

I. POLICY STATEMENT

- A. It is the policy of Monhegan Island School to insure equal employment and educational opportunities and affirmative action regardless of race, sex, color, national origin, marital status, sexual orientation, age, handicap, or religion in accordance with all federal and state rules and regulations relative to discrimination.
- B. Inquiries can be made to Affirmative Action/Title IX/SECTION 504 Coordinator; or to the Director, Office of Civil Rights, Department of Health and Human Services, J.F.K. Federal Building, Government Center, Boston, MA 02103. Grievance procedures are available which provide for prompt and equitable resolution of complaints alleging violations of Affirmative Action/Title IX/SECTION 504 guidelines and may be obtained from the Coordinator.

II. DESSEMINATION OF THE POLICY STATEMENT FOR AFFIRMATIVE ACTION PROGRAM

The Monhegan Island School Committee approves and directs the release of a policy statement of affirmative action that clearly identifies the Committee's intent not to discriminate.

In keeping with the Affirmative Action/Title IX/SECTION 504 regulations, it is the intent of the Monhegan Island School that notification of the policy shall be an ongoing process, i.e., all applications, all student handbooks, and all advertisements and materials used in the recruitment of employees shall contain the policy statement.

III. ADVISORY COMMITTEE

- A. An Affirmative Action/Title IX/SECTION 504 Advisory Committee will be formed with the following representation.
 - 1. One member of the Monhegan Island School Committee appointed by its chairperson.
 - 2. One citizen
 - 3. The Affirmative Action/Title IX/SECTION 504 Coordinator shall serve as an ex-officio member of the Committee.
- B. The Advisory Committee shall elect its chairperson.
- C. Meetings may be called by the chairperson and the Affirmative Action /Title IX/ SECTION 504 Coordinator jointly.

IV. STATEMENT OF INTENT

A. STUDENT

In addition to the Affirmative Action/Title IX/SECTION 504 program, the School Committee affirms the following student rights: No person on the basis of race, sex, color, national origin, marital status, sexual orientation, age, handicap, or religion is excluded from participation in, denied the benefits of, or subjected to discriminational program or activity.

- 1. Course offerings:
All course offerings are open to all students meeting established pre-requisites.
- 2. Textbooks and curriculum material:
Prior to selection of new textbooks and material, a study is made to ensure that there is minimal bias and stereotyping.
- 3. Counseling:
 - a. Testing materials are examined and those found to be discriminatory will be replaced.
 - b. Counseling procedures are reviewed on an ongoing basis.
 - c. Guidance counselors, whenever responding to an employer's request for students to fill jobs, will to the best extent possible, seek to provide candidates without regard to race, sex, color, national origin, sexual orientation, marital status, age, handicap, or religion.

4. Physical Education:
All physical education classes are co-educational except when contact sports are being played.
5. Athletics:
a. Comparable sports are offered to meet the interest and ability of members of each sex.
b. Intramural athletic programs provide equal opportunity for members of each sex.
6. Marital and Parental Status:
No student is discriminated against because of marital or parental status.

B. EMPLOYEES

The Monhegan Island School Committee affirms that it employs without discrimination on the basis of race, sex, color, national origin, marital status, sexual orientation, age, handicap, or religion the best qualified persons available at the salary levels established for school employment. The Monhegan Island School Committee recognizes its obligation to take affirmative action in employment practices for compliance with the Maine Human Right Act and Section 504.

1. Recruitment for administrative, teaching, or any other available positions.
 - a. Whenever seeking candidates for any position, Monhegan Island School Committee/ Administrative will offer equal opportunity to every candidate regardless of sex, color, race, national origin, marital status, sexual orientation, age, handicap, or religion. Application forms for administrative, teaching, or any other available positions shall not contain questions or requirements which discriminate by sex, color, race, national origin, marital status, sexual orientation, age, handicap, or religion.
2. Screening for administrative, teaching, or any other available positions.
 - a. Eliminate all candidates who do not meet the minimum qualifications.
 - b. Ensure that all applications are reviewed by more than one individual with attention given to perceived conflicts of interest.
 - c. Provide orientation on confidentiality and equity issues to screeners.
 - d. Conduct a preliminary reference check, if appropriate.
 - e. Select candidates for interview based on degree to which they meet the criteria and demonstrate the skills, knowledge, and abilities outlined in the job description.

