

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 19, 2013

TO: **BOARD OF EDUCATION**

FROM: S. Dallas Dance, Superintendent

SUBJECT: **REPORT ON PROPOSED CHANGES TO BOARD OF EDUCATION
POLICY, 4001, EQUAL EMPLOYMENT OPPORTUNITY**

ORIGINATOR: Kevin A. Hobbs, Deputy Superintendent

**RESOURCE
PERSON(S):** Lisa Grillo, Chief Human Resource Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 4001.
This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 4001

POLICY ANALYSIS FOR BOARD OF EDUCATION POLICY 4001

EQUAL EMPLOYMENT OPPORTUNITY

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent's Rule 8130, Board of Education Policy 4001 is scheduled for review during the 2012-2013 school year. Policy 4001 prohibits discriminatory employment actions against employees and applicants for employment in any manner prohibited by federal, state, and local laws. Staff is recommending that the policy be revised to: (1) include a policy statement that includes the requirement that all employees be informed of the policy and receive training; (2) include an implementation section; and (3) conform with the Policy Review Committee's editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 4000, *Precepts, Beliefs, and Values of the Baltimore County Public Schools*
2. Board of Education Policy 4003, *Recruitment and Selection*
3. Board of Education Policy 4100, *Employee Conduct and Responsibilities*
4. Board of Education Policy 4102, *Sexual Harassment*

Legal Requirements

1. 29 U.S.C. §106, Equal Pay Act of 1963, *as amended*
2. 29 U.S.C. §§621, *et seq.*, Age Discrimination in Employment Act of 1967, *as amended*
3. 29 U.S.C. §§701, *et seq.*, Rehabilitation Act of 1973, *as amended*
4. 42 U.S.C. §2000d, *et seq.*, Title VI of the Civil Rights Act of 1964, *as amended*
5. 42 U.S.C. §2000e, *et seq.*, Title VII of the Civil Rights Act of 1964, *as amended*
6. 42 U.S.C. §12101, *et seq.*, Americans with Disabilities Act of 1990, *as amended*
7. *Annotated Code of Maryland*, Education Article §6-104, *Discrimination because of race, religion, color, national origin, handicap, or sex prohibited*
8. *Annotated Code of Maryland*, State Government Article §§20-601 to 20-609, *Discrimination in employment*
9. *Baltimore County Code*, Human Relations Article §§29-2-201 to 29-2-204, *Employment Discrimination*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy GAMM, *Workforce Diversity*
2. Frederick County Board of Education, Policy 309, *Discrimination Unlawful*
3. Harford County Board of Education, Policy 14-0001-000, *Equal Employment Opportunity*
4. Howard County Board of Education, Policy 1010, *Discrimination*

5. Montgomery County Board of Education, Policy ACB, *Nondiscrimination*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – February 19, 2013

Public comment – March 5, 2013

Third reading/vote – April 23, 2013

PERSONNEL: General

Equal Employment Opportunity

I. POLICY STATEMENT

- A. The Board of Education of Baltimore County (Board) does not discriminate AGAINST EMPLOYEES OR APPLICANTS FOR EMPLOYMENT IN ANY MANNER PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS. [on the basis of age, color, disability, gender, marital status, national or ethnic origin, race, religion, sexual orientation, veteran status, or any other characteristic in its educational programs, services, or employment as provided in federal and state law.]

- B. THE BOARD IS COMMITTED TO MAINTAINING A DIVERSE WORKFORCE AND A WORK ENVIRONMENT THAT FOSTERS SENSITIVITY AND RESPECT FOR THE DIVERSITY OF ALL INDIVIDUALS. TO FURTHER THIS COMMITMENT, ALL EMPLOYEES WILL BE INFORMED OF THIS POLICY AND RECEIVE TRAINING REGARDING EQUAL EMPLOYMENT OPPORTUNITY. [To promote student achievement and effective instruction of curriculum and services, the Board fosters equity, equal opportunity and excellence in education by recruiting, selecting, and retaining a diverse highly qualified pool of employees.]

II. IMPLEMENTATION

- A. THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

Legal References: 29 U.S.C. §106, EQUAL PAY ACT OF 1963, *AS AMENDED*
29 U.S.C. §§621, *ET SEQ.*, AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967, *AS AMENDED*
29 U.S.C. §§701, *ET SEQ.*, [794, *Section 504 of the*] *Rehabilitation Act of 1973, AS AMENDED*
42 U.S.C. §2000d, *et seq.*, Title VI of the Civil Rights Act of 1964, *as amended*
42 U.S.C. §2000e, *et seq.*, Title VII of the Civil Rights Act of 1964, *as amended*

POLICY 4001

42 U.S.C. §12101, *ET SEQ.* AMERICANS WITH DISABILITIES
ACT OF 1990, *AS AMENDED*

Annotated Code of Maryland, Education Article §6-104,
*Discrimination because of race, religion, color, national origin,
handicap, or sex prohibited*

Annotated Code of Maryland, State Government Article §§20-601 to
20-609, *Discrimination in employment*

BALTIMORE COUNTY CODE, HUMAN RELATIONS ARTICLE
§§29-2-201 TO 29-2-204, *EMPLOYMENT DISCRIMINATION*

Related Policies: Board of Education Policy 4000, *Precepts, Beliefs, and Values of the
Baltimore County Public Schools*
Board of Education Policy 4003, *Recruitment and Selection*
BOARD OF EDUCATION POLICY 4100, *EMPLOYEE
CONDUCT AND RESPONSIBILITIES*
Board of Education Policy 4102, *Sexual Harassment*

Policy
Adopted: 01/27/77
Revised: 02/26/81
Revised: 01/22/08
Edited: 07/01/11
REVISED: _____

Board of Education of Baltimore County