



# First Student Nondiscrimination Policy

External Nondiscrimination Policy and Complaint Procedures for First Student Programs or Activities

## OVERVIEW

At First Student, we believe every student deserves safe, reliable, and friendly transportation to and from school. Our mission is to provide unmatched care and the safest ride to school, so when students arrive, they start and end their day with an exceptional experience and are ready to achieve their full potential. Our values help us to create that space for not only our passengers, but also for our employees and the communities we serve.

First Student and its subsidiaries (“First Student” or the “Company”) do not discriminate on the basis of race, color, religion, gender, sex, pregnancy (including lactation, childbirth, or related medical conditions), national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, uniformed servicemember status, citizenship status, actual or perceived sexual orientation, gender identity, genetic information or carrier status, or any other consideration prohibited by applicable law in administration of its programs or activities. This Nondiscrimination Policy (the “Policy”) includes information specific to the Company’s nondiscrimination requirements pursuant to 40 C.F.R. Parts 5 and 7 (Nondiscrimination in Program or Activities Receiving Federal Assistance from the Environmental Protection Agency (EPA)), including Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (referred to collectively as the federal nondiscrimination laws within this Policy).

The Company will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing audible materials for individuals with low vision, or assuring a barrier-free location for the proceedings. The Company Nondiscrimination Coordinator will be responsible for these arrangements.

Below we have included the processes to follow to file a grievance based on alleged discrimination, including whom to contact and how First Student will address each grievance.

## SCOPE

These policy and grievance procedures apply to all First Student programs and activities including but not limited to students, parents, employees, and third parties involved in First Student’s activities, both on and off school or Company grounds.

These procedures **do not** apply to alleged cases of discrimination or harassment for internal employees. Internal employees have access to additional avenues and processes to resolve those potential complaints and should contact their identified resources within their Employee Handbook or their Human Resources Representative for more information.

## DEFINITIONS

- **Complainant**
  1. A student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the federal nondiscrimination laws.
  2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the federal nondiscrimination laws and who was participating or attempting to participate in the Company's program or activity at the time of the alleged discrimination.
- **Complaint:** An oral or written request to the Company that objectively can be understood as a request for the Company to investigate and make a determination about alleged discrimination under the federal nondiscrimination laws.
- **Relevant:** Related to the allegations of discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged discrimination occurred.
- **Respondent:** A person who is alleged to have violated the Company's prohibition on discrimination.
- **Retaliation:** Intimidation, threats, coercion, or discrimination against any person by the Company, a student, or an employee or other person authorized by the Company to provide aid, benefit, or service under the Company's program or activity, for the purpose of interfering with any right or privilege secured by the federal nondiscrimination laws, or because the person has reported information, made a complaint, testified, assisted, or participated, or refused to participate in any manner in an investigation, proceeding, or hearing under the federal nondiscrimination laws.

Additional definitions may be found under 40 CFR, Parts 7.25 and Section 5.105.

## POLICY

### Nondiscrimination Coordinator Responsibilities

The Nondiscrimination Coordinator (the "Coordinator") plays a critical role in ensuring the Company or affiliates comply with the federal nondiscrimination laws. This position is essential for fostering a safe, equitable environment free from discrimination, including sexual harassment and violence. The Company requires that any Coordinator not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent or have other responsibilities that create a conflict of interest while serving as the Company's Coordinator. A decisionmaker may be the same person as the Coordinator.

Below are the key responsibilities of the Coordinator.

1. **Policy Development and Implementation:** Develop, implement, and update the Company's nondiscrimination policies and procedures. Ensure the Company's policies, procedures, and practices are in compliance with federal, state, and local regulations related to federal nondiscrimination laws.
2. **Training and Education:** Provide or procure training services for Company staff to ensure they are appropriately trained on Company nondiscrimination policies and procedures and the Company's obligation to comply with federal nondiscrimination laws. Ensure that appropriate training is provided to

Company staff in the processes available to resolve complaints filed with the Company under federal nondiscrimination laws.

