

Equal Opportunity and Affirmative Action

Within the scope of Sovereignty and Indian Preference described below, the College will not discriminate in the administration of employment, education or admission to the College, financial aid, or the approved policies of the College on the basis of sex, race, age, religion, color, creed, political or sexual preference, disability, national origin, marital status, or status with regard to income.

Sovereignty

Federal and state labor laws, rules and regulations pertaining to employees shall be adhered to in good faith and to their fullest extent. When such labor laws, rules and regulations are in conflict, the Sovereignty of the Red Lake Band of Chippewa Indians will take precedence; i.e., legal matters concerning employment at Red Lake Nation College will be heard in the Red Lake Tribal Court.

Indian Preference Law

Provisions in the Federal Civil Rights Act of 1964 allow private and governmental employers on or near federal trust Indian Reservations to publicly announce and practice a policy of giving preferential treatment to qualified American Indian candidates who present proof of eligibility for Indian Preference.

The Indian Preference Law is reasonably and rationally designed to further Indian self-governance. The Indian Preference Law is a distinct statute that does not violate Title VII of the Civil Rights Act of 1964, as amended. The United States Supreme Court has held that the Indian Preference Law does not constitute harmful racial discrimination or violate the due process clause of the Fifth Amendment.

Legal references:

I.S.D.A. [25 U.S.C. 450e(b)(1), 41 C.F.R. 14-78,5002] Section 7(b)(1)

Civil Rights Act of 1965, as amended [42 U.S.C. 2000e-2(1)] Section 703(i)

Executive Order 11246

A.R.S. 15-502,15-504,41-1463

The College will make every effort to recruit and hire the most qualified individuals available for all positions. The College reserves the right to invoke American Indian preference for all positions to be filled. Following is the order of preference the College will use when selecting from a qualified pool of candidates for a vacant position:

The RLNC President and Administrative Team will follow “Indian Preference” for employment in the following order:

1. Enrolled member of the Red Lake Band.
2. American Indian spouse of an enrolled member, or American Indian parent of enrolled tribal member with legal custody.
3. Other American Indian (member of a federally recognized tribe).
4. Non-Indian spouse or non-Indian parent of enrolled tribal member.

5. Non-Indians.

The President reserves the right to appoint the most qualified candidate regardless of race, creed, national origin, age, sex, or political affiliation to key positions.

Scope: The Indian Preference Policy applies to hiring, placement, promotion, transfer or demotion, selection for training and other actions related to the hiring process.

Equal Employment Opportunity

Within the scope of Indian Preference, the College will not discriminate in the administration of employment, education or admission to the College, financial aid, or the approved policies of the College on the basis of sex, race, age, religion, color, creed, political or sexual preference, disability, national origin, marital status, or status with regard to income.

Filing an Equal Opportunity Discrimination Complaint

If an employee feels he/she has been discriminated against on the basis of religious, racial, gender/sexual or other discrimination, the employee is encouraged to file a written or oral complaint with the Human Resources Director. The complaint must contain a description of the basis for the complaint, information pertaining to the charges, and the name/s of person or persons involved.

The Human Resources Director will review the complaint (or if verbal, document it in written form) and notify the President. The Human Resources Director will meet with all parties involved to discuss the complaint and to achieve resolution. If resolution is not achieved, the Human Resources Director will notify the President and the complaint may subsequently be referred to College's legal counsel.

Americans with Disabilities Act

Red Lake Nation College has a duty to provide reasonable accommodation to the known limitations of an otherwise qualified employee who has a documented disability.

College personnel will be asked to make "reasonable accommodations" in the employment process to ensure nondiscrimination on the basis of disability. The College is prepared to reasonably accommodate persons with disabilities, who are qualified to work in campus offices and departments, in all aspects of employment, including recruitment, application, hiring, benefits, promotion, and evaluation. Such accommodation will:

Be based on documented individual disability needs;

1. Not compromise the requirements of a course or program; and
2. Not pose a threat to personal or public safety.

Violence Against Women Reauthorization Act (VAWA)

The Violence Against Women Reauthorization Act of 2013 expands how institutions address sexual offenses and sexual violence. This act improves upon services for all victims of sexual offenses or acts of sexual violence, including domestic violence, dating violence, sexual assault,

and stalking regardless of the victim’s gender, sexual orientation, gender identity, or gender expression.

Crime Awareness on Campus

Any criminal action or other emergency must immediately be reported to the Police Department and to Campus Security. The following are examples of on-campus criminal offenses that must be reported:

Murder	Hate Offenses
Rape	Arson
Robbery	Property Damage
Assault	Bomb Threat
Burglary	Negligent and Non-Negligent Manslaughter
Motor Vehicle Theft	Breach of Computer Security
Terroristic Threats	Identity Theft

The College must also maintain statistics concerning the number of arrests for the following crimes occurring on campus:

1. Liquor law violations
2. Drug abuse violations
3. Weapons possessions

The College will compile a security report each year. Information regarding campus security and consumer information materials is available from the Campus Security Office.

Sexual Harassment and Sexual Violence Policy

Sexual harassment is a form of sex discrimination and employee misconduct that violates Title VII of the Civil Rights Act of 1964. Sexual harassment includes (but is not limited to) unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct has a purpose or effect of unreasonably interfering with an individual’s employment, or creates an intimidating, hostile or offensive work environment.

Red Lake Nation College is committed to maintaining a safe and comfortable learning environment for all students, staff and faculty. Sexual harassment undermines the mission of the College, offends the integrity of the College community, and will not be tolerated. All campus-related sexual harassment, sexual offenses, or acts of sexual violence including domestic violence, dating violence, sexual assault, and stalking are strictly prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, stalking, or other verbal or physical conduct of a sexual nature that results in interfering with an individual’s educational or work performance, or creates an intimidating environment for a student, staff or faculty member.

Sexual harassment is prohibited by both state and federal law. Any staff or faculty member who engages in sexual harassment is subject to disciplinary action, up to and including suspension or termination from RLNC.