

Everyone deserves a fair chance.

NWTC's Affirmative Action Policy

OCTOBER 2010



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Northeast Wisconsin Technical College is committed to equal opportunity for all and does not discriminate in admission or access to, or treatment or employment in, its programs and activities on the basis of race, color, creed, national origin, sex, age, or disability.

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Statement of Policy

Northeast Wisconsin Technical College (NWTC) does not discriminate on the basis of age, race, color, disability, sex, national origin, or other protected status in employment or programs and activities. Discrimination against any individual for reasons of political affiliation, age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, religion, pregnancy, parental status, service to the armed forces, genetic testing, and the use or non-use of lawful products off the employer's premises during non-working hours is specifically prohibited in employment and in education programs. It is the policy of the District that a formal Affirmative Action program operates within the District.

Inquiries regarding the non-discrimination policy should be directed to:

Director of College Diversity/Affirmative Action
Northeast Wisconsin Technical College
2740 West Mason Street, PO Box 19042
Green Bay, WI 54307-9042
(920) 498-6826

It is the policy of the District that a formal Affirmative Action program operates within the District. The Affirmative Action program will identify and help to eliminate discriminatory practices in order that equal employment opportunities will be extended to all people at NWTC. The concept of equal opportunity is embodied in the very nature of the service provided to the community.

Primary responsibility for equal employment and affirmative action is with the College President. The Director of College Diversity/Affirmative Action develops and monitors the functions of the Affirmative Action program. The total support of every employee, student, and recipient of District services is also required to assure equality of opportunities and respect for individuals.

Harassment, including sexual harassment, is specifically prohibited. Harassment is defined as any unwanted, deliberate or repeated unsolicited comments, gestures, graphic materials, physical contacts or solicitation of favors which is based upon age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, religion, pregnancy, or parental status or other protected status, unless such action is specifically job related. Harassment shall extend to physical contacts or solicitation of favors, which is based upon any of the aforementioned protected categories when:

Grievance Procedure (continued)

3. If both the complainant and respondent are employees, standard College disciplinary procedures and rights as identified by labor agreements or Board policy shall be followed.
4. Any party that is in disagreement with the results, findings, or recommendations of the above bodies, has the right to appeal the decision, in writing, to the Board of Trustees. Such a request must be made within (3) working days of the finding. The Board shall have twenty (20) working days after receiving the request to review the appeal and submit a decision to the appellant.

Step 5

If there is a disagreement with the final written decision, the complainant may file directly with the Wisconsin Equal Rights Department, U.S. Department of Education, Office for Civil Rights, or pursue avenues of resolution for complaints filed on the basis of sex, race, color, creed, ancestry, national origin, disability, or age, marital status, sexual orientation, arrest record, religion, pregnancy or parental status, or other protected status.

This 1st day of October, 2010



H. Jeffrey Rafn, President
Northeast Wisconsin Technical College

Step 3

Within thirty (30) working days of the receipt of the formal complaint, the appropriate administrative personnel listed above shall attempt to resolve the problem. Such actions may include any of the following:

1. A formal or informal meeting with the complainant.
2. A formal or informal meeting with the respondent.
3. A formal or informal meeting with all parties in an attempt to seek a resolution.
4. A formal investigation of the complaint.

All reasonable efforts will be made to complete the appropriate steps within the noted timeframe. In cases where it appears that this timeframe is not appropriate, the complainant shall be notified and the appropriate timeframe identified. This shall be done within fifteen (15) working days of the receipt of the formal complaint.

Regardless of the method used in an attempt to resolve the problem, the administrative personnel shall issue a written decision identifying the result of his/her review, including, but not limited to identifying any formal or informal resolution, which the parties themselves have agreed to, and/or any formal determination, which the investigating administrator had made. Such written responses shall be forwarded to the complainant with a copy sent to the College President within the time frame noted above.

