

	Houston Independent School District		DIRECTIVE: 420-015
	Police Department Directives		EFFECTIVE DATE: November 23, 2013
	SUBJECT: Equal Opportunity Program		REVISED DATE: January 17, 2022

PURPOSE

This policy addresses the prohibition against discrimination in hiring and discharging employees. This directive applies to all Houston Independent School District Police Department personnel.

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

HISD Board Policy DAA (Legal), fills all positions without regard to age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation, or national origin. The HISD Police Department is included in the Equal Employment Opportunity Program of the Houston Independent School District.

DISCRIMINATORY PRACTICES

Disparate treatment (intentional discrimination) occurs when members of a protected group have been denied the same employment, promotion, membership, or other employment opportunities available to other employees or applicants.

Disparate impact occurs when an employer uses a particular employment practice that causes a disparate (disproportionate) impact on a protected group. The employer fails to demonstrate that the challenged practice is job-related and consistent with business necessity.

LIMITED EXCEPTION-BONA FIDE JOB QUALIFICATION

A district may take employment actions based on religion, sex, national origin, or age in those certain instances where religion, sex, national origin, or age is a bona fide occupational qualification.

PROHIBITION ON RETALIATION

A district may not discriminate against any employee or applicant for employment because the employee or applicant has opposed any unlawful, discriminatory employment practices or participated in investigating any complaint related to an unlawful, discriminatory employment practice.

NOTICES

A district shall post in conspicuous places upon its premises a notice setting forth the information the Equal Employment Opportunity Commission deems appropriate to effectuate the purposes of the anti-discrimination laws.

Section 504 Notice

A district that employs 15 or more persons shall take appropriate steps to notify applicants and employees, including those with impaired vision or hearing, that it does not discriminate based on disability.

Employment Postings

A district shall not print or publish any notice or advertisement relating to district employees that indicates any preference, limitation, specification, or discrimination based on race, color, religion, sex, disability, or national origin unless the characteristic is a bona fide occupational qualification.

RELIGIOUS DISCRIMINATION

The prohibition against discrimination based on religion includes all aspects of religious observances and practice and religious belief unless a district demonstrates that it cannot reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship to the district's business. "Undue hardship" means more than a *de minimus* (minimal) cost.

SEX DISCRIMINATION

The prohibition against discrimination because of sex includes discrimination based on pregnancy, childbirth, or related medical conditions. A district shall treat women affected by a pregnancy, childbirth, or related medical conditions the same as other employees for all employment-related purposes, including receipt of benefits under fringe benefit programs.

AGE DISCRIMINATION

The prohibition against discrimination based on age applies only to discrimination against an individual 40 years of age or older.

DISABILITY DISCRIMINATION

A district may not discriminate against a qualified individual on the basis of disability in job application procedures, hiring, advancement, or discharge of employees, compensation, job training, and other terms, conditions, and privileges of employment.

OTHER FORMS OF DISCRIMINATION

Military Service

A district shall not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment based on membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to uniformed service. A district shall not take adverse employment action or discriminate against anyone who takes action to enforce protections afforded by the Uniformed Services Employment and Re-employment Rights Act (USERRA).

Bankruptcy Discrimination

A district may not deny employment to, terminate the employment of, or discriminate with respect to employment against, a person that is or has been a debtor under federal bankruptcy laws, solely because the bankrupt or debtor is or has been a debtor under federal bankruptcy laws; was insolvent before the commencement of a bankruptcy case or during the case but before the debtor was granted or denied a discharge; or has not paid a debt that is dischargeable in the bankruptcy case, or that was discharged under the bankruptcy laws.

Student Loan Repayment

A district that issues a license may not take disciplinary action against a person based on the person's default on a student loan or breach of a student loan repayment contract or scholarship contract, including by:

- a) Denying the person's application for a license or license renewal;
- b) Suspending the person's license; or
- c) Taking other disciplinary action against the person.

Approved By



Pedro Lopez Jr., Chief of Police