NOTE: "Employer" refers to chair of the search committee in the case of hiring a superintendent and to the superintendent or designee in all other hirings.

3. Interviewing for administrative, teaching, or any other available positions.
 - a. Appoint an interview panel with representation from various groups with whom the position will work on a regular basis;
 - b. Provide orientation to the panel on the process, the weighing of criteria and the nomination/hiring process;
 - c. Conduct training to ensure that panel members are aware of legal aspects of interviewing, including confidentiality and equity issues.

The interview panel will:

- d. Design interview questions that match the duties and responsibilities of the position and the criteria;
- e. Provide the opportunity for each candidate to respond to the same questions.

4. Selection for administrative, teaching, or any other available positions:

The interview panel will:

- a. Assess each candidate on the same basis; including the criteria and the job description

5. Nomination/Employment

The employer will:

- a. Contact several references to check perceived strengths and weaknesses of the candidate(s);
 - b. Review the material on the selected candidate(s) to determine whether additional information is needed;
 - c. Inform the interview panel;
 - d. Nominate/employ the selected candidate in accordance with local policies.
6. Notification
 - a. Offer the position to the selected candidate;
 - b. Notify unsuccessful candidates once acceptance is assured.
 7. Record Keeping

Monhegan Island School will maintain records of inquiries and applications for employment for one year. Administrative applications will be maintained for three years. Such records will be made available to the Affirmative Action Coordinator for periodic analysis.

Applicant flow data shall include:

- a. Name of applicant or inquirer;
- b. Date of application or inquiry; and
- c. Action taken on application or inquiry.

8. Statement of Equal Opportunity

Monhegan Island School Committee/Administration will cause to be printed on any notices of open positions and any correspondence to candidates for position, the following sentence: "We are an equal opportunity/affirmative action employer."

9. Promotion, Transfer, Layoffs, Benefits, Compensation, Demotions, Suspensions, Terminations, Hirings, Training.

Monhegan Island School Committee/Administration will not discriminate on the basis of race, sex, color, pregnancy, age, national origin, handicap, marital status, or religion concerning promotions, demotions, transfers, layoffs, benefits, compensation, suspension, hiring, training, or termination.

10. Monhegan Island School Committee directs that all staff members be especially alert and avoid the use of sexist and other discriminatory language in all communications, both oral and written.

STUDENT/EMPLOYEE HARASSMENT

Monhegan Island School recognizes the right of each student/employee to perform in an atmosphere which is free of intimidation, ridicule, hostility and offensiveness. In order to insure such an atmosphere, Monhegan Island School student/employees should not engage in any form of harassment. Harassment is abuse based upon race, sex, color, national origin, marital status, sexual orientation, age, handicap, or religion. Acts of this nature are not only a violation of this policy but also constitutes illegal discrimination under State and Federal laws.

Example of Prohibited Harassment:

1. Unwelcome sexual advances, gestures, comments or contacts.
2. Threats which imply physical abuse or are inappropriate to an educational setting.
3. Offensive jokes.
4. Ridicule, slurs, derogatory action or remarks.
5. Basing decisions on practice of submission to harassment.

Students/employees should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or highly inappropriate. However, if a student/employee feels uncomfortable with confronting the harasser, the student/employee is encouraged to inform the Affirmative Action Coordinator at the earliest opportunity. Students/employees who believe that they are victims of harassment, should report such occurrences to the Affirmative Action Coordinator.

The Affirmative Action Coordinator shall advise the person who has allegedly been harassed of the various options available to the person: Title IX Civil Action; Human Rights Commission complaint; formal request for discipline by the Monhegan Island School Superintendent and/or School committee; or by filing an employee complaint under Title VII to the Directors of the United States Office of Civil Rights, Department of Health and Human Services, J.F. K. Federal Building, Government Center, Boston, MA 02103.