3. **Oversight of Investigations:** Oversee and coordinate the Company's response to alleged discrimination complaints, ensuring they are handled promptly, thoroughly, and equitably. Conduct or supervise investigations of complaints involving discrimination, harassment, or violence. Ensure that investigations are impartial and that findings are based on a majority of the evidence.
4. **Grievance Procedures:** Manage and enforce the Company's grievance procedures for resolving alleged discrimination complaints, include providing notice of the Company's formal and informal grievance processes and the ability to file a discrimination complaint. Provide support and guidance to complainants and respondents throughout the grievance process, including promptly informing all parties of any determinations made by the Company. Establish a mechanism for implementation of the Company's grievance procedures to ensure that all discrimination complaints filed with the Company under federal nondiscrimination laws are processed promptly and fairly, including providing meaningful access for limited-English proficient individuals and individuals with disabilities to your programs and activities.
5. **Recordkeeping:** Maintain records of all federal nondiscrimination law complaints, investigations, and outcomes. Track patterns and trends in reported incidents to identify potential areas of concern and to inform policy and training initiatives.
6. **Communication:** Provide information to individuals internally and externally advocating the Company does not discriminate against any persons in Company programs or activities and will not retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected or prohibited by federal nondiscrimination laws
7. **Compliance Monitoring:** Regularly review the Company's nondiscrimination policies, procedures, and practices to ensure ongoing compliance with federal regulations. Monitor and report on the effectiveness of the Company's nondiscrimination efforts, making adjustments as needed. Conduct semiannual reviews of all discrimination complaints filed with the Company under federal nondiscrimination laws and/or any other complaints individually investigated by the Coordinator to identify and address any patterns or systemic problems.
8. **Collaboration with External Agencies:** Serve as the liaison between the Company and external agencies, such as the Office for Civil Rights (OCR) and law enforcement, regarding federal nondiscrimination law compliance and investigations. Stay informed about developments in federal nondiscrimination laws and best practices by engaging with professional organizations and attending relevant training sessions.
9. **Delegating:** Delegate or assign responsibilities to others as needed.
10. **Accessibility Point of Contact:** Make information available to non-employees regarding rights to services, aids, benefits, and participation without regard to race, color, religion, gender, sex, pregnancy (including lactation, childbirth, or related medical conditions), national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, uniformed servicemember status, citizenship status, actual or perceived sexual orientation, gender identity, genetic information or carrier status, or any other consideration prohibited by applicable law. Periodically evaluate the effectiveness of these efforts to offer such services, aids, benefits, and participation opportunities when feasible.

## **Inquiries**

Inquiries about the federal nondiscrimination laws may be referred to the Coordinator, the applicable federal or state office, or both.

Any individual that has questions about the Company's nondiscrimination program, policy, or procedures or believe that they may have been discriminated against with respect to a Company program or activity, may contact the Coordinator.

### ***First Student Nondiscrimination Coordinator***

Matt Dunning  
191 Rosa Parks Street, 8<sup>th</sup> Floor  
Cincinnati, OH 45202  
[EEO@firstgroup.com](mailto:EEO@firstgroup.com)  
(513)279-3771

## **Retaliation and Intimidation Prohibited**

It is a policy of First Student to support individuals who report actual or perceived discrimination, harassment, or unlawful conduct. Retaliation or intimidation for complaining about discrimination, harassment, retaliation, or intimidation, or for providing information relating to such complaints, is strictly prohibited, and will not be tolerated, regardless of the outcome of the complaint and will be handled promptly and fairly in alignment with Company policies addressing discrimination.

In other words, individuals are protected for speaking up in good faith if they believe discrimination, harassment, or retaliation has taken place, and from providing information related to such complaints, even if the complaint is ultimately not substantiated. Any employee who intimidates or retaliates against a complaining individual or anyone involved in an investigation of a complaint will be subject to discipline, including up to termination of employment. In addition, it is against the law for the Company to retaliate against any person or group because they have exercised their rights protected under the federal nondiscrimination laws or for the purpose of interfering with these rights.

## **Response to Discrimination**

If First Student has knowledge of activity that reasonably may constitute discrimination in its program or activity it will respond promptly, fairly, and effectively. The Coordinator will monitor First Student's program or activity for barriers to reporting information about conduct that reasonably may constitute discrimination under federal nondiscrimination laws or this Policy and will take steps reasonably calculated to address such barriers. In most circumstances, the Company's goal is to complete the grievance process within 60 days. The Company will notify all relevant parties when more time is needed, and the grievance process may take longer than 60 days to complete.

