

Assurances

POLICY OF NON-DISCRIMINATION

As per Board of Trustees policy updated May 13, 2010, applications for admission and employment, students, parents, employees, sources of referral of applications for admission and employment are hereby notified that this institution does not discriminate on the basis of race, color, national origin, gender, disability, age, religion, creed, genetic and family medical history as defined by GINA, or marital or parental status, in admission/access to, or treatment/employment in its programs and activities.

Any person having inquiries concerning Mineral Area College's compliance with the regulations implementing Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, and Americans with Disabilities Act (ADA) of 1990 is directed to contact the Human Resources Director, Title VI and VII, Title IX, Section 504 and ADA Coordinator, Mineral Area College, P.O. Box 1000, Park Hills, MO 63601-1000, (573) 518-2378 who has been designated to coordinate the College's efforts to comply with the regulations implementing Title VI and VII, Title IX, Section 504, the Americans with Disabilities Act, and the ADA Amendments Act.

Any person may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the institution's compliance with regulations implementing Title VI and VII, Title IX, Section 504, the Americans with Disabilities Act, or the ADA Amendments Act.

Adopted by Board of Trustees May 13, 2010.

SEXUAL HARASSMENT POLICY

Mineral Area College is committed to a work setting and academic environment free from sexual harassment. This policy applies to all members of the college community, including employees, students, and visitors. Sexual harassment of employees is prohibited by Title VI and VII of the Civil Rights Act of 1964, by Title IX of the Education Amendments of 1972, and by other state and federal discrimination laws. Violators of this policy shall be subject to disciplinary actions up to and including termination of employment and/or expulsion from the college.

DEFINITIONS

Sexual harassment is unwelcome sexual advances, requests for sexual favors, or verbal, written, or physical contact of a sexual nature when:

- a. submission to such conduct is either implied or stated to be a term or condition of an individual's education or employment or a factor in the evaluation of an employee's performance, promotability, or any other component of employment, or academic standing.
- b. such conduct interferes, either directly or indirectly, with an individual's welfare, academic or work performance by creating a hostile, offensive, intimidating, or demanding education or work environment.

Verbal harassment is sexually vulgar language, remarks about an individual's physical anatomy, derogatory comments about gender, distribution of written or graphic sexual material, sexually oriented magazines/posters, display of nude pictures, other words or depictions of a sexual nature.

Physical harassment is touching in a sexual manner or invading personal privacy, especially the intentional touching of breasts and genital areas or buttocks or threats to take such actions.

Occasional compliments of a socially acceptable manner or statements or acts that are acceptable to all elements of society are not sexual harassment. What may constitute sexual harassment may differ from person to person.

Responsibility

Individuals who are aware of or have experienced an incident of sexual harassment should promptly report the matter to the Human Resources Director.

Non-Reprisal

No faculty member, administrator or staff person, applicant for employment, student, or member of the public shall be subject to reprisal for action taken in good faith to seek advice concerning a sexual harassment matter, filing a sexual harassment report or complaint, or participating as a witness or panel member in the investigation of a sexual harassment complaint.

Malicious, False Accusations

A complainant whose allegations are found to be both false and malicious complaints shall be subject to appropriate disciplinary action.

PROCEDURES

Any employee who feels he or she is harassed by an employee, student, visitor, or other person should tell the offending individual(s) the conduct is unwelcome and must stop. State your objection to the action and the specific behavior to which you object. Have a witness present if possible. Note the time and date of the discussion and write a summary of what you said and how the offender responded. In any sexual harassment case, extensive documentation will help support contentions of harassment.

In some circumstances, this course of action may not be feasible, may be unsuccessful, or the individual may be uncomfortable dealing with the matter in this manner. In this case, Mineral Area College provides both informal and formal complaint resolution procedures.

The Human Resources Director is the Sexual Harassment Officer for Mineral Area College.

Informal Resolution

Anyone may seek advice, information, or counseling on matters related to sexual harassment without having to lodge a formal complaint. Such individuals are encouraged to talk with a supervisor with whom they feel comfortable. Such informal discussions can be handled by department chairs, deans, the Manager of Business Division, the Human Resources Director, or the President of the College. Any such supervisor contacted shall inform the Human Resources Director.

At this stage of the informal process, the person seeking information and advice will be counseled as to the options available under this policy. Information regarding complaints of sexual harassment is confidential and will be revealed only to those directly involved with the investigation and/or resolution of the complaint. Breaches of confidentiality may result in disciplinary action. The purpose of informal complaint resolution is to ensure that the alleged offending behavior ceases and that the matter is resolved promptly at the lowest possible level. No disciplinary action is normally taken in resolving informal complaints.

Formal Complaint Resolution

The filing of a written complaint is required for the matter to be formally investigated and a determination made as to whether a violation of college policy prohibiting sexual harassment has occurred.

A formal complaint should be filed with the Human Resources Director. If the Human Resources Director is the alleged violator, complaints should be made to the President of the College. Those wishing to bring a formal complaint of sexual harassment against a student should inform the Dean of Student Personnel Division who shall refer the case to the Human Resources Director.

The Human Resources Director, as Sexual Harassment Officer, shall conduct a formal investigation. The complaint and details of the investigation will be treated as confidential information. Only those involved in the investigation, witnesses to the harassment, and the alleged harasser will be contacted. The complainant's identity, as far as possible, will be withheld from all involved parties. The College will do the utmost to protect the privacy of the complainant.

