



BALTIMORE CITY PUBLIC SCHOOLS

GENERAL ORDER 10-58 SECTION M-2

EQUAL EMPLOYMENT OPPORTUNITY Revisions Approved: June 12, 2018

This General Order contains the following numbered sections:

- I. Directive
- II. Definitions
- III. Purpose
- IV. Procedure/General
- V. Effective Date

I. DIRECTIVE

The Baltimore City School Police Force (“BCSPF” or “department”) is committed to providing a workplace free of any demeaning, derogatory, or abusive language, actions, and/or gestures relating to a person’s race, color, national origin, sex/gender, gender identity, age, religion, disability, sexual orientation, language harassment, discrimination, or retaliation. School Police command officers and supervisors shall ensure that all employees are treated according to these guidelines. Every employee of the Department, sworn and civilian, regardless of rank, title, or position, shall be held responsible for the contents of this General Order.

Employment discrimination is prohibited by law. As an employer, City Schools has the responsibility to prohibit and address any discrimination in the workplace.

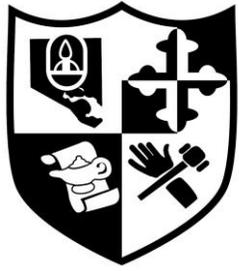
This General Order applies to all actions affecting employment, promotion, transfer, termination, wages, benefits, and other conditions and privileges of employment. The BCSPF shall make reasonable accommodations for qualified individuals with disabilities.

BCSPF shall assure that all employees receive fair, equitable, and impartial treatment.

II. DEFINITIONS

Type of Discrimination or Complaint

- A. Age Discrimination-** an unlawful employment practice that occurs when the compensation, terms, conditions, and privileges of employment differ because of the age of an individual.
- B. Disability-** a physical or mental impairment that substantially limits one or more of the



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major life activities of an individual; where there is such a record of impairment; or where the individual is regarded as having such impairment.

- C. Discrimination-** the failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored.
- D. Familial Status-** an unlawful discrimination against persons under the age of 18 who reside with someone other than their natural parents. This protection also applies to any person who is pregnant or in the process of securing legal custody of any individual under 18 years of age.
- E. Family Responsibilities-** are not job-related and shall be impermissible considerations for employment decisions. Therefore, it is unlawful to base an employment decision on whether an employee or applicant has children or other dependents.
- F. Gender or Sex Discrimination-** an unlawful employment practice that occurs when the compensation, terms, conditions, and privileges of employment differ on the basis of sex/gender.
- G. Harassment-** occurs when slurs or jokes, offensive or derogatory comments, or other verbal or physical conduct are made based upon an individual's race/color, national origin or ethnicity, religion, sex/gender, sexual orientation, age, or disability, and if the conduct creates an intimidating, hostile, or offensive working environment or interferes with the individual's work performance.
 - a. Racial or ethnic harassment is a form of race/color discrimination.
 - b. National origin harassment is a form of national origin discrimination.
 - c. Religious harassment is a form of religious discrimination.
 - d. Sex/gender harassment is a form of sex discrimination.
 - e. Sexual orientation harassment is a form of sexual orientation (or preference) discrimination.
 - f. Age harassment is a form of age discrimination.
 - g. Disability harassment is a form of disability discrimination.
- H. Hostile Work Environment-** is established when employees are made to work in an atmosphere of sufficiently severe or pervasive harassment.
- I. Marital Status-** the state of being married, single, divorced, separated, or widowed cannot be used as a basis for an employment decision.
- J. Matriculation-** An employer shall not refused to hire or discharge a person because they are a student, or use a different pay scale for students performing the same work as other employees.
- K. National Origin Discrimination-** includes, but is not limited to, the denial of equal employment opportunity because of:



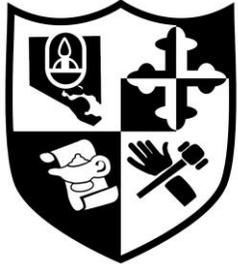
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- a. An individual's, or their ancestor's, place of origin, or;
 - b. An individual who has the physical, cultural or linguistic characteristics of a national origin group, or;
 - c. An individual who has been denied equal employment opportunity for reasons grounded in national origin considerations such as:
 - i. Marriage to, or association with, persons of a national origin group;
 - ii. Membership in, or affiliation with, an organization identified with, or seeking to promote, the interest of national origin groups;
 - iii. Attendance or participation in schools, churches, temples or mosques, generally used by persons of a national origin group; or,
 - d. An individual's name or spouse's name, which is associated with a national origin group.
- L. **Personal Appearance**- the outward appearance of any person, irrespective of sex, with regard to bodily condition or characteristics, manner or style of dress, and manner or style of personal grooming, including, but not limited to, hairstyle and beards. It shall not relate to the requirement for cleanliness, uniforms, or prescribed standards.
- M. **Place of Residence or Business**- it is unlawful to deny employment services or accommodations based on where an individual lives.
- N. **Political Affiliation**- it is unlawful for an employer to use an individual's present or past political affiliation, or lack of political affiliation, as the basis for an employment decision.
- O. **Pregnancy Discrimination**- an unlawful employment practice that occurs when the compensation, terms, conditions, and privileges of employment differ on the basis of pregnancy, childbirth, or related medical conditions, from the treatment of other medical conditions with similar abilities or limitations. Pregnancy discrimination is a form of sex discrimination.
- P. **Race/Color Discrimination**- an unlawful employment practice that occurs when the compensation, terms, conditions, and privileges of employment differ on the basis of:
 - a. Race or color;
 - b. Immutable characteristics associated with race, such as skin color, hair texture, or certain facial features;
 - c. A condition which predominately affects one race;
 - d. Membership in, or association with, ethnic-based organizations or groups;
 - e. Marriage to, or association with, an individual of a different race; or
 - f. Attendance or participation in schools or places of worship generally associated with certain minority groups.



