

SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-1160

SUBJECT: Equal Opportunity and Nondiscrimination Philosophy

REFERENCE: West Virginia Council for Community and Technical College Education, Procedural Rule Series 40: “*Equal Opportunity*,” effective August 31, 2025 – System-wide procedural standards for equal opportunity and nondiscrimination at WV community and technical colleges; West Virginia Executive Order No. 3-25 (January 2025) – Elimination of Diversity, Equity, and Inclusion initiatives in state agencies and institutions of higher education; West Virginia Senate Bill 474 (2025 Regular Session), “*Equal Treatment by Executive Branch Agencies*” – Prohibiting the establishment or funding of DEI offices, officers, trainings, or programs in state institutions of higher education; West Virginia Code §18B-1G-4 – Annual reporting requirements for compliance with DEI prohibitions in higher education; Civil Rights Act of 1964 (Titles VI and VII) – Federal nondiscrimination protections in education and employment; Title IX of the Education Amendments of 1972 – Prohibition of sex discrimination in federally funded education programs and activities; Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 – Federal protections against disability discrimination; West Virginia Human Rights Act (WV Code §5-11-1 et seq.) – State nondiscrimination law covering employment, housing, and public accommodations.

ORIGINATION: August 20, 1998

EFFECTIVE: December 16, 2025

REVIEWED: September 12, 2025

SECTION 1. PURPOSE

- 1.1 To communicate Southern West Virginia Community and Technical College’s commitment to equal opportunity, nondiscrimination, and compliance with federal and state law, including Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, the Civil Rights Act of 1964, and applicable provisions of West Virginia Code. This policy replaces prior “Diversity, Equity, and Inclusion” frameworks to ensure compliance with West Virginia law, including Executive Order No. 3-25 (January 2025) and Senate Bill 474 (2025 Regular Session)

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy applies to all programs, processes, employees, departments, units, committees, councils, and boards associated with Southern West Virginia Community and Technical College.
- 2.2 Nothing in this policy restricts academic freedom, federally mandated nondiscrimination practices, student organizations, or services required by federal or state law.

SECTION 3. DEFINITIONS

- 3.1 Equal Opportunity – Ensuring that all individuals are treated fairly and without unlawful discrimination on the basis of race, color, national origin, sex, disability, religion, age, veteran status, or other status protected by federal and state law.

- 3.2 Nondiscrimination – Compliance with applicable federal and state laws that prohibit discrimination, including but not limited to Title IX, ADA, Section 504, Title VI, Title VII, and the West Virginia Human Rights Act.
- 3.3 Academic Freedom – The right of faculty and students to engage in research, scholarship, and classroom discussion consistent with institutional mission and applicable law.

SECTION 4. POLICY

- 4.1 Southern believes that community colleges provide access to a broad spectrum of quality educational opportunities and life experiences. The College values equal opportunity as an enhancement of those experiences in its classrooms, administrative offices, and board rooms. Southern affirms its commitment to equal opportunity and nondiscrimination in all educational programs, admissions, hiring, and employment practices, consistent with state and federal law.
- 4.2 Southern is committed to fostering the advancement of community colleges, in part, by applying principles of equal opportunity and nondiscrimination within its organizations and promoting those values throughout the institution. Southern will foster an environment that honors, respects, and embraces the variety of its students; will create and maintain educational environments that are safe, respectful, and responsive; and that will allow the students to attain their highest potential. Southern prohibits unlawful discrimination and harassment in any form. Complaints of discrimination or harassment shall be addressed under the College's Equal Opportunity, Harassment, and Nondiscrimination Policy (SAA-2000-C1-2021).
- 4.3 As a reflection of Southern's commitment to excellence in student success and leadership development, it strives to promote fairness in its own policies and practices. Southern does not operate or fund offices, staff positions, trainings, or initiatives primarily focused on "diversity, equity, and inclusion" (DEI) as defined by W. Va. Code §18B-1G-2.
- 4.4 The College prohibits discrimination or harassment in recruitment, employment, promotion, transfer, training, compensation, benefits, discipline, layoffs, termination, and working conditions, on the basis of race, color, religion, national origin, sex, age, disability, veteran or military status, genetic information, and any other status protected by law.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None

