

PERSONNEL

Equal Opportunity Employment/Nondiscrimination

Okemos Public Schools shall hire or transfer employees as needed on the basis of merit, training, experience, and job requirements. The superintendent or designee shall be responsible for the implementation of recruitment efforts. Employment procedures shall provide for aggressive recruitment of highly qualified candidates from all sectors of the population. All federal and state pre-employment statutes and regulations shall be followed, and criminal record checks, including employee finger-printing, will be conducted according to state regulations. If a candidate's criminal history profile prohibits employment in a school or is not satisfactory to the superintendent or assistant superintendent of human resources, any offer of employment will be withdrawn.

The board shall ensure equal employment opportunities for all personnel in compliance with state and federal guidelines. There shall be no discrimination against any applicant or employee because of age, color, disability, sex, height, marital status, national origin, race, political affiliation, religion, sexual orientation, gender identity and expression, socio-economic status, veteran status, weight, or any other reason prohibited by applicable laws.

Under federal law, an employee may not be discriminated against in employment because of a disability that can be reasonably accommodated to enable that employee to perform the job. An employee with a disability who believes accommodation is needed to perform his/her job must notify the superintendent of schools or designee in writing of the need for accommodation as soon as possible and within 182 days after the date the employee knows or reasonably should have known that an accommodation was needed.

All contracts to which the school district is a part shall contain a covenant by the contractor to adhere to this policy. The Okemos Public Schools will take all necessary actions to comply with the letter and spirit of state and federal laws prohibiting discrimination in employment.

References:

Age Discrimination in Employment Act [29 USC, Section 621 et seq.]

Persons with Disabilities Civil Rights Act [MCL 37.1101 et seq.]

Elliott-Larsen Civil Rights Act [MCL 37.2101 et seq.]

Military Law, Sections 242 and 243

Section 504-Rehabilitation Act of 1973 [42 USC, Section 794 et seq.]

Title II of the Civil Rights Act of 1964 (42 USC, Section 2000a)

Title VI of the Civil Rights Act of 1964 [42 USC, Section 2000-d]

Title VII of the Civil Rights Act of 1964 [42 USC, Section 2000-e, et seq.]

Title IX-Education Amendments of 1972 [20 USC, Section 1681 et seq.]

The American with Disabilities Act of 1990 [42 USC, Section 12101 et seq.]

See Also: Board Policy 4116: Civil/Legal Rights-Discrimination

Board Policy 4116.12: Individuals with Handicaps

Policy:

Adopted: 03-13-78

Amended: 03-27-17

Reviewed:

Equal Employment Opportunity Commission regulations shall be posted in all school buildings as required by law, and all employees shall be familiar with district policies and regulations concerning their employment. The Assistant Superintendent of Human Resources shall be the official receiver of formal complaints for issues of discrimination and is responsible for the coordination of reports. The Assistant Superintendent of Human Resources is also the District's Title IX Coordinator.

All claims of discrimination should be reported to the district's Human Resources Department [4406 North Okemos Road, telephone 51 7-706-5008] to be reviewed by the Assistant Superintendent of Human Resources. In reviewing a complaint, the Assistant Superintendent may confer with the appropriate administration regarding how the complaint will be investigated; conduct an investigation, including interviewing all involved parties and any witnesses and requesting written documentation if needed; and discussing the findings with the employee and the appropriate administration to attempt to bring resolution to the matter. Decisions may be made in accordance with state/federal laws and school district policies regarding whether disciplinary action is required and the appropriate disciplinary action to be taken.

Any person who believes he/she may have been treated in a discriminatory manner because of his/her age, color, disability, familial status, sex, height, marital status, national origin race, political affiliation, religion, sexual orientation, gender identity and expression, veteran status, weight, or any other reason prohibited by applicable laws may file a grievance. Complaints of discrimination based on sex, sexual orientation, gender identity, or gender expression will be investigated in accordance with Board Policy 4116.2. The following guidelines may be used to resolve all other claims of discrimination:

- Step 1:** A person who believes that he/she has been discriminated against by the Okemos Public Schools is encouraged to discuss the matter informally with the person who allegedly practiced the discrimination, while also providing information to the building/department administrator and the Assistant Superintendent of Human Resources (Title II/Section 504 Coordinator). NOTE: If it is the building/department administrator is the subject of the complaint, the complainant may, instead, contact the Assistant Superintendent of Human Resources (Title II/Section 504 Coordinator). The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 work days.
- Step 2:** If the informal Step 1 process does not resolve the matter, the complainant may discuss the concern informally with the building/department administrator within ten (10) working days of the discussion at Step 1. The building/department administrator will investigate the complaint and reply within ten (10) work days. A complaint may also be filed directly with the Assistant Superintendent of Human Resources (Title II/Section 504 Coordinator).
- Step 3:** If the principal/department administrator's reply does not resolve the matter, the complainant may submit a written complaint to the Assistant Superintendent of Human Resources (Title II/Section 504 Coordinator) within 10 working days of the Step 2 disposition. The complaint shall include 1) the complainant's name 2) the facts of the incident or action complained about; 3) the date of the incident or action giving rise to the complaint; 4) the type of discrimination alleged to have occurred; and

5) the specific relief sought. The Assistant Superintendent will conduct a formal investigation within 10 work days following the submission of the written complaint. Within the next 10 work days, the Assistant Superintendent shall issue a written disposition, with copies to be given to both the person who alleged the violation and the person who is the subject of the complaint

Step 4: If the complainant wishes to appeal the decision of the Assistant Superintendent of Human Resources, he/she may submit a written appeal to the Superintendent of Schools within 10 work days after receipt of the Assistant Superintendent's reply. The Superintendent or designee shall conduct a meeting at which both parties shall have the right to present witnesses and offer other evidence. Following the meeting, the Superintendent or designee shall reply to the complaint, in writing, within 10 work days of the date of the appeal. Copies shall be provided to both the complainant and the person who is the subject of the complaint.

Any employee may make inquiry regarding compliance with non-discrimination law or file a complaint at any time with:

Office for Civil Rights, Cleveland Office
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115
Telephone: (216) 522-4970
Facsimile: (216) 522-2573
Email: OCR.Cleveland@ed.gov

U.S. Equal Employment Opportunity Commission
Detroit Field Office
Patrick V. McNamara Building
477 Michigan Avenue, Room 865
Detroit, MI 48226
Phone: 1-800-669-4000
Fax: (313) 226-4610
TTY: 1-800-669-6820