

# Policy Manual



<b>Title:</b> Diversity and Inclusive Excellence	<b>Number:</b> <b>6Hx2-3.44</b>
<b>Legal Authority:</b> <i>Title VII of the Civil Rights Act of 1964; Americans with Disabilities Act; Age Discrimination in Employment Act; Equal Pay Act; Executive Order 11246; Title 41, Chapter 60, Office of Federal Contract</i>	<b>Page:</b> 1 of 4

## GENERAL STATEMENT.

Consistent with Broward College's vision, mission, and core values, Broward College is committed to fostering a welcoming, affirming, and empowering culture of respect and inclusion, empowering and engaging students, faculty, and staff. The College is committed to inclusive excellence, integrating diversity and quality initiatives by infusing diversity into its organizational processes, structures, and practices. The College affirms its commitment to recruit, support, and retain a diverse student, faculty, and staff community that reflects the diversity of Broward County and to the importance of cultural competency. The College recognizes its obligation to create an inclusive community in which diversity is valued and equal access to educational and employment opportunities are provided free from discrimination, unlawful harassment, and retaliation in accordance with federal, state and local laws.

## THE POLICY and THE STUDENT.

The core values of Broward College reflect the importance of achieving student success and academic excellence and creating an educational environment based upon mutual respect, integrity, communication and engagement. As such, the College seeks to provide a welcoming learning environment that fosters diversity of thought, cultural competency, and an open exchange of perspectives from individuals from differing backgrounds and cultures.

Consistent with the Policy on Unlawful Discrimination, Harassment and Retaliation for Students (6Hx2-5.22), the College affirms its commitment to ensure that every student/applicant for admission be permitted to learn in an environment free from any form of discrimination or harassment based upon race, color, religion, age, disability, sex, national origin, marital status, sexual orientation, or veteran status, or other legally protected classification.

## THE POLICY and THE FACULTY AND STAFF.

The College is committed to the recruitment and retention of diverse, outstanding faculty and staff and to addressing underrepresentation of minorities, women and persons with disabilities as identified in the Annual Affirmative Action Plan and the College's Five-Year Equity Plan. Further, the College seeks to provide an inclusive, respectful, and empowering working environment that welcomes diverse perspectives. The College is also committed to providing equal employment opportunity free from discrimination, harassment, and retaliation in accordance with federal and state laws. The College is committed to ensuring that all employees and applicants are not subject to unlawful discrimination. The Vice President for Human Resources and Equity reviews all employment recommendations prior to their finalization (recruitment and selection, classification, compensation, promotion, transfer, demotion, evaluation, and termination) to ensure that the College is in compliance with federal and state law, the College's Affirmative Action plan and goals, and the goals established in the Five-Year Equity Plan. The

**History:** Revised as Policy

**Approved by the  
Board of Trustees**

**Date**  
7/28/09

**President's Signature**

*J. Daniel Anthony Jr.*

**Date**  
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Vice President for Human Resources and Equity is charged with regularly reviewing employment recommendations that could have adverse impact with respect to any protected category such as gender, race, ethnicity, age, disability, service in the uniformed services, or any other classification protected by federal, state or local law. Additionally, the College will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. In addition, the Vice President for Human Resources shall perform analyses to evaluate progress in organizational units to comply with Executive Order 11246 and Title 41, Chapter 60 of the Office of Federal Contract Compliance Programs.

### IMPLEMENTATION and OVERSIGHT.

The President has the authority to issue implementing procedures for this policy. The Vice President for Human Resources and Equity has responsibility for oversight of this policy as it pertains to the faculty and staff. The Equity Office in Human Resources shall investigate all complaints related to the faculty and staff as described in Policy 6Hx2-3.34 “Discrimination, Harassment, and Retaliation.” The Vice President for Student Affairs and the Campus Provost/Center Director have responsibility for oversight of this policy as it pertains to students. The Campus Provost/Center Director shall investigate complaints of students against students as identified in Policy 6Hx2-5.22 “Unlawful Discrimination, Harassment, and Retaliation Policy for Students.” Complaints by students against faculty or staff shall be referred by the Campus Provost/Center Director to the Equity Office in Human Resources.

### VIOLATION OF POLICY.

1. Any employee or student who believes that they have been subjected to discrimination, harassment or retaliation in violation of College’s policies may file a complaint within (90) days of the alleged harassment, discrimination or retaliatory conduct by utilizing either an informal and or a formal complaint process as defined in Policy 6Hx2-3.34, Discrimination, Harassment and Retaliation and the corresponding Procedure A6Hx2-3.34 and/or Policy 6Hx2-5.22, Unlawful Discrimination, Harassment and Retaliation for Students and the corresponding Procedure A6Hx2-5.22.
2. The College affirms its commitment to diversity and to ensure that employees and students who complain about discrimination or harassment are protected from retaliation. It shall be a violation of this Policy for any student, or any officer, employee, or agent of the College to discriminate against or harass, as herein after defined, any other officer, employee, student, or agent of the College.
3. Violations of policy may result in consideration of discipline up to and including termination.
  - a. For non-represented employees, action will be taken pursuant to the terms and conditions of the relevant employment contract, if applicable.
  - b. For full-time Faculty, refer to the Collective Bargaining Agreement between The Board of Trustees of Broward Community College and United Faculty of Florida,

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Broward Community College Chapter, Article 2.33.

- c. For represented professional technical staff, refer to the Collective Bargaining Agreement between the Board of Trustees of Broward Community College and Federation of Public Employees, Article 2.
- d. For students refer to Policies on the Student Code of Conduct, 6Hx2-5.02 and Dismissal of Disruptive Students, 6Hx2-5.19.

## DEFINITIONS

**Cultural Competency:** Cultural competency refers to an ability to interact effectively with people of different cultural backgrounds. Cultural competence comprises four components: (a) awareness of one's own cultural worldview, (b) attitude towards cultural differences, (c) knowledge of different cultural practices and worldviews, and (d) cross-cultural skills.

**Discrimination:** Discrimination is defined as treating any member of the College community differently than others are treated based upon race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, or other legally protected classification. Conduct which falls into the definition of discrimination and which is prohibited by this policy includes, but is not limited to:

1. Disparity of treatment or effect in employment, job placement, promotion or other benefits and all other terms and conditions of employment based upon membership in one of the groups listed above.
2. Limiting access to athletic, social, cultural or other activities of the College based upon membership in one of the groups listed above.

**Diversity:** Individual differences (e.g., personality, learning styles, and life experiences) and group/social differences (e.g., race/ethnicity, class, gender, sexual orientation, country of origin, and ability as well as cultural, political, religious, or other affiliations) that can be engaged in the service of learning (Association of American Colleges and Universities).

**Inclusion:** The active, intentional, and ongoing engagement with diversity—in people, in the curriculum, in the co-curriculum, and in communities (intellectual, social, cultural, geographical) with which individuals might connect—in ways that increase one's awareness, content knowledge, cognitive sophistication, and empathic understanding of the complex ways individuals interact within systems and institutions (Association of American Colleges and Universities).

**Retaliation:** Title VII of the Civil Rights Act of 1964, the Age Discrimination

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in Employment Act, the Americans with Disabilities Act, and the Equal Pay Act prohibit retaliation by an employer because an individual has engaged in protected activity. An employer may not fire, demote, harass or otherwise "retaliate" against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. An adverse action is an action taken to try to keep someone from opposing a discriminatory practice, or from participating in an employment discrimination proceeding. Examples of adverse actions include employment actions such as termination, denial of promotion, and other actions affecting employment such as threats, unjustified negative evaluations and unjustified negative references (Equal Employment Opportunity Commission).

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