

PERSONNEL: GENERAL

EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

TO OUTLINE PROCEDURES FOR PROMOTING AWARENESS OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) LAWS AMONG EMPLOYEES AND FOR REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION AND HARASSMENT.

II. DEFINITIONS

THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS RULE:

- A. *DISCRIMINATION* – CONDUCT PROHIBITED BY FEDERAL, STATE AND LOCAL LAWS THAT RESULTS IN AN INDIVIDUAL BEING TREATED DIFFERENTLY OR LESS FAVORABLY WITH RESPECT TO EMPLOYMENT OR ANY TERM OR CONDITION OF EMPLOYMENT. ILLEGAL DISCRIMINATION MAY INCLUDE, BUT IS NOT LIMITED TO, CONDUCT BASED ON AN EMPLOYEE’S RACE, COLOR, RELIGION, GENDER, NATIONAL ORIGIN, AGE, GENETIC INFORMATION, DISABILITY OR VETERAN STATUS.
- B. *EEO OFFICER* – THE SCHOOL SYSTEM’S EQUAL EMPLOYMENT OPPORTUNITY OFFICER
- C. *EMPLOYEE* – PERSONS EMPLOYED BY THE SCHOOL SYSTEM ON A FULL TIME, PART TIME OR TEMPORARY BASIS..
- D. *HARASSMENT* – SEVERE, PERVASIVE, OR PERSISTENT CONDUCT OR BEHAVIOR PROHIBITED BY FEDERAL, STATE AND LOCAL LAWS THAT:
 - 1. CREATES AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORK ENVIRONMENT; OR
 - 2. LIMITS AN EMPLOYEE’S ABILITY TO PARTICIPATE IN OR BENEFIT FROM EMPLOYMENT OPPORTUNITIES; OR
 - 3. INTERFERES WITH AN EMPLOYEE’S WORK PERFORMANCE.

- E. *RETALIATION* – ADVERSE EMPLOYMENT OR WORKPLACE ACTIONS TAKEN AGAINST INDIVIDUALS FOR FILING A COMPLAINT OF DISCRIMINATION OR HARASSMENT OR FOR PARTICIPATING IN AN INVESTIGATION OR OTHER RELATED PROCEEDING.

III. EEO AWARENESS

- A. ALL NEW EMPLOYEES WILL BE INFORMED OF BOARD OF EDUCATION POLICY 4001 AND THIS RULE DURING NEW HIRE ORIENTATION.
- B. EMPLOYEES WILL RECEIVE TRAINING REGARDING EQUAL EMPLOYMENT OPPORTUNITY THROUGH THE EEO OFFICE AND/OR ONLINE TRAINING MODULES.

IV. REPORTING DISCRIMINATION/HARASSMENT

- A. EMPLOYEES AND SUPERVISORS ARE REQUIRED TO REPORT INCIDENTS OF DISCRIMINATION.
- B. ANY EMPLOYEE WHO BELIEVES HE OR SHE HAS BEEN SUBJECTED TO ANY ACTION, DECISION OR HARASSMENT IN VIOLATION OF POLICY 4001 IS URGED TO PROMPTLY REPORT THE INCIDENT(S) TO HIS OR HER SUPERVISOR OR TO THE EEO OFFICER.
- C. WHEN THE EMPLOYEE BELIEVES HE OR SHE IS BEING DISCRIMINATED AGAINST OR HARASSED BY HIS/HER SUPERVISOR, THE EMPLOYEE SHOULD REPORT THE INCIDENT(S) TO THE SUPERVISOR’S SUPERVISOR OR TO THE EEO OFFICER.
- D. AN ADMINISTRATOR OR SUPERVISOR WHO RECEIVES A COMPLAINT SHALL IMMEDIATELY NOTIFY THE EEO OFFICER.
 - 1. FAILURE TO REPORT THE COMPLAINT TO THE EEO OFFICER MAY RESULT IN DISCIPLINARY ACTION.

- E. COMPLAINT FORMS SHALL BE MADE AVAILABLE ON THE SCHOOL SYSTEM'S EEO WEB SITE AND AVAILABLE AT THE EEO OFFICE.

V. INVESTIGATING DISCRIMINATION/HARASSMENT

- A. THE EEO OFFICER OR OTHER DESIGNATED PERSONNEL WILL INVESTIGATE THE COMPLAINT OR ASSIST THE ADMINISTRATOR OR SUPERVISOR IN CONDUCTING AN INTERNAL INVESTIGATION.
- B. THE EEO OFFICER WILL ADVISE ALL PARTIES IN WRITING OF THE OUTCOME OF THE COMPLAINT. IF THE EEO OFFICER CONCLUDES THAT A VIOLATION OF POLICY 4001 HAS OCCURRED, APPROPRIATE CORRECTIVE AND/OR DISCIPLINARY ACTION WILL BE TAKEN.
- C. THE APPROPRIATE ADMINISTRATOR WILL REVIEW THE EEO OFFICER'S REPORT AND, IN CONSULTATION WITH THE DEPUTY SUPERINTENDENT, ENSURE THAT APPROPRIATE CORRECTIVE AND/OR DISCIPLINARY ACTION IS TAKEN.
- D. ANY EMPLOYEE FOUND TO HAVE ENGAGED IN CONDUCT OR PRACTICES IN VIOLATION OF POLICY 4001 MAY BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.
- E. A RECORD OF THE COMPLAINT, INVESTIGATION, AND RECORDS WILL BECOME PART OF A CONFIDENTIAL CASE FILE MAINTAINED BY THE EEO OFFICER. ALL COMPLAINTS, INVESTIGATIONS, AND RECORDS WILL BE HANDLED, TO THE EXTENT POSSIBLE, IN A MANNER THAT WILL PROTECT THE PRIVACY INTERESTS OF THOSE INVOLVED.

VI. RETALIATION

- A. RETALIATION AGAINST AN INDIVIDUAL WHO HAS MADE A COMPLAINT OR PARTICIPATES IN AN INVESTIGATION OR OTHER PROCEEDING IS STRICTLY PROHIBITED.
- B. ALL COMPLAINTS OF RETALIATION WILL BE REPORTED TO THE EEO OFFICER AND WILL BE INVESTIGATED. IF IT IS

DETERMINED THAT RETALIATION HAS OCCURRED,
APPROPRIATE DISCIPLINARY ACTION WILL BE TAKEN.

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*
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 4100, *EMPLOYEE*
CONDUCT AND RESPONSIBILITIES
BOARD OF EDUCATION POLICY 4102, *SEXUAL*
HARASSMENT
BOARD OF EDUCATION POLICY 4003, *RECRUITMENT*
AND SELECTION

RULE
APPROVED: _____

SUPERINTENDENT OF SCHOOLS