



HOWARD

COMMUNITY COLLEGE

*You Can Get There From Here.*

# **DIVERSITY PLAN**

Effective June 2010

## TABLE OF CONTENTS

I.	Message From the President .....	3
II.	Introduction.....	4
III.	Objectives .....	5
IV.	Dissemination of Diversity Plan .....	5
V.	Responsibility for Implementation .....	5
VI.	Appendix	
	A. Summary of Applicable Laws .....	9

## MESSAGE FROM THE PRESIDENT

Picture a world in which music had just one note. Art had just one color. Food had just one flavor. That world would be very boring!

Fortunately, our world is rich with diverse sights, sounds, and sensations. And as more new Americans come to live in our area, Howard County is fortunate to have an ever-growing vibrancy of global and cultural perspectives that expands our view of the world.

Howard Community College places great value on this richness of diversity. Students and employees grow both professionally and personally as they understand and enjoy varying views and cultures.

The Diversity Plan seeks to foster that growth through a wide range of efforts from hiring practices to diversity celebrations. Your support and participation in the plan is welcomed and appreciated.

*Kathleen Hetherington, Ed.D.*

*President*

*Howard Community College*

## II. INTRODUCTION

The board of trustees of Howard Community College has committed the college to an ongoing diversity program and to regularly review progress toward the objectives of the diversity plan. The college president has appointed the diversity committee to lead, oversee and manage this plan. HCC's diversity programs will reflect respect of differences in age, gender, sexual orientation, race, religion, ethnic backgrounds, and ability/disability as well as the values of equal rights, equal access, and equal treatment. In order to assure success, all members of the college community must vigorously accept their responsibility of supporting the college's strategic priority to incorporate diversity into the fabric of the institution. Diversity and affirmative action commitment originates with the board of trustees and filters throughout every facet of the institution.

The diversity committee consists of representatives from all college constituencies to promote diversity throughout Howard Community College. Specifically, membership must include, but is not limited to:

- Two faculty members;
- Two support staff employees;
- Two professional / technical employees;
- One administrative employee;
- One student;
- Two at-large employees;
- Associate Vice President of human resources (ex officio);
- Coordinator of the institution's compliance with Section 504 of the Rehabilitation Act of 1973 (ex officio);
- Director of student life (ex officio); and
- Other members as needed to carry out the duties of the committee.

Membership is by appointment of the college president. Of those appointed, the president will select the chairperson(s). The criteria for membership will include consideration for representation sensitive to differences in age, gender, sexual orientation, race, religion, ethnic backgrounds, and ability/disability whenever and wherever possible. Diversity committee members will serve for a period of two years. Student representatives will serve one-year terms. The chairperson will recommend members for reappointment prior to the last meeting of the fiscal year. If any member misses more than fifty percent of the diversity committee meetings held in a fiscal year, that member's term is automatically ended and a new member shall be appointed. Replacements will fill the unexpired term of the original member. At the end of each academic year, the chairperson will recruit new members to fill potential vacancies. Any member of the college community wishing to serve on this committee should send a written request to the diversity chairperson.

Additional details can be found in Administrative Policy 61.10.01 and related personnel policies and procedures made publicly available through the college website.

### III. DIVERSITY PLAN AND COMMITTEE OBJECTIVES

- A. Recommend, review, communicate and clarify to the College Community the diversity plan and all policies which serve as guidelines for the achievement of equal employment opportunity at the college;
- B. Assure that each recruitment makes a reasonable effort to seek out applicants from underrepresented groups in order to provide a diverse applicant pool;
- C. Monitor all personnel actions at the college in order to ensure that no decisions are or have been made which might discriminate on the basis of race, color, religion, gender, age, national origin, sexual orientation, disability, veterans status, marital status, or political opinion, and ensure vigilance in eliminating any such discrimination;
- D. Develop recommendations to identify areas in which programs and services may be needed to enable the college to better meet the educational needs of affected groups;
- E. Provide and encourage the use of an internal complaint resolution mechanism whereby any complainant can internally resolve grievances (see policy 63.01.01 for additional details);
- F. Provide regular training for the college community to promote sensitivity to diversity and proactive valuing of diversity; (training shall be open to employees and students as appropriate); and
- G. Encourage the development and continual improvement of a curriculum of inclusion.

### IV. DISSEMINATION OF DIVERSITY AND EQUAL OPPORTUNITY INFORMATION

The college's diversity plan and related administrative and personnel policies are publicly available via the college website. In addition, communications will be sent to college employees via e-mail, president's update, employee orientations and training programs, constituency group meetings, and posted in various areas around the college campus. Additionally, the equal opportunity clause shall be incorporated in all purchase orders, leases, contracts, etc., covered by Executive Order 11246, as amended, when applicable, and all implementing regulations.

### V. RESPONSIBILITY FOR IMPLEMENTATION

All employees have an important role in the implementation of this plan. While additional responsibilities may be outlined in annual strategic planning, core work and individual job descriptions, several notable accountabilities include the following:

- A. President –  
The president has ultimate authority for the implementation of this plan and has chosen to delegate key implementation roles to the diversity committee and the

associate vice president of human resources. The president provides direction to these key units, the president's team, and others involved with supporting diversity plan goals to comply with the college's commitment.

