

PHILLIPS COMMUNITY COLLEGE
BOARD POLICY

Policy: 200

Subject: Discrimination

Date Adopted: 6/68

Revised: 6/76, 8/84, 6/92, 8/99, 12/12,
7/14, 5/25, 10/25

Reviewed: 7/19

PCCUA is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination. Such an environment is necessary to a healthy learning, working, and living atmosphere. The College expects students, applicants for admission, employees, applicants for employment, affiliates, subcontractors, on-site contractual staff, community members, and visitors to uphold the College's commitment to nondiscrimination and harassment by conducting themselves in a manner that is appropriate and consistent with this policy. Accordingly, all acts of discrimination, harassment, and retaliation are prohibited. The College will take prompt and equitable action in response to complaints about such conduct.

Policy Scope and Relationship to Title IX

"Discrimination" under this policy refers to action or conduct that (1) is based on race, color, sex, religion, antisemitic behavior against Jewish people motivated by antisemitic intent, national origin, service in the uniformed services (as defined in state and federal law), veteran status, age, pregnancy, physical or mental disability, sexual orientation, or genetic information and (2) adversely affects a term, condition of an individual's employment, education, living environment, or participation in a program or activity.

"Harassment" under this policy means unwelcome conduct that is based on one of the foregoing categories and that is subjectively and objectively offensive and so severe and/or pervasive that it denies or limits a person's ability to participate in or benefit from the College's programs, services, opportunities, or activities or when such conduct has the purpose or effect of unreasonably interfering with an individual's employment.

"Antisemitism" under this policy means the same as defined by the International Holocaust Remembrance Alliance in its working definition of antisemitism, including its contemporary examples, as it was adopted on May 26, 2016. Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and

physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities. Criticisms of Israel similar to those leveled against any other country cannot be regarded as antisemitic.

Reports and complaints regarding sexual harassment, sexual assault, relationship violence, stalking, and similar conduct should first be made to the Title IX Coordinator under the College's separate policy on sexual assault and harassment. Other forms of discrimination and harassment may be the subject of an initial complaint under this policy. In addition, this policy may be used to address complaints of sexual harassment or assault that may negatively affect the campus community but are dismissed by the Title IX Coordinator based on lack of jurisdiction.

The College reserves discretion on whether to commence an investigation under this policy or alternatively address conduct, as an administrative matter, that does not constitute a violation of this policy but nevertheless is inappropriate in a professional work or educational environment

PHILLIPS COMMUNITY COLLEGE
ADMINISTRATIVE PROCEDURE

Administrative Procedure: 200.01

Subject: Affirmative Action Plan

Applicable Board Policy: 200

Date Adopted: 8/84

Revised: 3/01, 12/12, 7/14, 12/23, 2/24

Reviewed: 7/19

The Chancellor's Commitment To Equal Opportunity

Phillips Community College is committed to equal opportunity for all people without regard to age, race, gender, gender identity, national origin, disability, religion, marital or parental status, veteran status, genetic information, or sexual orientation.

The College should be a place of work and study for students, faculty, and staff, which is free of all forms of discrimination, sexual intimidation, and exploitation. Therefore, it is the policy of Phillips Community College to prohibit discrimination of its students, faculty, and staff and to make every effort to eliminate discrimination within the College community.

Phillips Community College will make every effort to ensure that all who seek employment are considered on the same basis, with no special consideration given to one applicant over another.

Phillips Community College is an equal opportunity institution with a commitment to the following affirmative action plan:

PCCUA Affirmative Action Policy Statement

At the same time the College prohibits discriminatory practices, it promotes equal opportunity through affirmative action. Non-discriminatory affirmative action equal opportunity policies apply to: recruitment, hiring, job classification and placement, work conditions, promotional opportunities, demotions/transfers, terminations, training, compensation, choice of contractors and suppliers of goods and services, educational opportunities, disciplinary action, recreational and social activities, use of facilities, and college sponsored programs.

The Office of Human Resources has been designated by the Chancellor to administer the College's personnel management activities and to be responsible for the implementation of the Affirmative Action Program to investigate and resolve all allegations of discrimination on the basis of race, age, gender, gender identity, national origin, religion, disability, veteran status, marital or parental status, genetic information

and sexual orientation. This individual will be directly responsible to the College Chancellor for those portions of duties related to EO/AA activities.

Dissemination of Policy

Internal

The Equal Opportunity and Affirmative Action (EOAA) Policy statement is included in the Board Policies and College Procedure Manual, Employee Handbook, and the College Catalog. All staff members have access to these publications.

The EOAA policy will continue to be published periodically in the newsletters, annual reports, catalogs, and brochures published by PCCUA.

Meetings will continue to be held as necessary with administrative personnel and department heads to re-emphasize the intent of the policy and individual responsibility for implementation of the policy.

An abbreviated EOAA statement appears on the applications for employment of professional personnel, faculty, and staff. Information in regard to the Equal Opportunity Program, progress reports, promotions, and other items will continue to be included in appropriate college publications. Annually in January, the Chancellor will communicate via email the College's EOAA Policy.

