

Equal Opportunity & Commitment to Diversity

Civil Rights and Non-Discrimination Policy

We all deserve to work in an environment where we are treated with dignity and respect. Options is committed to creating such an environment because it brings out the full potential in each of us, which in turn, contributes directly to our success. We cannot afford to let anyone's talent go to waste.

It is the policy of this agency that all individuals have the right to participate in employment, programs, educational trainings, and activities operated by Options regardless of race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation.

Employees and candidates for employment, Board of Directors, and volunteer service as well as promotion and lateral position changes shall be considered on merit and abilities without regard to race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation that is unrelated to the person's ability to reasonably perform the duties of a particular job or position. It is the policy of Options, Inc. to comply with all federal, state, and local employment laws in every location in which the agency has facilities.

As a condition of state and/or federal grant funding, Options agrees to operate in compliance with the following statutes and regulations and all other regulations implementing the same. This policy applies to all terms and conditions of employment and service practices, including recruiting, selecting, hiring, promoting, transferring, disciplining, compensating, recall, transfer, leaves of absences or any other staffing rightsizing or downsizing activity as well as all training and education programming:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in the delivery of services and which entails taking reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to funded programs or activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C;

- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I;
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination for or against an organization on the basis of religion, religious belief, or religious character in the administration or distribution of Federal funds, while allowing a religious organization that participates in federally funded programs to retain its independence and continue to carry out its mission, provided that direct federal funds do not support any inherently religious activities. (28 C.F.R. Part 38);
- Section 1407 of the Victims of Crime Act (VOCA) of 1984, which prohibits discrimination on the basis of race, color, national origin, religion, sex or disability (42 U.S.C. § 10604 *et seq.*);
- The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672b); &
- Violence Against Women Act (VAWA) of 1994, as amended, 42 U.S.C. § 13925(b)(13)) (prohibiting discrimination in programs either funded under the statute or administered by the Office of Violence Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity) (referring to the Safe Streets Act for enforcement).
- Kansas Executive Order (EO) 19-02 requires that all hiring must be on the basis of individual merit and qualifications and expressly prohibits discrimination based on race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or

political affiliation that is unrelated to the person's ability to reasonably perform the duties of a particular job or position.

- Kansas EO 18-04, which requires that subgrantees shall comply with all state and federal employment discrimination laws prohibiting sexual harassment and retaliation in the workplace; establish agency policies regarding sexual harassment, discrimination, retaliation, confidentiality and anonymous reporting, applicability to intern positions, and training of the policy; and conduct annual mandatory training seminars for all staff, employees, and interns in regard to the office regarding the policy against sexual harassment, discrimination, and retaliation, and shall maintain a record of attendance.

In addition to the protections listed above, these laws prohibit Options from retaliating against an individual for taking or participating in action to secure rights protected by these laws.

Additionally, Options will promptly notify the KGGP in writing of any findings of discrimination against the agency issued by a federal or state court or federal or state administrative agency on the grounds of race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation.

Policy Dissemination:

Options' Civil Rights and Non-Discrimination Policy will be made available to all of Options' staff, contractors, and program beneficiaries. Staff and contractors must acknowledge receiving and reviewing the policy and a copy will be placed in their employment file. Civil Rights and Non-Discrimination policy and contact information will be posted in a public area at office and shelter locations for employees and program beneficiaries. Program beneficiaries are provided with a "welcome" book when they enter Safe Shelter, which contains Options' Civil Rights policies; these policies are also posted on the website.

Training:

Options will provide training for staff on the Civil Rights and Non-Discrimination Policy time per calendar year. The training will include an overview of complaint policies and procedures, including staff responsibility to refer discrimination complaints from program beneficiaries to the Executive Director, who serves as the Civil Rights Liaison, or President of the Board of Options if the complaint is against the Executive Director (see [Appendix A](#) for contact information). The staff will

sign a form certifying completion of Non-Discrimination Policy training. New Options' staff will receive Non-Discrimination Policy training within 60 days of start date.

Procedures:

How to File a Complaint

1. A person who believes they have been excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with a program or activity because of race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation that is unrelated to the person's ability to reasonably perform the duties of a particular job or position can file a complaint with the Options Executive Director, who serves as the Civil Rights Liaison. If the complaint is against the Executive Director, the person will file a complaint with the Options Board President. Complaints must be submitted in writing.
2. The Options' Civil Rights Liaison (or President of the Board) will request that the charging party provide the following information when making a complaint:
 - a. Date of alleged discrimination;
 - b. Protected class claimed;
 - c. Written detail of the alleged discrimination; and
 - d. Signature attesting to the facts alleged.
3. Options' Civil Rights Liaison (or President of the Board) will advise the charging party that a complaint must be filed with KHRC and EEOC within 180 days from the date of the alleged violation in order to protect the charging party's rights. Options' Civil Rights Liaison (or President of the Board) will urge such person to file written complaints with the above agencies.
4. Options' Civil Rights Liaison (or President of the Board) will forward complaints received to the appropriate agencies in writing by postal mail within five working days of receiving the complaint. Options will include a request to be notified of the finding/s of the relevant agencies.

5. Any Options' employee that receives a complaint of alleged discrimination may forward the complaint to the KHRC or the EEOC but in all instances shall direct the charging individual to contact Options' Civil Rights Liaison (or President of the Board).
6. The Options' Civil Rights Liaison (or President of the Board) will provide written acknowledgement of receiving the complaint, will coordinate the complaint process, and will urge the charging party to file a complaint with the KHRC and the OCR and for employment discrimination claims to the EEOC.
7. Options *will not* conduct an independent investigation but will assist the relevant investigative agencies in the investigation.

8. The complainant may file the complaint directly with any or all of the following agencies:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW
Washington, DC 20531

Kansas Human Rights Commission (KHRC)
900 SW Jackson Street
Landon State Office Bldg, Suite 568-South
Topeka, KS 66612-2818
phone: 785-291-3206
fax: 785-296- 0245
<http://www.khrc.net>

KGGP Kansas Governor's Grants Program
900 SW Jackson
Landon Office Building Rm 304 North
Topeka, KS 66612
phone: 785-296-3205
fax: 785-291-3204
TTY: 785-296-0589
kggp@ks.gov

9. A person who believes they have experienced employment discrimination will be urged to file and may file the complaint directly with:

Equal Employment Opportunity Commission (EEOC)
National Contact Center at 1-800-669-4000 or 1-800-669-6820 (TTY).
Gateway Tower II,
4th & State Avenue, 9th Floor
Kansas City, KS 66101

Board Approval date 1/24/2023

Appendix A

Staff and Board Member information for the purposes expressed in Civil Rights & Nondiscrimination and Grievance Procedures:

Mailing Address for all listed below:

Options Inc
2716 Plaza Ave.
Hays, KS 67601

Jennifer Hecker, Executive Director

h2.options@help4abuse.org

[785-625-4202](tel:785-625-4202)

Tommy Powell, Board President (elected 2022)

thomaswpowell1@gmail.com

913-680-5151

For all other Human Resources grievances contact:

Meagan Zampieri-Lillpopp, Director of Client Services

MZL@help4abuse.org