



FAST FORWARD

CHARTER HIGH SCHOOL

General Nondiscrimination Long Form

The LEA shall not, because of an individual's race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; ethnic background; creed; marital status; veteran's status; citizenship, or gender identity:

1. Discharge, demote, terminate, retaliate against, harass, or refuse to hire or to promote any otherwise qualified individual.
2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, and conditions of employment.

[Utah Code § 34a-5-106\(1\)\(a\)\(i\) \(2016\)](#)

Otherwise Qualified

An individual is not considered "otherwise qualified" unless the individual has the education; training; ability, with and without reasonable accommodation; moral character; integrity; disposition to work; adherence to reasonable rules and regulations; and other job-related qualifications required by the LEA for the particular job, job classification, or position.

[Utah Code § 34a-5-106\(1\)\(a\)\(ii\) \(2016\)](#)

Nursing Mothers in the Workplace

The LEA may not refuse to hire, promote, discharge, demote, or terminate an individual, or may not retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against an individual otherwise qualified because the individual breastfeeds or expresses milk in the workplace.

[Utah Code § 34-49-204 \(2015\)](#)

Title IX Coordinator

The LEA shall designate at least one employee whose responsibilities shall include coordination of the LEA's efforts to comply with Title IX of the Education Amendments of 1972, as amended, and its implementing regulations. The LEA shall notify all employees of the name, office address, office telephone number, and email address of the employee(s) so designated.

Title IX Coordinator: Karen Christiansen, karen@ffchs.org, 435-713-4255 x.202

[34 CFR § 106.8\(a\)](#)



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Disability

No otherwise qualified person with a disability shall, solely on the basis of disability, be subject to discrimination in employment in any of the LEA's operations so long as any part of its programs and activities receive federal financial assistance.

[29 U.S.C. § 794](#)

Definitions

“Individual with a disability” means any person who has a record of, is regarded as having, or has a physical or mental impairment that substantially limits one or more of life's major activities. A “qualified individual with a disability” is a person with a disability who can perform the essential functions of the position in question, with or without reasonable accommodation. Employees or prospective employees have the responsibility of notifying the LEA Human Resource office of the need for reasonable accommodations on account of a disability.

[29 U.S.C. § 705\(20\)](#)

[34 CFR § 104.3](#)

“Has a record of such an impairment” means has a history of or has been classified as having a mental or physical impairment that substantially limits one or more major life activities.

“Regarded as having an impairment” means:

1. Having a physical or mental impairment that does not substantially limit major life activities but that is treated by the LEA as constituting such a limitation.
2. Having a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairment; or
3. Having no physical or mental impairment but is treated by the LEA as having such an impairment.

“Physical or mental impairment” means:

1. Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; endocrine; or
2. Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

“Major life activities” means:

1. functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Exceptions

The following are not included in the definition of an “individual with a disability:”



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1. A person whose current use of alcohol or drugs prevents the performance of job responsibilities or constitutes a direct threat to the property or safety of others.
2. A person who has a currently contagious disease or infection and who therefore would constitute a direct threat to the health or safety of other individuals, or who therefore is unable to perform the duties of the job.

[29 U.S.C. § 705\(20\)\(C\)](#)

Section 504 Coordinator

The LEA will designate at least one person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations.

Section 504 Coordinator: Karen Christiansen, karen@ffchs.org, 435-713-4255 x.202

Notification

The LEA will take appropriate continuing steps to notify applicants and employees that it does not discriminate on the basis of disability in violation of Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations. The notification shall include identification of the designated coordinator.

[34 CFR § 104.7\(a\)](#)

Residence

The Board shall not require an employee to reside within the LEA as a condition of employment.

[Utah Code § 53G-4-408 \(2018\)](#)

Duty to Report

If any employee of the LEA knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity, then the employee must promptly report such harassment to the Board's designee. For cases of harassment against students, the Board's designee is the LEA's Title IX Compliance Officer. For harassment against employees, the Board's designee is the Director of Human Resources. The report shall be made confidentially, and the Board shall maintain the confidence of any report of such harassment.

Penalties for Engaging in Harassment

Within the discretion of the Board, any employee may be terminated for cause, suspended with or without pay or placed on probation for engaging in any form of harassment of another employee on the grounds of race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity.



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Baker v. Weyerhaeuser Co., 903 F.2d 1342 (10th Cir. 1990)

Grievance Process

A. Fast Forward Charter High School Governing Board shall appoint a Civil Rights Discrimination Review Committee. The committee shall be composed of parents, educators, and administrators, and a board appointed member with at least as many parent members as school employee members to review any discrimination notification.

B. Review Committee Process

1. The committee will review Civil Rights Discrimination complaint/evidence to assure that they are accurate and comply with state law and Utah Administrative Code;

2. The committee will hear appeals, complaints, or other special matters pertaining to existing education programs or policies that have not been resolved at the school level;

3. The committee will submit a written report to the board which summarizes the work performed by the committee if any complaints or concerns were received by the LEA related to civil rights discrimination.

C. Retaliation

1. During the review process and after a verdict has been made, neither party will be subject to retaliation. All parties are presumed innocent until proven guilty. Mistreatment or retaliation will not be tolerated, and further investigation and discipline will be issued if necessary.

Denver Field Office Information

Denver Office of Civil Rights
1244 Speer Boulevard, Suite 310
Denver, CO 80204
(303) 844-5695, TDD (800) 877-8339

Notice of Facility Access

I. Civic Center Act

- a. Under the provisions of the Civic Center Act, school facilities may be used as civic centers as described in the UC:
 - i. UC 53G-7-209. Use of School Buildings and grounds as civic centers.



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1. All public school and grounds are civic centers and may be used by LEA representatives for supervised recreational activities and meetings.
2. Use of school property for civic center purposes may not interfere with any school function or purpose.
3. The organizer of an event may not use a civic center unless the organizer resides within the geographic boundaries of the school in which the civic center is located.

****For more details see FF.23 Facilities Permit and Use Policy****

Short Form: This institution is an equal opportunity provider.

Adopted: April 26, 2021

Notes & Updates:

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