

Passaic County Technical-Vocational Schools
45 Reinhardt Road, Wayne, NJ 07470
Telephone: 973-790-6000

MEMORANDUM

TO: PCTI Faculty/Staff Members

FROM: Jerry Castaneda, Assistant Principal/District Affirmative Action Officer

CC: John F. Maiello, Chief School Administrator
All Administrators

DATE: September 20, 2022

RE: Affirmative Action Policy & Procedures

Welcome back! I want to remind everyone that I am the district's Affirmative Action Officer. As such, I am responsible for overseeing the district's compliance with state and federal laws, including but not limited to, N.J.A.C. 6A:7, managing for Equality and Equity in Educational Programs and Title IX of the Educational Amendments of 1972 (deals with sex/gender equity in the field of education).

PCTVS is dedicated to providing equal opportunity to all. Passaic County Technical-Vocational Schools is an Equal Opportunity Employer (EOE) that does not discriminate on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, disability, etc. Furthermore, PCTVS does not enter into any contracts or agreements with a person, agency, or organization that discriminates in employment practices or the provision of benefits and services based on any of the above-listed areas.

Attached you will find PCTVS's Equal Employment Opportunity/Affirmative Action Complaint Procedure. In the event that any employee believes that he/she/they has experienced, witnessed, or has evidence of discrimination on the basis of any of the above-listed areas, please report same to your immediate supervisor and/or contact me. All affirmative action forms are attached hereto, are posted on the PCTVS webpage, or can be obtained by contacting me directly at (973) 389-4142 or via email at jcastaneda@pcti.tec.nj.us.

Thank you.

Attachments

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION
COMPLAINT PROCEDURE

In keeping with federal and state anti-discrimination legislation, Passaic County Technical-Vocational Schools uses the within Grievance Procedure for the resolution of complaints. Jerry Castaneda, Assistant Principal has been designated as the District Affirmative Action Officer and can be reached at (973) 389-4142.

PURPOSE/APPLICATION:

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal an alleged denial of equal employment opportunity in violation of the State statutes and administrative codes, and Federal laws and Board Policy 1530, guaranteeing “equal access to all categories of employment without regard to the candidate’s race, color, creed, religion, nation origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual employees.

DEFINITIONS:

1. “Board of Education” means the Board of Education of the Passaic County Technical-Vocational Schools District.
2. “Complaint” means as alleged discriminatory act or practice.
3. “Complainant” means a staff member who alleges a discriminatory act or practice.
4. “Day” means a working or calendar day as identified.
5. “Discriminatory act or practice” means denial of equal employment opportunity in violation of State Statutes and Administrative Code Sections as well as Federal laws and Board Policy 1530.
6. “School district” means the Passaic County Technical-Vocational Schools District.

PROCEDURE:

- Step 1: A complainant who believes that he/she/they has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/her/their immediate supervisor in an attempt to resolve the matter informally.
- Step 2: If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the District Affirmative Action Officer.

Complainant must complete Affirmative Action Complaint - Form A and submit to the Affirmative Action Officer.

The District Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven (7) working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent a/k/a Chief School Administrator (Affirmative Action Complaint Form A).

Step 3: The response of the District Affirmative Action Officer may be appealed to the Superintendent in writing within three (3) working days after it has been received by the complainant. The Appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.

On his/her/their timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties but no later than seven (7) working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of. Complainant must complete Affirmative Action Appeal-Form B and submit to the Affirmative Action Officer.

Step 4: The Superintendent will render a written decision in the matter no later than seven (7) working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties (Appeal-Form B).

Step 5: The complainant may appeal the Superintendent's decision to the local Board of Education by filing a written appeal with the Board Secretary no later than three (3) working days after receipt of the Superintendent's decision. The appeal shall include:

- a. the original complaint,
- b. the response to the complaint,
- c. the Superintendent's decision,
- d. a transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
- e. the complainant's reason for believing the Superintendent's decision should be changed.

A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.

Step 6: The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.

The Board will render a written decision no later than forty-five (45) calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.

Step 7: The complainant will be informed of his/her/their right to appeal the Board's decision to the:

a. **Commissioner of Education**
New Jersey State Department of Education
P.O. Box 500
Trenton, New Jersey 08625-0500
Telephone: (877) 900-6960,

or the

b. **New Jersey Division on Civil Rights**
Northern Regional Office
Office of Attorney General
31 Clinton Street - 3rd Floor
Newark, New Jersey 07102
Telephone: (973) 648-2700.

Step 8: Records

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the District Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

2022-2023 SCHOOL YEAR

DISTRICT AFFIRMATIVE ACTION OFFICER

Jerry Castaneda, Assistant Principal
Tel: 973-389-4142 - Email: jcastaneda@pcti.tec.nj.us; *Rocco Building*

DISTRICT SECTION 504 OFFICER

Nick Buccì, Director of Pupil Personnel Services
Tel: 973-389-4236 - Email: nbucci@pcti.tec.nj.us; *General Office*

DISTRICT TITLE IX COORDINATOR

Nic Nese, Director of Athletics
Tel: 973-389-4106 - Email: nnese@pcti.tec.nj.us; *Athletic Center*

SEXUAL HARASSMENT OFFICERS

Michele Rizzo, Director of Special Education
Tel: 973-389-4197 - Email: mrizzo@pcti.tec.nj.us; *Child Study Team Office*

Nick Buccì, Director of Pupil Personnel Services
Tel: 973-389-4236 - Email: nbucci@pcti.tec.nj.us; *General Office*

