

GRIEVANCE PROCEDURE

The College is committed to be in compliance with the Pennsylvania Human Relations Act (43 P. S. §§ 951-962.2) and the Pennsylvania Fair Educational Opportunities Act (24 P.S. § § 5001-5009). Employment and educational opportunities at Butler County Community College are available to all as required by Title VI, Title VII, Title IX, Section 504 of the Rehabilitation Act, the Pennsylvania Fair Educational Opportunities Act, the Pennsylvania Human Relations Act, and all applicable laws and regulations.

Any applicant, employee, or student who has a concern or complaint regarding race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law related to admission, treatment, programs, activities, employment opportunities, policies, and practices, access, and/or accommodations at Butler County Community College has the following options:

Discrimination, Harassment, Sexual Harassment, and Accommodation Complaint Procedure

These procedures are to provide an avenue to promptly and fairly address issues in the most equitable manner relating to the discrimination of applicants, employees, or students with regard to race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law. An applicant, employee, or student may file a complaint. An individual filing an alleged complaint is known as the Complainant. A complaint is an allegation that some type of discrimination, harassment, or sexual harassment occurred with respect to race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law.

Discrimination, Harassment, and Sexual Harassment

All applicants, employees, and students have the right to be protected from any form of discrimination or harassment, which is based on race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law. An applicant, employee, or student has the responsibility to avoid participating in any situation that may result in such discrimination, harassment, or sexual harassment.

Informal Process

Any applicant, employee, or student who believes he or she has been discriminated against, harassed, sexually harassed, or denied access or accommodation shall request a meeting with the Executive Director of Human Resources/Equal Opportunity Compliance Officer within sixty (60) College work days of the occurrence or condition giving rise to the alleged complaint. A College work day is defined as a day on which College Administrative Offices are open for normal business excluding holidays, Saturdays, and Sundays. The informal process includes providing information, counseling, advising, mediation, and possibly fact-finding in an attempt to informally remedy the alleged complaint as early as possible. Every attempt will be made to protect the privacy of all individuals involved.

Formal Process

- A. If the alleged complaint is not resolved through the informal process, a Complainant may, within twenty (20) College work days after the informal process concludes, file a written complaint with the Executive Director of Human Resources/Equal Opportunity Compliance Officer. The written complaint should be submitted to the Executive Director of Human Resources/Equal Opportunity Compliance Officer, Butler County Community College, 107 College Drive, Butler, PA 16002, using the Butler County Community College Discrimination, Harassment, Sexual Harassment, and Access/Accommodation Grievance Form (Grievance Form).
- B. The Executive Director of Human Resources/Equal Opportunity Compliance Officer shall have five (5) College work days following the receipt of the written complaint to schedule a meeting to promptly discuss the alleged complaint with the Complainant. Following the meeting with the Complainant, the Executive Director of Human Resources/Equal Opportunity Compliance Officer shall have fifteen (15) College work days to investigate the allegation, discuss it with the accused

individual(s) and other individuals who may be involved or can provide additional information, and submit a written response to the Grievance Form. A copy of the Grievance Form and the response shall be reviewed with the President and respective Vice President, if deemed appropriate by the President, prior to the Executive Director of Human Resources/Equal Opportunity Compliance Officer providing a disposition of the alleged complaint.

- C. The disposition of a complaint against a student shall be made in accordance with the disciplinary procedures as outlined in the Student Code of Conduct and in consultation with the Executive Director of Human Resources/Equal Opportunity Compliance Officer.
- D. The disposition of all other complaints shall be made by the Executive Director of Human Resources/Equal Opportunity Compliance Officer after conducting an internal investigation and convening meeting(s) to discuss the alleged complaint with the Complainant, the accused individual(s), other individuals who may be involved or can provide additional information, and a meeting with the President and respective Vice President, if deemed appropriate by the President, to discuss the grievance prior to providing a disposition of the complaint. The written decision of the Executive Director of Human Resources/Equal Opportunity Compliance Officer regarding the validity of the grievance and the corrective action plan, if any, shall be given to the Complainant within fifteen (15) College work days following the initial meeting with the Complainant unless an extension is necessary and mutually agreed to by the Complainant and the Executive Director of Human Resources/Equal Opportunity Compliance Officer. The decision of the Executive Director of Human Resources/Equal Opportunity Compliance Officer shall be the final decision rendered through the grievance process.
- E. Every attempt will be made to protect the privacy of all individuals involved.

Time Limitation

The filing of any complaint during the informal or formal process shall be completed within the time limits specified above. In the event additional time is necessary, the specified time limits may be extended upon mutual written agreement by both the Complainant and the Executive Director of Human Resources/Equal Opportunity Compliance Officer.

Rights of the Complainant and Other Individual(s) Involved

- A. The College will not retaliate or tolerate any retaliatory action(s) against any applicant, employee, or student for filing a harassment or discrimination complaint, or assisting, testifying, or participating in the investigation of such a complaint. Appropriate disciplinary action will be taken for violations of the anti-retaliation policy. Any suspected retaliation should be reported to the Executive Director of Human Resources/Equal Opportunity Compliance Officer, Butler County Community College by telephone at (724) 287-8711, Ext. 8353, or in writing at 107 College Drive, Butler, PA 16002.
- B. The Complainant, the accused, and any other individual(s) involved may be accompanied by a representative during the informal or formal process. Notice should be provided to the Executive Director of Human Resources/Equal Opportunity Compliance Officer in advance of any such appearance. The College reserves the right to have their attorney participate at any time during this process, if deemed necessary.
- C. A complaint may be withdrawn at any time during the informal or formal process by the Complainant.

U. S. Office of Civil Rights

Complaints may also be filed with the Philadelphia Office, Office of Civil Rights, U.S. Department of Education, 100 Penn Square East, Suite 515, Philadelphia, PA 19107-3323.

Pennsylvania Human Relations Commission

Complaints may also be filed with the Pennsylvania Human Relations Commission, Pittsburgh Regional Office, 301 Fifth Avenue, Suite 390, Piatt Place, Pittsburgh, PA 15222.