SECTION 6. GENERAL PROVISIONS

- 6.1 Southern strongly endorses the continued use of admissions guidelines and employment practices that promote equal opportunity and nondiscrimination in community colleges. Southern will pursue standards and guidelines which allow it to fulfill its mission and vision. The students we educate will help provide tomorrow's leaders, and their college experience must demonstrate the richness and substance of our multi-cultural and global environment. The college environment should promote understanding and appreciation of others, while encouraging students to grow as individuals. Southern shall annually report compliance with W. Va. Code §18B-1G-4 to the Chancellor of the Community and Technical College System, including confirmation that the College does not operate prohibited DEI offices, officers, trainings, or programs.
- 6.2 Southern reaffirms its commitment to equal opportunity and nondiscrimination. In accordance with this philosophy, Southern strives to continually evaluate its hiring, admissions, and financial aid policies to ensure equal access and fair treatment within the institution. The College strives to ensure that the results of these evaluations conform to the concept of open access - the cornerstone of the community college

mission. Southern values a learning and working environment that respects the dignity of every individual. Equal access and fair treatment shall be ensured through compliance with federal and state nondiscrimination laws.

- 6.3 Southern recognizes the importance of teaching the skills that allow our students to participate effectively in a democratic society, while maintaining compliance with federal and state nondiscrimination requirements.
- 6.4 Southern condemns all forms of unlawful discrimination, harassment, and violence, including acts motivated by bias, consistent with federal and criminal statutes.
- 6.5 The institution accepts primary responsibility for developing, implementing, and monitoring equal opportunity policies consistent with the West Virginia Council for Community and Technical College Education Procedural Rule Series 40 and applicable federal and state laws. These efforts shall be integrated into institutional performance goals.
- 6.6 Where applicable, the President or designee shall establish realistic goals and timetables to advance equal opportunity in employment practices and include progress metrics in institutional planning.

SECTION 7. RESPONSIBILITIES

- 7.1 All employees, supervisors, committees, councils, and boards making recommendations or decisions for the institution are responsible for ensuring compliance with this Equal Opportunity and Nondiscrimination Philosophy.
- 7.2 The President or designee shall oversee annual reporting requirements to the State and ensuring ongoing compliance with state and federal law.

SECTION 8. CANCELLATION

- 8.1 None.

SECTION 9. REVIEW STATEMENT

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

Board of Governors Chair **Date**

President **Date**

Attachments:	None.
Distribution:	Board of Governors (12 members) www.southernwv.edu
Revision Notes:	<p>September 2000 – Reformatted policy to the MAP system.</p> <p>August 2010 – Revised to reflect current AACC Position Statement on Inclusion.</p> <p>July 2015 – Policy reviewed for accuracy and no modifications are needed.</p> <p>July 2020 – Revised to include the AACC and ACCT Joint Statement of Commitment to Equity, Diversity, and Excellence in Student Success and Leadership Development.</p> <p>September 2025 – Revised to ensure compliance with West Virginia Council for Community and Technical College Education, Procedural Rule Series 40: “Equal Opportunity,” effective August 31, 2025 – System-wide procedural standards for equal opportunity and nondiscrimination at WV community and technical colleges; West Virginia Executive Order No. 3-25 (January 2025); Senate Bill 474 (2025 Regular Session); and West Virginia Code §18B-1G-4. All references to “Diversity, Equity, and Inclusion” programs, offices, staff, and training were removed. The policy was reframed to emphasize equal opportunity, nondiscrimination, and compliance with federal laws (Title IX, ADA, Civil Rights Act) and state laws. Added provisions clarifying annual reporting requirements, academic freedom, and permitted exceptions under WV law.</p>