B. Diversity Committee –

The diversity committee will:

1. Promote and advocate diversity within the college;
2. Review and update the diversity plan, diversity committee core work, and college policies annually; submit plan and report to the Board of Trustees by May 1 and to MHEC by August 1 each year in accordance with State law;
3. Recommend reasonable and realistic goals for areas of the college where disparity exists in the workforce, academic affairs, and/or student services, when applicable;
4. Monitor all selection committees to ensure diverse representation in accordance with policy 63.02.03;
5. Plan and implement diversity training/assessment for all faculty and staff (the college will provide a budget for this purpose);
6. Plan and/or sponsor diversity programming for the college community, including the maintenance of standards for identifying a program as appropriate for diversity credit and the approval/denial of proposed programs for diversity credit;
7. Provide financial support to Student Life to help pay for diversity-related programs that are aimed at students but also offer diversity credit for employees;
8. Review annually the college employee and student survey data pertaining to diversity climate; and,
9. Prepare an annual report on its operations, accomplishments and recommendations to the college president and make it available to the college community.

C. Office of human resources and Associate Vice President of human resources –

The Associate Vice President of human resources will:

1. Serve as a resource on affirmative action to the college community;
2. Serve as an advisor in matters of affirmative action and equal employment opportunity to all college employees with supervisory and hiring responsibilities;
3. Develop reports on an annual basis, which statistically analyze HCC's recruitments, job applicants, hirings, promotions, terminations and progress toward our valuing diversity priority and affirmative action goals (where

applicable), for the college president and the diversity committee;

4. Keep the college administration and diversity committee informed of the latest developments in the equal opportunity/affirmative action area; and,
  5. Notify the diversity committee of all job announcements prior to recruitment, ensure that search committees for all full-time faculty and staff positions classified at grade 12 level and above include a current or past member of the diversity committee, and monitor all selection committees to ensure diverse representation.
  6. Provide training to all search committee members on employment laws and diversity sensitivity related to recruitments.
- D. All employees with hiring involvement and/or supervisory responsibility have responsibility to:
1. Accept the responsibility of creating through their work environments and contacts with the community, a campus that upholds the concepts outlined in this plan and provides equal opportunity for all.
  2. Ensure that all employment practices are conducted in a lawful nondiscriminatory manner;
  3. Monitor the progress toward equal employment opportunity and affirmative action of all units under their supervision;
  4. Conduct regular discussions with their staff to assure the college's policies are implemented. This responsibility should be seen as an integral part of their duties and evaluation;
  5. Establish an atmosphere which is conducive to implementing the directives of the president and the board of trustees;
  6. Familiarize themselves with and adhere to all related college policies and procedures and will consult with the Associate Vice President of human resources if clarification or interpretation is required;
  7. Attend required training sessions prior to or concurrent with serving on a search committee, including but not limited to the required diversity training; and
- E. Howard Community College Employees
1. Each budgeted staff member and full-time faculty member must participate in two diversity training sessions per year.

2. All college employees must treat other employees, students, vendors, visitors, and any other individuals on campus with respect and dignity at all times, in accordance with college policies on discrimination and diversity.
- F. Students – Howard Community College recognizes the critical role of an educational institution in preparing its students to become contributing members and leaders within a global community. To this end, the college will, through its instructional and/or co-curricular programs, through the college's support for a diverse community and through the live examples of faculty and staff encourage students to:
1. Be respectful of all people and become advocates for the respectful treatment of others;
  2. Cultivate an appreciation for the differences of others;
  3. Explore and seek out opportunities to learn about different points of view and human experiences;
  4. Develop a set of communication competencies to help improve interactions with people of diverse backgrounds; and
  5. Attend college sponsored and community diversity events and activities.

## APPENDIX A SUMMARY OF APPLICABLE LAWS

The following laws, regulations, and orders constitute some of the legal requirements for equal employment, educational opportunities and affirmative action:

### Age Discrimination Act of 1975:

The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance. While the Department of Health and Human Services is the lead agency for developing general regulations, any Federal agency which extends Federal financial assistance shall seek to achieve compliance with the agency's regulations.

### Age Discrimination in Employment Act of 1967:

The Age Discrimination in Employment Act prohibits discrimination for persons age 40 and over except where age is a BFOQ (bona fide occupational qualification). It is very rare for age to ever be a BFOQ at Howard Community College, however, there may be a few exceptions such as related to the hiring of an actor or actress for a college play where age may be allowed to factor into the selection criteria but will never be a sole factor in the selection process. The Equal Employment Opportunity Commission enforces this law.

### Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008:

Howard Community College will ensure that no qualified person with a disability shall, on the basis of the disability, be subjected to discrimination in employment, recruitment, training, admissions, testing, program of study, student activities, etc.

As a part of the college's plan, we will implement an awareness program that will educate potential supervisors, faculty and other HCC staff about the contributions, capabilities and needs of persons with disabilities in the work force and in postsecondary education. Information regarding appropriate, reasonable accommodations is provided on a continuing basis. The Associate Vice President of human resources and the 504/ADA coordinator will be consulted on matters of reasonable accommodation, as necessary.