Step 4

If either the complainant and/or respondent are in disagreement with the results, findings, or recommendations of Step 3, the following actions can be taken:

1. If the respondent or the complainant and the respondent are students, they can request, in writing, an impartial view by the Faculty/Student Committee within three (3) working days of the finding. Such review must be completed within twenty (20) working days after receiving the request.
2. If the complainant is a student and the respondent is a staff member, the College shall take all actions and that staff member shall have the normal right or redress set forth in their labor agreement or by Board policy. In such cases, the student shall have an opportunity to present information and speak at each step of the process.

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational status; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individuals; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work or learning environment.

Student Admission

Discrimination in student selection is prohibited, including discrimination against any individual by reason of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, religion, pregnancy, parental status, service to the armed forces, or other protected status. The Affirmative Action Policy also applies to student recruitment, educational offerings, student placement, and other areas of District involvement programs or services.

Compliance

The District will make a continuous effort to comply with the following laws:

Titles VI and VII of the Civil Rights Act of 1964 as amended, Title IX of the Educational Amendments Act of 1972, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Carl D. Perkins Vocational Education Act, the Equal Pay Act of 1973, the Age Discrimination Acts of 1967 and 1975, the Civil Rights Restoration Act of 1987, the Wisconsin Fair Employment Law, other appropriate laws and executive orders and/or administrative directives; and Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Disability in Vocational Programs (34 CFR, Part 100, Appendix B). Lack of English reading/speaking skills will not be a barrier to admission and participation in NWTC programs.

The employee designated to handle NWTC's Affirmative Action and Discrimination policies, including Title IX, Section 504 and Title VI, is the Director of College Diversity.

Grievance Procedure

Discrimination shall mean a difference in treatment in any service, program, course, or facility of Northeast Wisconsin Technical College on the basis of race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status, or other protected status. Based on this definition, if you feel you have experienced discrimination, follow these procedures:

Step 1 – Informal Discussion

Discuss your problems or concerns with the Director of College Diversity/Affirmative Action, Special Needs Counselor, Admissions Counselor, and/or instructor. If this action does not resolve the problem, you may wish to continue with a formal written complaint. Obtain a copy of the complaint form from the following offices:

Green Bay Campus	Director of College Diversity/ Affirmative Action (920) 498-6826
Marinette Campus	Main Office (715) 735-9361
Sturgeon Bay Campus	Main Office (920) 746-4900
Regional Learning Center (RLC)	Dean of RLC (920) 498-6866

Step 2 – Written Complaint

A written complaint must be filed within three hundred (300) days of the alleged discriminatory acts and should detail the time, place, pertinent facts, and circumstances of the alleged discrimination. Keep a copy for yourself and forward the original to the Director of College Diversity/Affirmative Action. The Director will forward a copy of the complaint to the appropriate administrative personnel as identified below.

Grievance Procedure (continued)

IF CIRCUMSTANCES OF THE ALLEGED DISCRIMINATION ARE:

1. **Committed by students**, to the Vice President for Student Services with a copy to the Vice President of Human Resources. Students discriminating against another student or employee will be subject to discipline under the applicable student code of conduct.
2. **Committed by faculty or support staff**, to the President with a copy to the Vice President of Human Resources. Employees discriminating against students or other employees will be subject to discipline under appropriate Northeast Wisconsin Technical College employment policies and, as applicable, collective bargaining agreements.
3. **Committed by administrative or management staff**, to the President with a copy to the Vice President of Human Resources. Administrative or management employees discriminating against employees or students will be subject to discipline under appropriate Northeast Wisconsin Technical College employment policies.
4. **Committed by any Vice President**, to the President. Any Vice President discriminating against employees or students will be subject to discipline under appropriate Northeast Wisconsin Technical College employment policies.
5. **Committed by the President**, to the District Board Chair. If the President is found to have discriminated against employees or students, the President will be subject to discipline under appropriate Northeast Wisconsin Technical College employment policies.

Northeast Wisconsin Technical College will take other necessary corrective action to remedy any instances where discrimination is determined to have occurred.