The investigator(s), upon a full and thorough investigation, will make determinations of the validity of the complaint and recommend any disciplinary (or other) action, if appropriate, to the President of the College or President of the Board of Trustees. Both the victim and the alleged harasser will receive copies of the investigator's findings. The investigation shall take no longer than ten (10) business days, unless extraordinary circumstances warrant otherwise.

Appeals of the investigator's findings shall be made to a three-member committee made up of disinterested employees appointed by the President of the College. Any person involved in the harassment process is excluded from the appeal decision-making process.

Only the victim and the accused harasser shall be told the final disposition of the complaint. Details of the investigation shall be released only in the event of a court proceeding.

CIVIL RIGHTS GRIEVANCE PROCEDURES **(Title VI and VII, Title IX, Age Discrimination Act, Section 504, and Americans with Disabilities Act)**

Mineral Area College is committed to the concept of equal opportunity in the hiring of new employees, the training, promotion, and retention of those employed, in wage and salary determinations, seniority, and retirement practices.

Students, employees, and the public have the right to file a formal complaint alleging noncompliance with regulations outlined in Title VI and VII of the 1964 Civil Rights Act, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008.

Retaliation of any kind against anyone making an allegation of discrimination, against anyone involved in the investigation, or against anyone involved in the decision regarding corrective and/or disciplinary action is prohibited, and shall result in disciplinary action against the retaliator. False charges will be treated as serious offenses and may result in disciplinary action.

LEVEL ONE – Immediate Supervisor / Dean / Access Office

(Informal and Optional – May be bypassed by the grievant.)

Employees with a grievance of discrimination on the basis of gender, race, national origin or disability may first discuss their concern with their immediate supervisor, the Dean of Academic Division, the Dean of Vocational-Technical Division, the Dean of Students, or the Access Office with the objective of resolving the matter informally.

Students with a complaint of discrimination on the basis of gender, race, national origin or disability may discuss the area of concern with the instructor or employee involved, the Dean of Student Personnel Division, or the Access Office.

Other individuals from the **public** may discuss a grievance with the coordinator of the event or the Access Office.

LEVEL TWO – Title VI and VII, Title IX and Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act Coordinator

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, they may formalize it by filing a written complaint on a Compliance Violation Form, which may be obtained from the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504, and Americans with Disabilities Act Coordinator. The Dean of Students shall act as Coordinator for student issues. The Human Resources Director shall act as Coordinator for employee issues.

Dean of Students
AS 100
(573) 518-2262

Human Resources Director
FA 104
(573) 518-2378

The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at level two must be within fifteen (15) working days from the date of the event giving rise to the grievance(s) or from the date the grievant(s) could reasonably become aware of such occurrence. The grievant(s) may request that a meeting concerning the complaint be held with the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Coordinator. A minor student may be accompanied at the meeting by a parent or guardian. The Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Act Coordinator shall investigate the complaint and attempt to solve it. A written report from the Compliance Office regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

LEVEL THREE – President of the College

If the complaint is not resolved at level two, the grievants may proceed to level three by presenting a written appeal to the President of the College within ten (10) working days after the grievant(s) received the report from the Title VI and VII, Title IX, Age Discrimination Act of 1975, Section 504 and Americans with Disabilities Coordinator. The grievant(s) may request a meeting with the President or his/her designee within ten (10) working days after receiving the written appeal.

LEVEL FOUR – Board of Trustees

If the complaint is not resolved at level three, the grievants may proceed to level four by presenting a written appeal to the President of the Board of Trustees within ten (10) working days after the grievants receive the report from the President of the College. The grievants may request a meeting with the Board of Trustees at their next regularly scheduled meeting. The Board may hear the appeal or affirm the decision of the president without a meeting with the grievant(s). The grievant(s) will be notified in writing of the Board's decision within ten (10) working days after the Board of Trustees action.

This procedure in no way denies the grievant(s) the right to file formal complaints with the Missouri Civil Rights Commission, the U.S. Office for Civil Rights, the Equal Employment Opportunity Commission, the U.S. Department of Justice, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

Policy on Compliance with the Americans with Disabilities Act

The Board of Trustees is committed to ensuring equal opportunity and access to all members of the campus community in accordance with Section 503/504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008.

The College will provide reasonable and appropriate accommodations to enable participation in campus programs, services and activities. Individuals with disabilities must self-identify and are responsible for reporting and supplying documentation verifying their disability. Requests for accommodations must be initiated through the Access Office in AS103. (573-518-2152)

The Board of Trustees of Mineral Area College is committed to the continuous evaluation of all programs and activities of the institution to ensure compliance with all state and federal legislation. The Administration will involve the community and individuals with disabilities in the continuous improvement process.

The Dean of Students shall act as ADA Coordinator for the college to oversee compliance in the area of student accommodations. The Human Resources Director shall act as the ADA Coordinator in overseeing compliance in the area of employment practices.

ADA Coordinators
Dean of Students
AS 100
573-518-2262

Human Resources Director
FA 104
573-518-2378

The college prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

The Administration will take other steps deemed necessary to assure compliance with the Americans with Disabilities Act, unless these pose an undue burden or would result in fundamental alteration of programs of the institution.