Identification is an important part of the college's plan. All HCC applicants are given the opportunity to voluntarily identify themselves as disabled at the time of application on the HCC voluntary self disclosure form. Employees and applicants also may self disclose to either the 504/ADA coordinator or Associate Vice President of human resources if a reasonable accommodation is to be requested. Students can volunteer this information either through the admissions office, the test center, or by contacting the student support services program.

The object of HCC's recruitment program is to recruit qualified persons with a disability for both admission into the college as well as for employment. The college ensures that all admission

selection criteria and employment selection criteria are free from discrimination against persons with disabilities.

#### The Equal Pay Act of 1963 and Lily Ledbetter Fair Pay Act of 2009:

The Equal Pay Act, amended by the Education Amendments of 1972, covers all employers who are covered by the Fair Labor Standards Act of which it is a part. This act forbids pay differentials on the basis of sex; it is enforced by the Equal Employment Opportunity Commission. The Lily Ledbetter Fair Pay Act of 2009 changes the statute of limitations for filing a pay discrimination claim.

#### Executive Order 11246 (1965):

Executive Order 11246 covers all employers with government contracts or subcontracts of more than \$10,000, with some rare exceptions. It also applies to contractors and subcontractors of construction projects financed in whole or in part by Federal funds. It required that every contract contain a clause against discrimination because of race, color, religion, sex or national origin. In addition, Revised Order No. 4, based on Executive Order 11246, requires contractors and subcontractors with 50 or more employees and contracts totaling \$50,000 or more to develop and carry out a written Affirmative Action Program. As of October 1, 1978, this executive order is enforced by the Office of Federal Contract Compliance of the Department of Labor for all Federal contracting agencies.

#### Genetic Information Nondiscrimination Act of 2008 (GINA):

GINA prohibits employers, employment agencies, unions, and joint labor-management training committees from discriminating based on an individual's "genetic information." GINA also amends ERISA to prohibit group health plans and group health insurance issuers from using genetic information to calculate premiums, determine eligibility, or make other underwriting decisions. In addition, use or disclosure of genetic information for underwriting purposes is a violation of the Health Insurance Portability and Accountability Act (HIPAA).

#### Maryland Fair Employment Practices Act:

The Maryland Fair Employment Practices Act (Article 49B, Annotated Code of Maryland) prohibits discrimination in employment on the basis of race, color religion, sex, age, national origin, marital status, sexual orientation, genetic information, or physical or mental disability. The Maryland Commission on Human Relations has enforcement authority.

#### Pregnancy Discrimination Act:

Amends Title 7 to prohibit discrimination based on pregnancy, childbirth or related conditions; requires employers to treat pregnancy the same as any other temporary disability.

#### Rehabilitation Act of 1973:

The Rehabilitation Act of 1973, amended by the Rehabilitation Act Amendments of 1974, prohibits discrimination on the basis of disability in employment by Federal contractors with

contracts of \$10,000 and in programs and activities receiving Federal financial assistance. This Act is administered by the U.S. Department of Labor.

**Title IX of the Education Amendment of 1972:**

Title IX prohibits sex discrimination in education programs or activities that receive Federal financial assistance. The law is enforced by the Office for Civil Rights, Department of Education.

**Titles VI and VII of the Civil Rights Act of 1964 and Civil Rights Act of 1991:**

Title VI prohibits discrimination on the basis of race, color or national origin and gender in programs or activities receiving Federal financial assistance. The law is enforced by the Office for Civil Rights, Department of Education. Title VII of the Civil Rights Act of 1964, amended by the Equal Employment Opportunity Act of 1972, with some very limited exceptions, applies to all employers with 15 or more employees. It bans all discrimination in employment because of race, color, religion, gender or national origin. It covers all terms and conditions of employment, including but not limited to hiring, transfers, promotions, compensation, access to training. This law also prohibits sexual harassment and harassment based on other protected categories. Title VII is administered and enforced by the Equal Employment Opportunity Commission.

**Vietnam Era Veteran's Readjustment Assistance Act of 1972 (amended in 2002 by the Jobs For Veterans Act):**

The Vietnam Era Veteran's Readjustment Assistance Act of 1972 (and subsequent amendments) requires government contractors with contracts of \$100,000 or more to take affirmative action to employ and advance in employment disabled veterans of the Vietnam Era. Responsibility for administration and enforcement of the Act is delegated to the U.S. Department of Labor. Contractors with federal contracts of \$100,000 or more must file a supplemental report, titled VETS-100 by September 30 of each year.

**Vocational Education Act of 1963:**

The Vocational Education Act of 1963, revised by Title II of the Education Amendments of 1976, provides direction for state and national vocational education programs. One of the purposes of the state programs is to develop and carry out programs of vocational education so as to overcome sex discrimination and sex stereotyping, and thereby furnish equal educational opportunities in vocational education to persons of both sexes. This law is administered by the Office for Civil Rights of the Department of Education.