## **Notice of Nondiscrimination**

The Company shall provide continuing notice that it does not discriminate on the basis of race, color, religion, gender, sex, pregnancy (including lactation, childbirth, or related medical conditions), national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, uniformed servicemember status,

citizenship status, actual or perceived sexual orientation, gender identity, genetic information or carrier status, or any other consideration prohibited by applicable law in any of its programs or activities.

Methods of notice shall accommodate those with impaired vision or hearing. At a minimum, this notice shall be posted in a prominent place in Company offices or facilities and on the Company's internet homepage. Methods of notice may also include posting within Company publications. When appropriate or upon request, the notice will be in a language or languages other than English. The notice shall identify the current Nondiscrimination Coordinator as the responsible Company employee designated to coordinate the Company's efforts to comply with its obligations under the federal nondiscrimination laws. The text of the notice to be provided under this policy shall read as follows:

**October 10, 2024**

*It is the policy of First Student and its subsidiaries (the "Company") not to discriminate on the basis of race, color, religion, gender, sex, pregnancy (including lactation, childbirth, or related medical conditions), national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, uniformed servicemember status, citizenship status, actual or perceived sexual orientation, gender identity, genetic information or carrier status, or any other consideration prohibited by applicable law in administration of its programs or activities.*

*The Company does not intimidate or retaliate against any individual or group because they have exercised rights protected by 40 CFR Parts 5 and 7 or for the purpose of interfering with such rights.*

*The Company is responsible for coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements implanted by 40 CFR Parts 5 and 7 (Nondiscrimination in Program or Activities Receiving Federal Assistance from the Environmental Protection Agency (EPA)), including Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (referred to collectively as the federal nondiscrimination laws within this Policy).*

*If you have any questions about this notice or any of the Company's nondiscrimination programs, policies, or procedures, you may contact:*

***First Student Nondiscrimination Coordinator***

*Matt Dunning  
191 Rosa Parks Street, 8<sup>th</sup> Floor  
Cincinnati, OH 45202  
[EEO@firstgroup.com](mailto:EEO@firstgroup.com)  
(513)279-3771*

*The Company's Nondiscrimination Policy and Procedures are reviewed on an annual basis, and revised as necessary, to ensure prompt and fair resolution of discrimination complaints.*

*Matt Dunning  
First Student Nondiscrimination Coordinator*

# GRIEVANCE PROCEDURES FOR COMPLAINTS OF DISCRIMINATION

## Complaints

Any person who believes someone has been subjected to discrimination may file a grievance under this procedure by contacting the Coordinator. Grievances must be submitted to the Coordinator **within 90 days** of the date the person filing the grievance becomes aware of the alleged discriminatory action. These complaints may be made orally or in writing.

Complaints must contain the following information to ensure the Company can properly investigate the alleged discrimination:

- The full name (first and last) of the person filing the complaint.
- The address of the person filing the complaint or an identified representative.
- The date of the alleged discrimination occurrence.
- The problem or action alleged to be discriminatory.
- Any remedies or relief sought.
- The actions or inactions of the Company that support an alleged violation of the federal nondiscrimination laws.
- The alleged discrimination that did or will result from such actions or inactions.
- The basis for why the action is believed to be discriminatory.
  - If possible, please identify the sections of the federal nondiscrimination laws that were allegedly violated.

The Company will treat complainants and respondents equitably. First Student requires that any coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Coordinator or investigator.

The Company presumes that the respondent is not responsible for the alleged discrimination until a determination is made at the conclusion of its grievance procedures.

The Company will take reasonable steps to protect the privacy and confidentiality of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

The availability and use of the Company's grievance process does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination, in court or with the U.S. EPA, External Civil Rights Compliance Office or with their applicable state Civil Rights Department.

## Process

1. Complainant submits complaint to the Coordinator by email, phone, or mail.
2. The Coordinator, or their designee, will acknowledge the receipt of the grievance within 5 days.
3. An investigation into the alleged discrimination will be conducted.

