



Subject: Nondiscrimination

1. PURPOSE

This policy establishes expectations for compliance with federal and state rules and regulations concerning nondiscrimination requirements of Northern Pennsylvania Regional College (NPRC or the College).

2. SCOPE AND APPLICABILITY

This policy is applicable to all faculty (full-time and part-time), staff, administrators, and others who interact with any student on the behalf of NPRC.

3. REFERENCES

3.1 INDX-0010 Master Policy Index

3.2 NPRC-3260 Student Grievance and Complaint

3.3 The Pennsylvania Code, § 32.3. Assurances,
<https://www.pacode.com/secure/data/022/chapter32/s32.3.html>

3.4 Title VI of the Civil Rights Act of 1964, Nondiscrimination in Federally Assisted Programs, <https://www.justice.gov/crt/fcs/TitleVI-Overview>

3.5 Title IX of the Education Amendments of 1972,
<https://www.justice.gov/crt/overview-title-ix-education-amendments-1972-20-usc-1681-et-seq>

3.6 U.S. Department of Justice, Civil Rights Division, *Disability Rights Section*, Americans with Disabilities Act, Sections 503 and 504 of the Rehabilitation Act, <https://www.ada.gov/cguide.htm>

- 3.7 The Pennsylvania Code, Chapter 44, issued under the Pennsylvania Human Relations Act 43 P. S. § § 951—963, <https://www.pacode.com/secure/data/016/chapter44/chap44toc.html>
- 3.8 Pennsylvania Fair Educational Opportunities Act, 24 P.S. § § 5001—5009, <https://www.pacode.com/secure/data/022/chapter32/chap32toc.html>
- 3.9 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), <https://clerycenter.org/policy-resources/the-clery-act>
- 3.10 Campus Sexual Violence Elimination Act (SaVE Act), <https://www.congress.gov/bill/112th-congress/house-bill/2016>
- 3.11 Equal Opportunities Section, U.S. Department of Justice, <https://www.justice.gov/crt/how-file-complaint>
- 3.12 Community College of Allegheny County, Notifications of Nondiscrimination, <https://www.ccac.edu/nondiscrimination/>

4. DEFINITIONS

- 4.1 Title VI of the Civil Rights Act of 1964 is a comprehensive federal law which states that no person in the United States shall; on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Education.
- 4.2 Title IX of the Education Amendments of 1972 is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.
- 4.3 The Americans with Disabilities Act (ADA) is a comprehensive federal law that prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications and requires that one must have a disability or have a relationship or association with an individual with a disability to be protected by the ADA.
- 4.4 An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all covered impairments.

- 4.5 Sections 503 and 504 of the Rehabilitation Act is a federal law that prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors.
- 4.6 The Educational Opportunities Section is an area within the U.S. Department of Justice which enforces federal laws that protect students from harassment or discrimination. The Section is responsible for enforcing Title IV of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, national origin, sex, and religion in public schools and institutions of higher learning; the Equal Educational Opportunities Act of 1974 which, among other things, requires states and school districts to provide English Language Learner (ELL) students with appropriate services to overcome language barriers; and the Americans with Disabilities Act, which prohibits disability discrimination. The Section also plays a significant role in enforcing Title VI of the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color, and national origin by recipients of federal funds); Title IX of the Educational Amendments of 1972 (prohibiting discrimination on the basis of sex by recipients of federal funds); and Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act (both of which address disability discrimination and appropriate disability-related services).

5. POLICY

- 5.1 The College shall not discriminate and prohibits discrimination against any individual based upon race, color, religious creed, national origin, gender, disability, veteran status, age, or other classification protected by applicable law in matters of admissions, employment, services or in the educational programs or activities that it operates. Harassment that is based on any of these characteristics, whether in verbal, physical, or visual form, constitutes a form of prohibited discrimination. This includes harassing conduct which affects tangible job benefits, unreasonably interferes with an individual's academic or work performance, or which creates what a reasonable person would perceive to be an intimidating, hostile or offensive work or educational environment.
- 5.2 The College shall not take an action, direct or indirect, to segregate students in a classroom or course on the basis of race, color, religious creed, ancestry, national origin, handicap or disability, age, or sex.
- 5.3 The College shall not subject students to different or separate treatment in, nor restrict the enjoyment by a student of, a service, facility, activity or program on the basis of race, color, religious creed, ancestry, national origin, disability, age, or sex, except that the following facilities may be segregated on the basis of sex: dormitories, bathrooms and locker rooms. This exception will be strictly construed so that the right to privacy is not used as a facade for denying equal facilities to members of both sexes.

