

Equal Employment Opportunity/Nondiscrimination

Policy Statement

The Charles City County School Board (“School Board”) is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person based on race, color, religion, national origin, ancestry, political affiliation, sex, gender, gender identity, age, marital status, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The School Board provides facilities, programs and activities that are accessible, usable and available to qualified disabled persons. Further, the School Board does not discriminate against qualified disabled persons in the provision of health, welfare and other social services.

The statement, “Charles City County School Board is an equal opportunity employer,” is placed on all employment application forms.

Notice of Policy/Prevention

This policy is (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination is included in employee in-service training.

Complaint Procedure

A. File Report

Any person who believes they have not received equal employment opportunities should report the alleged discrimination to one of the Compliance Officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, *Report of Discrimination*, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the Compliance Officers designated in this policy. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully

investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the person(s) alleged to have violated the policy ("respondent"). If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the respondent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the respondent, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the respondent. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary interim measures to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the superintendent has violated this policy, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the Superintendent or designee shall issue a decision regarding whether this policy was violated and what action, if any, should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board shall make the decision and determine what action should be taken. The School Board shall issue a written decision within 14 calendar days of the time the School Board

receives the Compliance Officer's report. The written decision shall state (1) whether the policy was violated and (2) what action, if any should be taken. The decision of the School Board shall be final.

D. Appeal

If the superintendent/designee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the complainant, the respondent, the superintendent or designee or any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

E. Compliance Officer and Alternate Compliance Officer

The Charles City County School Board has designated

Interim Director of Human Resources
10035 Courthouse Road, Charles City VA 23030
personnelcompliance@ccps.net
804-652-4619

as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer

Director of Learning, Teaching and Accountability
10035 Courthouse Road Charles, City VA 23030
personnelcompliance@ccps.net
804-652-4651

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity and has the authority to protect the alleged victim and others during the investigation.

Retaliation

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints and who participate in investigations of how to report any subsequent retaliation.

Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

Prevention and Notice of Policy

Training to prevent discrimination is included in employee orientations and in-service training. This policy is (1) displayed in prominent areas of each school in a location accessible to school personnel and (2) included in employee handbooks. All employees are notified annually of the names and contact information of the Compliance Officers.

False Charges

Employees who knowingly make false charges of discrimination are subject to disciplinary action.

Adopted: July 19, 2005
Revised: December 18, 2012
Reviewed: October 18, 2016
Revised: September 17, 2019

Legal Refs.: 20 U.S.C. § 1681 et seq.
29 U.S.C. § 701.
42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	BCE	School Board Committees
	GB-F	Report of Discrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBM	Professional Staff Grievances

GBMA
GCPD
JB
KKA

Support Staff Grievances
Professional Staff Discipline
Equal Educational Opportunities/Nondiscrimination
Service Animals in Public Schools



Name of Complainant:

For Employees, Position:

For Applicants, Position Applied For:

Address, Phone Number and Email Address:

Date(s) of Alleged Discrimination:

Name(s) of person(s) you believe discriminated against you or others:

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant

Date

Complaint Received By:

Compliance Officer

Date