- a. This investigation may be informal, but will be thorough, allowing all interested parties an opportunity to evidence relevant to the complaint.
  - b. Evidence collected through the investigation will be kept confidential to the extent possible, as applicable by law, and will only be shared to those who have a need to know.
4. The Coordinator will issue a written decision on the grievance, based on a preponderance of evidence, no later than 60 days after its filing, including:
- a. A notice to the complainant of their right to pursue further administrative or legal remedies.
  - b. Whether discrimination was found.
  - c. A description of the investigation process.

## **APPEAL PROCEDURES FOR COMPLAINTS OF DISCRIMINATION**

To ensure that all parties have the opportunity to seek a review of the discrimination or harassment investigation decision the Company offers an appeal of determinations process. Any party directly affected by the determination has the right to appeal within fourteen (14) calendar days of receiving the decision.

Appeals may be based on any of the following:

1. Procedural errors that could have affected the outcome.
2. New evidence not available at the time of the original determination.
3. Perceived bias or conflict of interest in the decision-making process.
4. Misinterpretation or misapplication of relevant policies or laws.

To initiate an appeal, the party must submit a Notice of Appeal to the Coordinator within fourteen (14) calendar days of receiving their final investigation results. The Notice of Appeal must include:

1. The party's (complainant or respondent) name and contact information (phone and email).
2. A copy of the original determination.
3. A detailed statement of the grounds for appeal.
4. Any supporting or mitigating documentation or evidence.
  - a. If not provided originally, where did the documentation or evidence come from and why was it not produced during the initial investigation.
5. The specific relief or outcome being sought.

Upon receipt of the Notice of Appeal, the Coordinator will respond in writing within ten business days and will conduct an initial review to determine whether the appeal is timely and meets the required grounds.

The appeal will be assigned to an impartial decisionmaker, who was not involved in the original determination. The decisionmaker will review all relevant documentation, including the original determination, the appealing party's submission, and any additional evidence.

The decisionmaker will deliberate based on the materials presented and the applicable policies and laws. The decisionmaker may:

1. Uphold the original determination.
2. Modify the determination.
3. Overturn the determination and remand the matter for reconsideration.



The decision will be documented in writing, including the reasons for the decision, and communicated to all parties simultaneously within ten business days of the final hearing or submission.

The appeal decision of the decisionmaker is final and binding, unless otherwise specified by applicable law or policy.

## COMPLIANCE INFORMATION AND REQUIREMENTS

- The Company shall collect, maintain, and, as required by the U.S. EPA, External Civil Rights Compliance Office within the Office of General Counsel (ECRCO), provide the following information to show compliance with 40 CFR, Parts 5 and 7:
  - a. A brief description of any lawsuits pending against the Company that allege discrimination.
  - b. Racial/ethnics, national origin, age, sex, disability/handicap data, or EPA Form 4700-4 information submitted with Company applications for U.S. EPA financial assistance.
  - c. A log of discrimination complaints that identifies the complaint, the date it was filed, the date the Company's investigation was completed, the disposition, and the date of disposition.
  - d. Reports of any compliance reviews conducted by any other agencies.
  - e. Data and information specific to certain Company programs or activities to determine compliance where there is reason to believe that discrimination in a Company program or activity in a program or activity receiving EPA assistance.
    - Requests shall be limited to data and information which is relevant to determining compliance and shall be accompanied by a written statement summarizing the complaint and setting forth the basis for the belief that discrimination may exist.
- The Company shall keep records of compliance information identified above for at least three years after completing a project for which the Company was a recipient of U.S. EPA financial assistance. When any complaint or other action for alleged failure by the Company to comply with 40 CFR, Parts 5 and 7, is brought before the three-year period ends, the Company shall keep records until the complaint is resolved.
- When preparing compliance information, the Company shall use the racial classifications set forth in 40 CFR, Section 7.25, in determining categories of race, color, or national origin.
- The Company shall:
  - a. Give ECRCO access during normal business hours to its books, records, accounts, and other sources of information, including its facilities, as may be pertinent to 40 CFR, Parts 5 and 7.
  - b. Make compliance information available to the public upon request.
  - c. Assist in obtaining other required information that is in the possession of other agencies, institutions, or persons not under the Company's control. If such party refuses to release that information, the Company shall inform the ECRCO and explain its efforts to obtain the information.