- 5.4 The College shall comply with the criteria set forth in the Pennsylvania Human Relations Act (43 P. S. § § 951—962.2) and the Pennsylvania Fair Educational Opportunities Act (24 P.S. § § 5001—5009).
- 5.5 The College shall comply with the requirements of Title IX of the Education Amendments of 1972 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Campus Sexual Violence Elimination Act (SaVE Act). Conduct prohibited under Title IX, the Clery Act and the SaVE Act includes sexual harassment, sexual misconduct and acts of sexual violence, including sexual assault, domestic violence, dating violence, and stalking.
- 5.6 In furtherance of the laws referenced in 5.5, the College shall designate a Title IX Coordinator whose responsibilities shall include overseeing the College's response to Title IX reports and complaints and identifying and addressing patterns or systemic issues revealed by such reports and complaints. With the exception of staff designated by the College to provide confidential professional counseling services to victims of such conduct, College employees are required to inform the Title IX Coordinator of incidents or suspected incidents of sex or gender discrimination, sexual harassment, or sexual violence against a student, employee, vendor or guest of which they become aware.
- 5.7 The College prohibits and will not engage in retaliation against any person who in good faith reports a violation of this policy, provides information in an investigation of a potential violation, or otherwise engages in protected activity under the law.
- 5.8 The College recognizes its responsibility to provide academic and nonacademic services and programs equally to individuals with and without disabilities. To this end, the College shall provide reasonable accommodations for qualified students and employees with identified disabilities consistent with the requirements of the Americans with Disabilities Act, Sections 503 and 504 of the Rehabilitation Act, and other federal, state and local laws and regulations.
- 5.9 To properly respond to a complaint concerning alleged violation of the ADA; Title IX; Title VI; or Sections 503 or 504 of the Rehabilitation Act; the Equal Opportunities Section of the U.S. Department of Justice requests that complainants provide their name, address, and the name of the school/school district/university where the alleged discrimination occurred. Additional information regarding how to file a complaint is available [here](#). The Educational Opportunities Section accepts complaints of potential violations
- 5.9.1 By e-mail to education@usdoj.gov
- 5.9.2 By telephone at (202) 514-4092 or 1-877-292-3804 (toll-free)
- 5.9.3 By facsimile at (202) 514-8337

5.9.4 By letter to the following address:

U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530

- 5.10 The College shall maintain supportive services for administering this policy. Supportive services, including, but not limited to, disability services and Title VI and Title IX compliance-related activities, accessible to all students. The identities of and contact information for employees with assigned job duties related to supportive services shall be communicated within the college catalog, website, and student handbook.
- 5.11 In addition to the terms outlined by this policy, students who are also employees of the College, through means including, but not limited to, work-study program participation, contractual arrangement, part-time employment, or full-time employment, shall be subject to the same employment policies and procedures as all other employees of the College.

6. RESPONSIBILITIES AND TIMELINES

- 6.1 Employees, students, third-party vendors and guests are responsible for reporting conduct that is believed to be in violation of this policy or applicable law by contacting the College's Vice President for Academic and Student Affairs, the Title IX Coordinator/Civil Rights Compliance Officer or such other officials as may be designated in other Board policies or administratively issued regulations and procedures.
- 6.2 Employees with assigned job duties related to disability services shall be responsible for receiving, reviewing, and evaluating requests from students who require an accommodation with respect to their educational program.
- 6.3 The College's Title VI/Title IX Coordinator, who may have additional title(s) and/or job responsibilities, shall be responsible for Title VI and Title IX compliance-related activities.
- 6.4 The College shall designate a Disability Services Compliance Officer. This individual, who may have additional title(s) and/or job responsibilities shall be responsible for ADA compliance activities, including, but not limited to, Sections 503 or 504 of the Rehabilitation Act.

6.5 The Vice President for Academic and Student Affairs or designee is responsible for ensuring that the college catalog and student handbook contain accurate information concerning this policy, the identification of the personnel to whom it refers, and contact information for reporting purposes.

6.6 The Vice President for Academic and Student Affairs or designee is responsible for oversight and administration of this policy.

7. REVIEW STATEMENT

This policy shall be reviewed on a regular basis at least once every five years per the Policy Review Schedule established by the President or the President’s designee. A review of the policy may be requested prior to the timeframe outlined by the policy review schedule by any student, faculty, staff, administrator, or board member. Such a request must be submitted in writing to the office of the President and must address specific concerns. Upon receipt of such a request, a complete review of the policy will be conducted within three months. Upon review, the President or President’s designee may recommend to the Board of Trustees that the policy be amended or repealed.

8. SIGNATURES

Signature on file

_____	_____
Chair, Board of Trustees	Date

Signature on file

_____	_____
President	Date

Attachments: None

Distribution: Board of Trustees; <https://regionalcollegepa.org>

Revision Notes: Policy in Origination