

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Certainly, one of the most complex and tragic problems which confronts our nation today is the absence of true equal opportunity for all people without regard to race, color, religion, sex, age or national origin, mental or physical handicap or veteran status.

While there have been civil rights laws enacted to assure such equality, many individuals and institutions have been negligent in meeting the requirements of these laws so that equal opportunity for all people, is, in fact, not a reality yet in the land.

Consequently, the denial of equal access of opportunities for development and growth has permitted discrimination to continue in a variety of forms. This means that proposed remedies must go beyond the mere announcement of an equal opportunity policy.

Rust College provides equal employment opportunity on the basis of merit and without discrimination because of race, creed, color, religion, sex, marital status, age, national origin, the presence of any sensory, physical or mental handicap unless based upon a bona fide position requirement. The employment of a person with a criminal conviction will be contingent upon a thorough review of specific convictions and their relationship to the welfare of the college and reasonable evidence that such criminal offenses, past, present or future will not prove detrimental to the mission of the college. The employment of all persons is contingent upon their skills and personality for the job, and their character, and attitude judged to be conducive to the philosophy, purpose, aim, and objectives of Rust College.

The policy does not require areas, divisions and organizational units to employ unqualified persons, whether they be women, minorities or of the majority races. Executive Order 11246 page 4 supports this position. It does not require the college to eliminate or dilute standards, which are necessary to the successful performance of the institution's educational and research functions... It further supports the position of the college when it states that any standards or criteria, which have had the effect of excluding women and minorities unless the contractor (college) can demonstrate such criteria are conditions of successful performance in the particular position involved.

AFFIRMATIVE ACTION PLAN

Rust College's Affirmative Action Policy provides for a prompt, fair and impartial consideration of all complaints of discrimination against the college, or any of its units because of race, creed, color, religion, sex, marital status, age, national origin, criminal conviction, the presence of any sensory, physical or mental handicap, or veteran status. Employees filing discriminatory grievance will not be subject to harassment, intimidation or discrimination based upon filing such grievance.

The college's commitment to achieve equal employment opportunity is based upon recruiting and hiring the most qualified applicants for all vacant positions. It is committed to comply with Federal and State Guidelines for affirmative action in equal employment opportunities.

Employee's cooperation and support in Rust College's Affirmative Action Program efforts are essential in assuring equal employment opportunities at the college.

It is the responsibility of the Director of Personnel to work with the Personnel Review Committee in monitoring the institution's compliance with this policy. This function includes:

1. Periodic meetings of administrators, supervisors, and other responsible individuals to report progress regarding nondiscrimination;
2. Monitoring of the conduct of all employment interviews, pay rate determinations, performance evaluations;
3. Immediate, formal corrective action in instances of intentional or unintentional discrimination;
4. Notification of current and prospective employees that the college is an equal opportunity/affirmative action employer;
5. Completion of a thorough survey of employees by age, handicap, (physical or mental), national origin, race/color, religion, sex, and veteran's status, and their employment classifications;
6. Establishment of specific annual recruiting goals;
7. Review of position descriptions, position classifications, employment application forms to reflect current legal and work requirements.

**NON-DISCRIMINATORY POLICY ON THE BASIS
OF GENDER, SEXUAL ORIENTATION, HANDICAP,
RACE, COLOR OR NATIONAL ORIGIN**

Policy Statement

Rust College emphasizes her commitment to provide a professional working and learning environment which supports, nurtures and rewards educational and employment growth free of discriminatory, inappropriate and disrespectful conduct or communication. Discrimination of any kind threatens this type of learning environment in that it compromises institutional integrity and traditional academic values. Discrimination inhibits the individual's performance as a student or employee and violates acceptable standards for accessibility, equal opportunity and interrelationships.

Accordingly, Rust college does not discriminate on the basis of gender or sexual orientation in its programs or activities and is prohibited from discriminating on the basis of gender or sexual orientation (e.g., "No person shall, on the grounds of gender or sexual orientation, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any Rust College program or activity").

Students, staff, faculty, and administrators should know that the college is concerned about discrimination. The institution is prepared to take preventive and corrective action to deal with an individual or individuals who engage in such actions or conduct.

Rust College, for the purpose of this policy, defines discrimination according to the categories listed below:

1. **Sexual Harassment:** Rust College defines sexual harassment as an action taken or situation created intentionally to produce psychological or physical discomfort, embarrassment, or ridicule. It may be characterized by, but not limited to:
 - a. unwelcome sexual advances
 - b. unwelcome requests for sexual favors
 - c. conduct (verbal or physical) of a nature that is intimidating, demeaning, hostile, or offensive
 - d. unwelcome and inappropriate touching, patting, or pinching; obscene gestures
 - e. threats or insinuations that a person's employment, grade or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances

2. **Disability:** Rust College defines disability as a handicapped person who has, or who has a record of having, or who is regarded as having a physical or mental impairment that substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

3. **Age Discrimination:** Rust College defines age discrimination as the denying or limiting individuals in their opportunity to participate in any program or activity because of age.

Responsibilities

All members of the college community are responsible for ensuring that their conduct and actions does not cause discrimination against any other member of the college community because of race, color, national origin, disability, age, or sex. The same responsibility extends to employees of third parties doing business with the college or on college property and to campus visitors.

Supervisory personnel have the further responsibility of preventing and eliminating discriminatory practices within the areas they oversee. If supervisors know discriminatory practices are occurring, receive a complaint, or obtain other information indicating possible discriminatory practices, they must take immediate steps to ensure the matter is addressed, even if the problem or alleged problem is not within their area of oversight. Faculty members, likewise, must inform their division chair or an appropriate administrator or other college officials with supervisory responsibility, if they have reason to believe that discrimination because of race, color, national origin, disability, sex or age is occurring.

The Title IX Coordinator has the responsibility for handling matters of discrimination based on sex to include sexual harassment and the Section 504 Coordinator has the responsibility for handling matters of discrimination based on disability. Complaints concerning discrimination based on sex, disability and age will be handled in accordance with the grievance procedures outlined below.

Grievance Procedures

Any student or employee who believes that she or he has been subjected to discrimination because of sex, disability or age should use the procedures outlined below to make it known. The individual making the complaint must do it in writing within 48 hours after the alleged incident. The written complaint must point out when the alleged incident occurred, the name of the alleged discriminator, name(s) of witnesses to the alleged discriminatory practice, if any, and exactly what the alleged discriminator said or did.

This grievance procedure deals with discrimination based on sex (including sexual harassment), age, race, color national origin, disability, or age. All other complaints will be handled in accordance with procedures set out in the student handbook and employee handbooks.

1. Students will make said discrimination known to the Dean of Students. Employees will make said discrimination known to the Immediate Supervisor of the accused discriminator. Non-employees or students will make said discrimination known to the Coordinator of Title IX (sexual harassment), or the Section 504 Coordinator (disability).
2. If the Dean of Students or the Immediate Supervisor is the discriminator, the complaint will be made to the Coordinator of Title IX (sexual harassment) or the Section 504 Coordinator (disability).
3. The Dean of Students, Immediate Supervisor, or coordinator will investigate the charges. If the charges are not resolved at this level, the Dean of Students, Immediate Supervisor, or coordinator will present the case to the President's Executive Council.
4. The President will call a meeting of the Executive Council to present the case with documents for review by the council.
5. Confidentiality will be maintained, but the accused has the right to face the accuser in a hearing.
6. The President's Executive Council will inform the complainant of its actions with 72 hours after receiving the report.

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