invitation to make an offer only. This invitation to request for quotation shall be identified as an invitation to make an offer only. This invitation to make an offer only is different from an offer to enter into a contract with the vendor/contractor.

The Board will enter into contractual relationships only with those vendors and contractors who affirm that they comply with all applicable local, state, and national laws and executive orders pertaining to equal opportunity employment. The contractor will be required to show evidence of action that ensures nondiscrimination.

Further, the district shall encourage businesses owned and operated by members of minority groups to enter competitive bidding for providing goods and services to the public schools.

It is the responsibility of the business manager and his staff to assemble the necessary documentation and make arrangements for the solicitation of competitive bids and/or quotations. The treasurer shall receive the bids as required by State law and the business manager shall make recommendations to the Board.

### Purchased Services

The district will encourage price quotations for all purchased services in the district as defined by the Uniform School Accounting System that exceed \$15,000 in annual value. Purchased service contracts that exceed one year in duration may be entered into if advantageous to the district. Quotations for existing services should, however, be solicited at a minimum of every three (3) years. The best qualified, lowest responsible quotation shall be selected. Documentation of the quotations taken will be kept in the files of the business manager pursuant to record retention guidelines. When assessing the standard of best qualified and lowest

responsible vendor/contractor consideration shall include but not be limited to the following factors: (1) the experience of the vendor/contractor; (2) the financial condition of the vendor/contractor; (3) the vendor/contractor's conduct and performance on previous contracts; (4) the vendor/contractor's facilities; (5) the vendor/contractor's management skills; and (6) the ability of the vendor/contractor to execute the contract properly.

Any solicitation for a quotation shall be identified as an invitation to the vendor/contractor as an offer only to submit a quotation and not an offer to enter into a contract with the vendor/contractor.

The district will enter into contractual relationships only with those vendors and contractors who affirm that they comply with all applicable local, state, and national laws and executive orders pertaining to equal opportunity employment. The contractor will be required to show evidence of action that ensures nondiscrimination.

Further, the district shall encourage businesses owned and operated by members of minority groups to submit price quotations for providing goods and services to the Toledo Public Schools.

It is the responsibility of the business manager to assure that all purchased services comply with policy and to assure that the services are delivered as agreed to in the contract.

#### Minority Business Enterprise

It is the policy of the Toledo Board of Education to insure the fullest possible participation of minority owned business firms in the provision of goods and services to the Toledo Public Schools. In executing this policy the Board and its administrative officers will make every good faith effort to insure that minority business enterprises will have the maximum practicable opportunity to compete for contracts, subcontracts, and other work let by the Board. Furthermore, the administration is directed to strengthen the minority business program by affirmatively seeking minority business enterprise contracting, subcontracting and purchasing under a program consistent with goal and objectives as outlined in the agreement between minority business enterprises and prime contractors of Northwestern Ohio dated August 8, 1983, as amended on November 14, 1984 (MBE/Prime Contract).

Effective with the adoption of this policy all specifications for construction work prepared under applicable provisions of the Ohio Revised Code will contain in addition to current affirmative action and equal opportunity employment requirements, the following statement:

"The Toledo Board of Education will enter into contractual relationships only with those vendors and contractors who agree to comply with the provisions of the agreement between minority business enterprises and prime contractors of Northwestern Ohio date August 8, 1983 as amended on November 14, 1984."

For construction contracts above \$15,000 but below the limit requiring formal bidding under the provisions of the ORC, a similar requirement will be made and included in the informal quote package provided to all potential contractors.

The District compliance officer is charged with the responsibility of developing, in cooperation with the business manager, administrative guidelines to enforce this policy and to submit annual reports to the Board of Education specifying, with respect to Board funded construction contracts, the dollar percentage and dollar volume of all such construction contracts awarded to minority business enterprises, and overall progress of the district in meeting goals as established by this policy statement.

Efforts to improve and/or maintain minority business enterprise participation must be consistent with sound procurement procedures, applicable law and other Board policies.

Adopted: 05/23/66  
Revised: 08/27/76; 01/27/81; 04/17/81; 11/25/86; 7/13/93  
Last Revision: 05/29/2001  
CROSS REFS.: IGBA, Multicultural Education Policy  
JC, School Attendance Areas  
DJC, Bidding Requirements  
FEFA, Contractor Fair Employment Clause  
GBA, Equal Employment Opportunity  
JB, Equal Educational Opportunity  
LEGAL REFS.: Civil Rights Act of 1991  
Americans with Disabilities Act  
Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended  
Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended  
Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973, Section 504, 29 USC Section 794, as amended  
Individuals with Disabilities Education Act  
Age Discrimination in Employment Act  
Constitution of Ohio, Article I-II, Section 3323.01 and 3327.01 et seq.  
Chapter 4112  
ORC 3313.486  
ORC 3301-35-02(A-1); 3301-35-03(A)  
Agreement Between Minority Business Enterprises and Prime Contractors of Northwestern Ohio, August 8, 1983 and Amendment dated November 14, 1984.