

POLICY

4111.1 NONDISCRIMINATION/AFFIRMATIVE ACTION

Equal Employment Opportunities

The Board of Education shall, in accordance with law, guarantee equal employment opportunity in the schools of this district.

Each otherwise qualified person shall be offered equal access to all categories of employment and equal pay for equal work in this district without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability. The school district's employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

The Board will use equitable practices that prevent imbalance and isolation based on race, national origin, and gender among the district's certificated and non-certificated staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

The Board will target underutilized groups, so that the district's employment of females and minorities in every category of employment equals or exceeds their representation within the county workforce. The Board will provide among the faculty of each school role models of diverse racial and cultural backgrounds.

For the purpose of this policy, "disability" means suffering from physical disability; from any mental, psychological, or developmental disability; or from AIDS or HIV infection.

The Board shall not enter into, or maintain, any contracts with a person, agency, or organization if it has knowledge that such person, agency, or organization discriminates on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability, either in employment practices or in the provision of benefits or services to pupils or employees.

The Superintendent shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

POLICY

Harassment/Sexual Harassment

The Board of Education intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility or other offenses which might interfere with work performance.

Harassment can take many forms such as, but not limited to, words, signs, jokes, pranks, intimidation, physical contact, violence, sexual, etc. Harassment of any sort, verbal, physical, visual, will not be tolerated, and the offending staff member will be subject to disciplinary action. Staff members must report harassment.

Any staff member who believes he/she has been or is a victim of any type of harassment should contact his or her immediate supervisor. If the staff member prefers, for whatever reason, he/she may first contact the Affirmative Action Officer. In all circumstances the Affirmative Action Officer should be put on notice by the staff member or the staff member's immediate supervisor. The Affirmative Action Officer will then conduct a confidential investigation, protecting where possible the anonymity of the staff members who participate in the investigation of such violations. At no time will the filing of such a charge endanger the victim's status or benefits. Confidentiality will be maintained to the fullest extent possible.

The Board of Education recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.

The sexual harassment of any employee of this district is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this district will be subject to discipline which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the United States Equal Employment Opportunity Commission or the New Jersey Division of Civil Rights.

POLICY

The Affirmative Action Officer shall instruct all employees and agents of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

29 C.F.R. 1604.11

42 U.S.C.A. 12101 et seq.

N.J.S.A. 10:5-1 et seq.

N.J.S.A. 18A:6-5, 6-6; 18A:28-20; 18A:29-2

N.J.A.C. 6:4-1 et seq.

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