Appropriate information regarding harassment and recourse shall be posted in a prominent and accessible location in each workplace in the unit. Education and training shall take place as required by laws for each new employee.

ALLEGATION OF HARASSMENT

In the event that an allegation of harassment, physical and/or sexual abuse is made against a student/employee from any source, internal or external, the following steps will be taken:

- A. Any student/employee learning of the allegation is to immediately advise the school committee chair who is to immediately notify the Superintendent. The allegation must be reported within a 30 day period.
- B. The Superintendent is to immediately assess the situation and cause an investigation to be made.
- C. If there is reasonable cause to believe the allegation, and the allegation would severely impair the unit's reputation or endanger the health and welfare of students/employees, the employee will be assigned immediately to another position not having contact with students, or be placed on administrative leave. In the case of a student, the student would be placed in another educational setting or suspended until the situation is properly investigated. In either event the school committee shall be notified as soon as practicable.

The employee will not be returned to his/her primary position until the Superintendent is satisfied that the allegation is false or the charges are dismissed. Every effort will be made to conclude the investigation within a reasonable time from the initial notification of the Superintendent; and if the Superintendent finds that the allegation is true, the appropriate disciplinary action will be initiated which may include but not necessarily be limited to dismissal and/or suspension.

V. IMPLEMENTATION

- A. The Superintendent holds primary responsibility for the operation and success of the Affirmative Action/ Title IX/SECTION 504 Program.
- B. These responsibilities include but are not limited to the following:
 1. Managing the organization, implementation, and all continuing aspects of the Affirmative Action/Title IX/SECTION 504 Program;
 2. Disseminating information and guidelines and interpreting Federal and State requirements as may apply to students and employees;
 3. Working with staff to identify and correct problem areas;
 4. Maintaining records and reports relating to recruitment, hiring, interviews, disciplinary action, promotion, transfer, and termination in order to comply with existing requirements;
 5. Initiating remedial action or correcting any unlawful practices which may be brought to the

Coordinator's attention;

6. Reporting to the Monhegan Island School Committee, when necessary, any findings and recommendations for enforcing compliance with the program.
- C. Each person charged with screening, selection, hiring, and promotion of applicants or employees for the Monhegan Island School is responsible to the Superintendent for:
1. Prevention of unlawful discrimination and enforcement of the Monhegan Island School Affirmative Action/Title IX/SECTION 504 Policy;
 2. Identification and reporting to the Affirmative Action/Title IX/SECTION 504 Coordinator problem areas in interpretation or application of policy guidelines and disposition of any charges or grievances involving alleged discrimination;
 3. Maintenance of such records, reports, and documents as are required to conform with existing law.

VI. GRIEVANCE PROCEDURE

A. Informal

1. When a student/employee feels that has been discrimination on the basis of race, sex, color, national origin, marital status, sexual orientation, age, handicap, or religion, he/she may discuss the grievance with the Monhegan Island School Committee chair.
2. If the grievance is not resolved within five working days, the student/employee may discuss the grievance with the Affirmative Action Coordinator.

B. Formal

1. If the grievance is not resolved within five working days, the student/employs may file a written grievance with the Affirmative Action Coordinator.
 2. If the written grievance is not resolved to the grievant's satisfaction, the grievant may submit a written grievance to the Monhegan Island School Committee. The Monhegan Island School Committee will then add to the agenda of their next meeting the discussion of the grievance. The Monhegan Island School Committee will then notify the grievant of his/her right to be at the meeting and that the grievant is entitled to representation by counsel and to speak at the meeting if he/she wishes. The Monhegan Island School Committee will notify the grievant in writing of its decision within five working days. All grievance hearings will be conducted in executive session.
- C. A student/employee may, at any time, file a grievance with the Office for Civil Rights, Department of Health and Human Services, J.F.K. Federal Building, Government Center, Boston, MA 02103.
- D. An employee may, at any time, file a grievance with the Maine Human Rights Commission, State House Station #51, Augusta, ME 04333.

Adopted: probably January, 1995

Revised: 06/30/03 by J. Boegel, M. Chioffi, & J. Stevens