

Treasure Valley Community College

Code: GBA
Adopted: 10/20/98
Revised/Readopted: 10/14/09; 12/15/15
Orig. Code: 401-2; 401-4

Equal Opportunity: Nonharassment and Anti-discrimination

The College is an equal opportunity entity. The College, its employees and agents shall not discriminate or harass others in its employment, admissions, services, benefits, education and athletic practices or activities on the basis of race, religion, ethnicity, use of native language, color, sex, national origin, marital status, sexual orientation¹, age if the individual is 18 or older, physical or mental disability, veteran status (disabled or Vietnam Era), height to weight ratio, organization or political affiliations. The prohibition against harassment or discrimination based on the use of native language does not require the College to offer classes in any language other than English.

Americans with Disabilities Act

The College takes its obligations under the American with Disabilities Act and applicable state disability discrimination statutes seriously. The College shall comply with Section 504 of the Rehabilitation Act of 1973, the American Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008 (ADA) and other applicable federal and state regulations that prohibit discrimination on the basis of disability. These acts mandate that no qualified person shall, solely by reason of a disability, be denied access to, participation in, or the benefits of any program or activity operated by the College.

Employees must, however, be able to perform the essential functions of their jobs. It is not illegal discrimination to require that all employees, including those with disabilities, be able to perform the essential functions of their jobs or jobs for which they apply.

It is the College's prerogative and responsibility to define job functions.

Each qualified person shall receive reasonable accommodation to ensure equal access to employment, educational opportunities, programs and activities, in the most appropriate integrated setting. When an employee, student or applicant requests reasonable accommodation, the College gives serious consideration to the possibility of special arrangements such as modified work schedules, allow the employee to use employee-provided special equipment and modification in job responsibilities. Each request for reasonable accommodation will be considered on its own merits, in light of the particular job, of other related jobs, of the capabilities of a particular employee or student and the specific accommodation requested. If the College makes accommodation to the needs of a particular employee or student, the College does not make any commitment that these special arrangements are permanent or that

they automatically will be extended to any other employee. Rather, the College must maintain flexibility to reorganize work and to redefine job requirements in light of the overall needs of its business.

¹ "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identify, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with in the individual's sex at birth.

Violations of this policy and requests for reasonable accommodations should be made in writing to the human resources director.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.009	OAR 589-008-0100(1)(j)
ORS 192.630	ORS 659A.029	OAR 589-010-0100
ORS 243.672	ORS 659A.030	OAR 839-003-0000
ORS 341.290(1)	ORS 659A.043	OAR 839-006-0435
ORS 408.225	ORS 659A.046	OAR 839-006-0440
ORS 408.230	ORS 659A.109	OAR 839-006-0445
ORS 408.235	ORS 659A.142	OAR 839-006-0450
ORS 659.805	ORS 659A.145	OAR 839-006-0455
ORS 659.850	ORS 659A.233	OAR 839-006-0460
ORS 659.870	ORS 659A.236	OAR 839-006-0465
ORS 659A.003	ORS 659A.309	
ORS 659A.006	ORS 659A.409	

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2006).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.

Cross Reference(s):

AC - Equal Opportunity