## MIDDLE BUCKS INSTITUTE OF TECHNOLOGY

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN

EMPLOYMENT/CONTRACT

**PRACTICES** 

ADOPTED: July 1, 1991

REVISED: February 10, 2003

## 104. NONDISCRIMINATION IN EMPLOYMENT/CONTRACT PRACTICES

1. Authority
Title VII
42 U.S.C.
Sec. 2000e et seq
Title IX
20 U.S.C.
Sec. 1681
42 U.S.C.
Sec. 12101 et seq
29 U.S.C.
Sec. 621 et seq
29 U.S.C.
Sec. 701 et seq
43 P.S.
Sec. 951 et seq

The Executive Council is committed to providing all persons equal access to all categories of employment regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin or handicap/disability. The school shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.

The Executive Council encourages all employees and third parties who have been subject to discrimination to promptly report all such incidents to designated employees.

The Executive Council directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the school's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith charges of discrimination.

2. Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Executive Council may appoint a Coordinator of Title VI, Title IX and Section 504 (Compliance Officer) to assume the responsibility of coordinating all implementing activities.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Development of position qualifications, job descriptions and essential job functions.

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	<ol> <li>Recruitment material and practices.</li> <li>Procedures for screening, interviewing and hiring.</li> </ol>
	4. Promotions.
	5. Disciplinary actions, up to and including terminations.
	The Compliance Officer shall report to the Executive Council as needed on progress made in nondiscrimination for employment/contract practices.
3. Guidelines	Investigation
	1. An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged, orally or in writing, to immediately report the incident to his/her immediate supervisor, who shall inform the employee of his/her rights and of the complaint process.
	If the immediate supervisor is the subject of a complaint, the employee or third party shall report the complaint directly to the Compliance Officer.
	2. The supervisor immediately shall conduct an impartial, thorough and confidential investigation of the alleged harassment.
	3. In determining whether alleged conduct constitutes discrimination, the totality of the circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated.
	4. The supervisor shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is in violation of this policy, and the recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, the Compliance Officer and others directly involved, as appropriate.
	Discipline
Pol. 317, 417, 517	A substantiated charge against an employee shall subject such employee to disciplinary action, including discharge.

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Pol. 317, 417, 517	2. If it is concluded that an employee has made false accusations, such employee shall be subject to disciplinary action, consistent with the disciplinary policy and procedures, which may include discharge.
Pol. 317, 417, 517	3. Disciplinary actions shall be consistent with Executive Council policies and school procedures, applicable collective bargaining agreements, and state and federal laws.
	Appeal Procedure
	1. If the complainant or accused is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
	2. The Executive Council shall conduct a review of the complaint and issue a written response to the appeal within thirty (30) days following the Executive Council meeting at which the complaint was presented. Copies of the response shall be provided to the complainant, the accused, the Compliance Officer, and others directly involved, as appropriate.