Allegany College of Maryland

NON-DISCRIMINATION POLICY

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Approved by Board of Trustees 06/2020
Implementation Date 06/2020
Updated per MSDE 2022
Approved by Board of Trustees 06/20/22
Revised per Federal Directive 2025
Approved by Board of Trustees 05/12/25

BACKGROUND AND PURPOSE

Allegany College of Maryland complies with all federal, state, and local laws and regulations which prohibit unlawful discrimination. Legal requirements include but are not limited to: Title VI and Title VII of the Civil Rights Act of 1964, Civil Rights Act of 1991, Equal Pay Act of 1963, Age Discrimination in Employment Act of 1967, Maryland's Fair Employment Practices Act, and Maryland's CROWN Act. These legal requirements are enforced by both federal and state agencies including the United States Department of Education's Office of Civil Rights, Department of Justice, Equal Employment Opportunity Commission, Maryland Department of Education, Maryland Higher Education Commission, Maryland Equal Employment Opportunity Agency and state commissions for civil rights. (Other laws prohibiting discrimination on the basis of sex or disability are addressed by different College policies: Sexual Harassment & Sex Discrimination Policy, ADA/504 Policy). Furthermore, the College is committed to providing an inclusive and welcoming environment and to ensuring equal employment and equal access in its educational programs and activities. Providing an environment free from discrimination are central to the mission of the College.

POLICY

I. POLICY STATEMENT

Non-Discrimination Statement as Required by Federal Directive effective 2/28/25
Allegany College of Maryland does not discriminate on the basis of federally protected classes of race, color, national origin, religion, sex, age, disability, and veteran/military status in matters affecting employment or in providing access to programs and activities. Allegany College of Maryland recognizes and complies with additional protections for employees and/or pursuant to state law.

II. POLICY SCOPE

All employees, volunteers, or Board members, or persons acting on behalf of the institution of the college are expected to abide by this non-discrimination policy and to comply with applicable federal, state, and county laws which prohibit discrimination.

This non-discrimination policy applies to and includes, but is not necessarily limited to, employment practices, educational programs, student admissions, and access to services. The college will abide by all applicable requirements of county, state and federal law prohibiting discrimination. Sex discrimination prohibited by Title IX of the Education Amendments of 1972 as amended ("Title IX") includes sexual misconduct and employment discrimination based on sex

including sexual harassment in the workplace, which is described in the separate Sexual Harassment & Sex Discrimination Policy.

III. PROCEDURES

Allegany College of Maryland shall adopt necessary procedures to implement this policy. Allegany College of Maryland may adopt additional policies for specific compliance standards as necessary.

IV. ADMINISTRATION OF POLICY

Dean of Student & Legal Affairs is responsible for the implementation, administration, and oversight of this policy in consultation with other College Officials and/or General Counsel as needed. Questions, concerns, and reports of non-compliance should be promptly reported to the Office of Student & Legal Affairs.

V. EDUCATION AND TRAINING

Prevention is the best tool to eliminate discrimination. The College will take appropriate steps to prevent and correct unlawful discrimination. These steps shall include but are not limited to

(A) The College will communicate that discrimination will not be tolerated. Notice of non-discrimination is posted across the College, on the College website, and in all general publications.

(B) The College will provide training education to employees, students, volunteers, Board members, and persons acting on behalf of the institution. The training will include – at minimum – what constitutes unlawful discrimination in all its forms and how to report discrimination.

(C) The College may provide and/or support the provision of additional educational activities that are designed to raise awareness of discrimination, the impact of discrimination, how to remove barriers to equality, and/or related topics.

VI. REPORTING AND INSTITUTIONAL ACTION

Any person with information about unlawful discrimination is strongly encouraged to report it promptly. The College will assist any person needing assistance to make a report or complaint, and reports may be made anonymously online at www.allegany.edu.

The College will take immediate and appropriate action on reports of discrimination; the Dean of Student & Legal Affairs shall be responsible for receiving and acting upon reports of discrimination – including conducting any needed investigation. The Dean shall consult with and/or refer complaints to supervisor(s), Human Resources, other College Officials and/or General Counsel as needed. Those persons found in violation of this policy, if substantiated, may be subject to adverse and/or disciplinary action, up to and including separation from the institution, in addition to the penalties imposed under local, state and federal law.

The College prohibits retaliation in any form against a complainant, respondent, witness, investigator, or any other person associate with a report.

VII. OTHER PROVISIONS

Application of this document may directly or indirectly require the application of other institutional policies; nothing in this document shall be construed to prohibit the application of related policies which include, but are not limited to, the policies listed here. If the application of this document conflicts with the application of another institutional document, the College will make a good faith effort to comply with all mandates. Related policies include but are not limited to Sexual Harassment & Sex Discrimination Policy, ADA/504 Policy, Animals on Campus Policy, and HR policies.

If another College policy or state law conflicts with this policy, the College shall make reasonable efforts to resolve the conflict without violating any policy or law. If such resolution is not possible, the College shall apply the relevant policy or law in this order: constitutional protections, federal law, federal regulations, institutional policy to implement federal law/regulations, Maryland law, Maryland regulations, institutional policy to implement Maryland law/regulations, other state law, other state regulations, institutional policy to implement other state law/regulations, institutional policy unrelated to a federal or state law/regulation.

VIII. CHANGES

Substantive changes to this policy require approval by the Board of Trustees; editorial changes, title/position changes, and/or changes to its implementation procedures may be made as required by federal or state mandate and/or institutional need with timely notice to students and employees.