STEM AFFIRMATIVE ACTION OFFICER

Scott Cumberbatch, Supervisor
Tel: 973-389-2014 - Email: scumberbatch@pcti.tec.nj.us

STEM SEXUAL HARASSMENT OFFICERS

Mohamed Khairullah, Assistant Principal/STEM Academy
Tel: 973-389-7202 - Email: mkhairullah@pcti.tec.nj.us

Kimberly Salma, Supervisor
Tel: 973-389-2007 - Email: ksalma@pcti.tec.nj.us

PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS
ANNUAL NOTICE OF NON-DISCRIMINATION FOR EMPLOYMENT AND
VOCATIONAL OPPORTUNITIES

The Board guarantees to all persons equal access to all categories of employment, retention and advancement in Passaic County Technical-Vocational Schools regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, non-applicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

No student enrolled or seeking to enroll in Passaic County Technical-Vocational Schools shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational or vocational opportunity, program or activity of this district on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, non-applicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

Should anyone have questions/issues regarding any of the above areas, please contact one of the following designated individual[s]:

DISTRICT AFFIRMATIVE ACTION OFFICER

Jerry Castaneda, Assistant Principal

Tel: 973-389-4142 - Email: jcastaneda@pcti.tec.nj.us; Rocco Building

DISTRICT SECTION 504 OFFICER

Nick Bucci, Director of Pupil Personnel Services

Tel: 973-389-4236 - Email: nbucci@pcti.tec.nj.us; General Office

DISTRICT TITLE IX COORDINATOR

Nic Nese, Director of Athletics

Tel: 973-389-4106 - Email: mnese@pcti.tec.nj.us; Athletic Center

PCTVS SEXUAL HARASSMENT OFFICERS

Michele Rizzo, Director of Special Education

Tel: 973-389-4197 - Email: mrizzo@pcti.tec.nj.us; Child Study Team Office

Nick Bucci, Direct of Pupil Personnel Services

Tel: 973-389-4236 - Email: nbucci@pcti.tec.nj.us; General Office

STEM AFFIRMATIVE ACTION OFFICER

Scott Cumberbatch, Supervisor

Tel: 973-389-2014 - Email: scumberbatch@pcti.tec.nj.us

STEM SEXUAL HARASSMENT OFFICERS

Mohamed Khairullah, Assistant Principal/STEM Academy

Tel: 973-389-7202 - Email: mkhairullah@pcti.tec.nj.us

Kimberly Salma, Supervisor

Tel: 973-389-2007 - Email: ksalma@pcti.tec.nj.us

Posting of Notice

Sexual Harassment Officers
Section 504 Officer
Affirmative Action Officer
Title IX Coordinator

Notice has been posted in the following areas:

Main Building:	Central Office (<i>display wall at copier</i>) General Office (<i>lobby wall across from main desk</i>) Library (<i>bulletin board</i>) C-Wing / F-Wing Custodial Maintenance Dept. (<i>wall near time clock</i>) Faculty Room (<i>bulletin board</i>) C-Wing Student Success Office (<i>display wall at copier</i>)
Rocco Building:	Main Office (<i>wall by main desk/sign-in area</i>)
Hx - Auto Bldg.	Main Entrance (<i>wall in lobby</i>)
F-Wing:	Faculty Work Room Office of SRO (Student Resource Officer) (<i>display wall</i>) Office of Substance Awareness Coordinator (<i>display walls</i>) Office of Discipline Coordinator (<i>display wall</i>)
Fx-Wing:	Faculty Work Room Conference Room- 2 nd Fl.
Athletic Center:	Office of the Athletic Director (<i>display wall</i>)
STEM Building	Main Office Faculty Room
Business Office:	Main Office
LPN Program:	Main Office (<i>bulletin board</i>)
Learning Center:	Main Office (<i>bulletin board</i>)

Affirmative Action Complaint Report
Form A

STEP 1:

Name: _____, Complainant

Address *Jerry Castaneda, District Affirmative Action Officer*

DATE: _____

Description of Complaint (use additional paper if necessary), Please include the following:

- A. Specific act or practice that is the subject of this Complaint.

- B. The school employee, if any, responsible for the allegedly discriminatory act.

- C. Results of discussions with immediate supervisor about this complaint.

- D. Reason(s) why you feel the result is not satisfactory.

Signature of Complainant

Date received by AAO _____; *AAO Signature* _____

Affirmative Action Appeal Report
Form B

STEP 3: Complaint # _____

FROM: _____, Complainant

TO: *John F. Maiello, Chief School Administrator or his designee*

DATE: _____

*Complaint Report Form A is hereby attached for APPEAL to Chief School Administrator.

Signature of Complainant

_____ *(This portion to be used by Superintendent only)* _____

STEP 4:

TO: _____, Complainant

FROM *John F. Maiello, Chief School Administrator or his designee*

DATE: _____

RESPONSE TO COMPLAINANT'S APPEAL:

Date Appeal Received

Signature of Superintendent

Affirmative Action Second Appeal
Form C

STEP 5:

Complaint # _____

FROM: _____, Complainant

TO: *PCTVS Board of Education, Attn: Mae Remer, Secretary*

DATE: _____

*Complaint Forms A and B are hereby attached and submitted for review by the Board of Education's while considering my appeal.

Signature of Complainant

_____ (This portion to be used by Board of Education only) _____

STEP 6:

TO: _____, Complainant

FROM: *PCTVS Board of Education, Attn: Mae Remer, Secretary*

DATE: _____

RESPONSE TO COMPLAINANT'S SECOND APPEAL

Date Appeal Received

Signature of Board of Education