

LINCOLN PUBLIC SCHOOLS
Lincoln, Massachusetts

SECOND READING DRAFT FEBRUARY 6, 2020

NON-DISCRIMINATION ON THE BASIS OF VETERAN STATUS

Lincoln Public Schools will not discriminate against any qualified employee, or applicant for employment, because they are ~~he or she is an individual with a disability or a *covered veteran in regard to any position for which the employee or applicant for employment is **qualified.~~

~~Under the identified laws such as Affirmative Action obligation imposed by Section 503, of the Rehabilitation Act of 1973, as amended, Section 4212 of the Vietnam Era Veteran's Readjustment Act of 1974, as amended (VEVRAA), the Americans with Disabilities Act of 1990 (ADA), the Veterans Employment Opportunities Act of 1998, and the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) provide protection to *covered veterans. Lincoln Public Schools will not discriminate against any qualified employee, or applicant for employment, because he or she is an individual with a disability or a *covered veteran in regard to any position for which the employee or applicant for employment is **qualified.~~

Every effort will be made at all levels of employment, including the executive level, to employ, advance in employment and otherwise treat individuals with disabilities and *covered veterans without discrimination based upon their disability or veteran status. All employment practices such as the following: hiring, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training, will be free of discrimination. These employment decisions will be based only on valid job requirements.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in any of the following activities.

1. Filing a complaint.
2. Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provisions of Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, or any other federal, state or local law requiring equal opportunity for individuals with disabilities, special disabled veterans, qualified veterans, or veterans of the Vietnam era.
3. Opposing any act or practice made unlawful by Section 503 or its implementing regulations in this part, VEVRAA or any other federal, state or local law requiring equal opportunity for disabled persons, special disabled veterans, qualified covered veterans, veterans of the Vietnam era; or
4. Exercising any other right protected by Section 503, VEVRAA or their implementing regulations.

The Superintendent or designee has responsibility for all and will monitor the school department's policies and programs to help ensure that Affirmative Action efforts for individuals with disabilities and *covered veterans are successful. However, all management personnel share in this responsibility, and management performance of this program will be evaluated as is performance on other school department goals.

| *Covered Veteran – **veterans of the Vietnam era**, veterans, special disabled veterans, recently separated veterans, active duty, wartime or campaign badge veterans, and Armed Forces service medal veterans.

| **Qualified – having the ability to perform the essential functions of the position **with or** without **reasonable responsible** accommodations for the individual with a disability.

Legal Refs.:

Vietnam Era Veterans Readjustment Assistance Act of 1974 as amended, 38 U.S.C. 4213 (VEVRAA)

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)

Title I of the Americans with Disabilities Act (ADA)

Section 503 of the Rehabilitation Act of 1973 (as amended 2014)

Adopted at School Committee Meeting of May 3, 2007

Revised at School Committee Meeting of _____

NON-DISCRIMINATION ON THE BASIS OF VETERAN STATUS

Under the Affirmative Action obligation imposed by Section 503, of the Rehabilitation Act of 1973, as amended, Section 4212 of the Vietnam Era Veteran's Readjustment Act of 1974 **as amended (VEVRAA)**, the Americans with Disabilities Act of 1990 (ADA), ~~and~~ the Veterans Employment Opportunities Act of 1998, **and the Uniformed Services Employment and Reemployment Rights Act of 1994**. Lincoln Public Schools will not discriminate against any qualified employee, or applicant for employment, because he or she is an individual with a disability or a covered veteran* in regard to any position for which the employee or applicant for employment is qualified.*

~~Affirmative action will be taken~~ Every effort will be made at all levels of employment, including the executive level, to employ, advance in employment and otherwise treat individuals with disabilities and covered veterans** without discrimination based upon their disability or veteran status. All employment practices such as the following: hiring, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training, will be free of discrimination. These employment decisions will be based only on valid job requirements.

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4. Exercising any other right protected by Section 503, VEVRAA or their implementing regulations.

The Superintendent or designee has responsibility for and will monitor the School Department's policies and programs to help ensure that Affirmative Action efforts for individuals with disabilities and covered veterans* are successful. However, all management personnel share in this responsibility and management performance of this program will be evaluated as is performance on other School Department Goals.

~~The affirmative action program is available to any employee or applicant for employment for inspection upon request, from the office of the Superintendent at 781-259-9409.~~

~~The policy statement signed by the School Committee, along with Federal and State posters will be posted on School bulletin boards.~~

~~* Qualified-having the ability to perform the essential functions of the position with our without responsible accommodations for the individual with a disability.~~

~~*Covered Veteran – **veteran of the Vietnam Era, special-veteran**, disabled veterans, recently separated veterans, active duty, wartime or campaign badge veterans, and Armed Forces service~~

~~medal veterans, or other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized.~~

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