External

Recruiting sources which include local minority and women's agencies are informed of the College's Equal Opportunity policy.

When PCCUA uses external recruiting sources, it will inform them of this policy and its intent to seek out qualified applicants without regard to age, race, gender, gender identity, national origin, disability, religion, marital or parental status, veteran status, genetic information, or sexual orientation.

The EOAA clause appears in appropriate college publications.

A statement of PCCUA's commitment to EOAA is printed on all purchase orders and is used to inform vendors and supplies of the policy.

In accordance with ACT 698 of 1991, the College established a "Minority Purchasing Administrative Program" which supports the policy of the State of Arkansas to promote equal opportunity, as well as economic development in every sector. PCCUA is committed to utilizing minority businesses in contracting to the maximum extent feasible. An annual procurement goal of ten percent (10%) business with minority firms has been established by PCCUA. PCCUA will, within the limits of state statutes and regulations, pursue the award of a fair share of all contracts with minority businesses

and shall encourage and assist minority businesses in the methods of doing business with this College.

Responsibilities for Implementation

The Office of Human Resources is designated as responsible for implementing the affirmative action plan for the College and for maintaining the EOAA program in the areas of faculty, administrative, professional, and non-classified staff.

Staff Responsibilities

The Phillips Community College Office of Human Resources will:

1. Continue to receive assistance in the achievement of the responsibilities described in this section through the involvement of the College's administrative offices and through their respective faculty and staff.
2. Monitor the Affirmative Action Program in regard to compliance with policy and internal and external communication procedures.
3. Evaluate the internal audit and recording system which will indicate areas in need of remedial action; measure the effectiveness of the Affirmative Action effort; and determine the degree to which faculty goals and objectives have been attained.
4. Assist in the identification of problem areas of under-utilization by developing separate availability analyses for women and minority groups; conducting salary, promotion, and employment analyses; and reviewing the qualifications of all faculty employees to ensure that minorities and women are given full opportunities for promotion and/or transfer.
5. Monitor past standardization of procedures governing employment practices in the College and assuring that the College's EOAA program policies are being followed by (a) insuring that the respective deans/chairs and other administrative staff understand responsibilities within the program; (b) insuring that the respective deans, division chairpersons, and other administrative staff understand that their work performance is being evaluated on the basis of their EOAA program efforts and results as well as other criteria; and (c) conducting regular discussions with the respective deans/chairs and other administrative staff relating to the Affirmative Action Plan.
6. Serve as a liaison between faculty employees and enforcement agencies.
7. Keep informed of the latest developments in the entire EOAA area.
8. Audit periodically the recruitment, hiring, and promotion patterns in order to remove the impediments to the attainment of the objectives of the Affirmative Action program.

9. Conduct regular discussions with divisions of administration, program directors, other administrative staff, and minority and women employees to be certain that the College's

EOAA program policies are being followed and insure that all administrative staff are directed to take necessary action to prevent the harassment of any employees placed in a job position through affirmative action efforts by employment, transfer, and/or promotion.

10. Conduct availability studies for women and minorities separately in the various divisional areas.

11. Submit an annual and five-year minority report to Arkansas Department of Higher Education, mandated by Act 1091 of 1999 (ACA §6-61-122).

Work Force Utilization Analysis

College Referent Labor Area

Phillips Community College occasionally recruits qualified applicants nationwide for academic and professional positions but the primary target area includes: Arkansas, Mississippi, and Tennessee. The personnel geographic service area is Phillips and Arkansas County in Arkansas. These areas are considered as the referent labor areas for statistical data.

Primary Activity Occupational Groups

Administrative - all persons whose assignments require primary supervision of employees (and major responsibility for management of the institution, or a customarily recognized department or subdivision thereof). Assignments require the performance of work directly related to management policies or general business operations of the institution or department. Assignments in this category customarily and regularly require the incumbent to exercise discretion and independent judgment, and to direct the work of others. Reported in this category are all officers holding such title as Chancellor, Vice Chancellor, Dean/Chair, Director, or the equivalent.

NOTE: Supervisory personnel of the technical, clerical and service/maintenance force are reported within the specific categories of the personnel they supervise.

Faculty - all persons whose specific assignments customarily are made for the purpose of conducting instruction or public service as a principal activity (or activities).

Professional Staff (non-faculty) - all persons whose assignments require either college graduation or comparable experience. Included are all staff members with assignments requiring specialized professional training.

Non-Classified Staff - all persons whose assignments typically are associated with job duties or functions necessary to operate department(s). Included are personnel who are responsible for internal and external communications, recording and retrieval of data and/or information and other duties required, such as fiscal support specialist, administrative specialist, computer support staff, financial aid analyst, etc. Also included are library support staff who are not recognized as librarians. Non-Classified staff also includes those positions who contribute to the upkeep and care of buildings, facilities or grounds of the institutional property. Included are cafeteria workers, institutional services, skilled tradesmen, etc.

Provisional Positions – all persons whose position is supported by a grant secured through the College. These positions fall under one of the following categories: faculty, professional, or non-classified staff.