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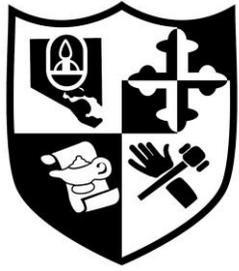
- Q. **Religious Discrimination**- when an employment rule or policy requires a person to violate a fundamental precept of their religion or lose an employment opportunity.
- R. **Retaliation**- when an employer harasses or punishes an employee because that employee complained about discrimination, or cooperates with, or participates in, an investigation of an allegation of discrimination.
- S. **Sexual Harassment**- unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made either explicitly or implicitly as a term or condition of employment;
 - Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance, or creating an intimidating, hostile, or offensive working environment.
- Note: Sexual harassment may include, but is not limited to, verbal harassment or abuse, subtle pressure for sexual activity, patting or pinching, brushing against another person's body, and demands for sexual favors.
- T. **Sexual Orientation Discrimination**- an unlawful employment practice that occurs when the compensation, terms, conditions, and privileges of employment differ on the basis of actual sexual orientation or perceived sexual orientation.

III. PURPOSE

The purpose of this General Order is to ensure that the BCSPF operates under a viable policy of equal opportunity guidelines that are consistent with state laws, federal laws, and policy set forth by the Baltimore City Board of School Commissioners.

IV. GENERAL

- A. The department prohibits, and shall not tolerate, sexual and/or any other form of unlawful harassment or discrimination. Such conduct may result in disciplinary action as necessary, up to, and including, terminating of employment.
- B. Acts of retaliation are strictly prohibited against an employee who files a charge of sexual harassment.

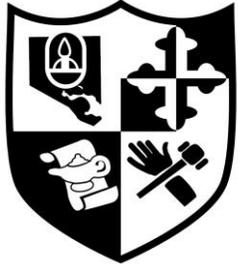


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- C. Managers and supervisors shall be accountable for promptly reporting and/or correcting unlawful discriminatory practices within their knowledge and responsibility.
- D. All complainants shall be advised that they have a right to pursue a complaint with an outside agency. This right is not forfeited by using the School Police internal procedures.
- E. An external complaint can be filed with the U.S. Equal Employment Opportunity Commission, the U.S. Department of Justice, Office of Civil Rights, or the Baltimore City Office of Human Rights, internal and external complaints (excluding sexual harassment complaints) must be filed within 180 calendar days from the date of the alleged incident. Sexual harassment complaints must be filed within one year of the alleged incident.
- F. Complainants, and those employees engaged in carrying out the provisions of this order, shall be free from restraint, interference, coercion, discrimination, or reprisal in connection with the performance of their duties during, or following, the complaint procedure.
- G. Any employee who knowingly interferes with, coerces, discriminates against, or practices any form of reprisal against a complainant, or attempts any of the above, is a violation of this General Order and may be subject to disciplinary action. Any evidence of such actions shall be immediately reported to the EEO.
- H. Participants in the investigative process, e.g., employees and management, are required to cooperate fully with all phases of the investigation. Failure to do so may result in discipline
- V. **PROCEDURE**
 - A. Employees should address complaints or allegations about violations of the Baltimore City Public Schools' Equal Employment Opportunity Policies to Baltimore City Public Schools' EEO Officer who will determine the next steps. Employees can complete the ACB-RA Form #1 for any EEO complaints.
 - B. Supervisors or managers who receive a complaint or allegation about violations of the Baltimore City Public Schools' Equal Employment Opportunity Policies should immediately bring it to the attention of the Baltimore City Public Schools' EEO Officer.



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C. The Baltimore City Public Schools' prohibits retaliation against any employee who makes a complaint about discrimination or violations of the Baltimore City Public Schools' EEO policy, participates in an EEOC proceeding, or otherwise opposed discrimination under the Baltimore City Public Schools' policy or applicable federal and state laws.

VI. EFFECTIVE DATE

This Order shall be effective on the date of publication.

I certify that I have read and fully understand this Order.

Signature_____

Date_____