



## BASIC BOARD COMMITMENTS

### 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. Unlawful discrimination may include, but is not limited to, conduct based on an employee’s race, color, religion, sex, national origin, age, marital status, sexual orientation, gender identity, 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* – Unwelcome conduct or behavior prohibited by federal, state or local laws that is so frequent or severe that it objectively creates a hostile or offensive work environment or results in a negative employment action.

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 0300 and this rule during new hire orientation.
- B. Annually, the Office of Equal Employment Opportunity shall provide notice of Board Policy and Superintendent’s Rule 0300 to all employees.

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 0300 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. 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 his/her designee will review complaints to determine whether the complaint falls within the scope of an EEO investigation.
- B. Based upon the allegations in the complaint, the EEO Officer or his/her designee will:
  - 1. Investigate the complaint; or

2. Assist the administrator or supervisor in conducting an internal investigation.
- C. Employees shall fully cooperate with the investigation of EEO complaints.
- D. 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 0300 has occurred, appropriate corrective and/or disciplinary action will be taken.
- E. The appropriate administrator will review the EEO Officer's report and, in consultation with the Chief Human Resources Officer, ensure that appropriate corrective and/or disciplinary action is taken.
- F. Any employee found to have engaged in conduct or practices in violation of Policy 0300 may be subject to disciplinary action, up to and including termination.
- G. 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 and investigated by the EEO Officer. If it is determined that retaliation has occurred, appropriate disciplinary action will be taken, up to and including termination.

Legal References: 29 U.S.C. §206, 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.*, *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-16a, Government Employee Rights Act of 1991  
42 U.S.C. §2000ff, *Genetic Information Nondiscrimination Act of*

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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 0100, *Equity*  
Board of Education Policy 0200, *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*

Rule

Superintendent of Schools

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