

Regional School Unit 40

AFFIRMATIVE ACTION PLAN

1. GENERAL POLICY STATEMENT

A. Statement of Nondiscrimination

RSU 40 does not discriminate on the basis of race (including traits associated with race involving hair texture, Afro hairstyles and protective hairstyles such as braids, twists and locks), age, color, ancestry or national origin, religion, sex, sexual orientation, gender identity and expression, genetic information, familial status, or physical or mental disability in admission to, access to, treatment in or employment in its programs and activities. The Board has adopted nondiscrimination policies - see appendix.

B. Compliance with Nondiscrimination Laws

RSU 40 recognizes its obligation to comply with the provisions of the Equal Employment Opportunity Act of 1972 (P.L. 92-261), amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq. and 34 C.F.R. Part 106); the Maine Human Rights Act of 1972 as amended (5 M.R.S.A. § 4551 et seq.); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.); the Age Discrimination in Employment Act of 1967, as amended (29 U.S.C. § 621 et seq.); the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.); the Equal Pay Act of 1963 (29 U.S.C. § 206); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 et seq.); the Americans with Disabilities Act of 1990, as amended (42 U.S.C. § 12101 et seq.); the Genetic Information Nondiscrimination Act (42 U.S.C. § 2000ff et seq.); the Equal Pay Act of 1963 (29 U.S.C. § 206); 20-A M.R.S.A. § 6553 (Prohibition of Hazing); 20-A M.R.S.A. § 6554 (Prohibition on Bullying in Public Schools); and 20-A M.R.S.A. § 20-A M.R.S.A. § 1001(21) (Workplace Bullying).

C. Contacts for Inquiries or Complaints

To make an inquiry regarding RSU 40's compliance with the above statement or to file a complaint concerning an alleged violation, an individual may contact one of the following:

Danielle Fagonde, Affirmative Action Officer/Title IX Coordinator
Regional School Unit 40
P.O. Box 701
Union, Maine 04862
207-785-2277 (office)
danielle.fagonde@rsu40.org

Penelope Christ, Section 504/ADA Coordinator [regarding disability matters]
Regional School Unit 40
P.O. Box 701
Union, Maine 04862
207-785-2277
Email: penelope.christ@rsu40.org

Office for Civil Rights
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111; TDD: (877) 521-2172
Email: OCR.Boston@ed.gov

Maine Human Rights Commission
51 State House Station
Augusta, ME 04333
Telephone: (207) 624-6290; Maine Relay 711
Email: info@mhrc.maine.gov

D. Complaint Procedures

Employee and student complaint procedures are available which provide for the prompt and equitable resolution of complaints alleging discrimination and harassment complaints based on protected characteristics. Copies of these complaint procedures will be made available on RSU 40's website and upon request at the Central Office, P.O. Box, Union, Maine 04862.

2. DISSEMINATION PROCEDURES: NOTICE AND POSTING

A. General Notice and Posting

Notice of the contents of the Affirmative Action Plan will be provided to all employees and students at the beginning of each school year by means chosen by the Superintendent and posted on RSU 40's website.

Notice of compliance with nondiscrimination laws will be:

1. Posted in a conspicuous and accessible place in all school buildings.
2. Included on job postings, advertisements and application forms which are made available to applicants and on enrollment forms made available to students and their parents.
3. Distributed to all personnel responsible for recruiting and screening applicants, and selecting, hiring and promoting employees.
4. Published on RSU 40's website.
5. Sent to all secondary school, college or university placement services which receive information on available job openings in RSU 40.

B. Annual Notice of Employee Harassment and Sexual Harassment Policy/Complaint Procedure

A copy of the Harassment and Sexual Harassment of Employees Policy and the Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures will be distributed annually to all RSU 40 employees.

C. Postings on Sexual Harassment and Employment Discrimination Required
federal and state workplace posters on sexual harassment and employment discrimination will be posted in conspicuous and accessible places in school buildings where notices to employees are customarily posted.

D. Copies of the Affirmative Action Plan Available

A copy of this Affirmative Action Plan, including all appendices, will be made available to any interested person upon request at the Central Office, P.O. Box 701, Union, Maine 04862.

E. Submission to Maine Department of Education

RSU 40's will provide its Affirmative Action Plan, and any updates to the plan, to the Maine Department of Education.

3. TRAINING

A. Gender Equity Training

RSU 40 is responsible for developing plans for in-service training programs on gender equity for teachers, administrators and the Board.

B. Sexual Harassment Training

RSU 40 will conduct education and training programs on sexual harassment as required under Maine law: (1) for all new employees within one year of commencement of employment, and (2) for supervisory and managerial employees within one year of commencement of supervisory or managerial employment status.

RSU 40 will also conduct all training required under Title IX sexual harassment regulations for individuals involved in addressing such reports and complaints.

4. RESPONSIBILITY FOR IMPLEMENTATION

A. The Superintendent holds ultimate responsibility for the operation, oversight and success of RSU 40's Affirmative Action Plan and nondiscrimination policies. These responsibilities are delegated in large part to the Affirmative Action Officer/Title IX Coordinator who is appointed by and reports directly to the Superintendent.

B. Responsibilities of Affirmative Action Officer/Title IX Coordinator

1. Day-to-day responsibility for implementing and managing RSU 40's Affirmative Action Plan, and compliance with state and federal nondiscrimination laws and regulations.
2. Responsible for implementing and managing RSU 40's compliance with all aspects of state and federal sex/gender-based discrimination and harassment laws and regulations, including Title IX.
3. Disseminate required notices, policies and information regarding federal and state nondiscrimination/harassment laws to employees, applicants, parents and

others as applicable, including any necessary postings on RSU 40's website.

4. Receive and assess discrimination, harassment and other related complaints received by RSU 40 to ensure the appropriate policies and procedures are followed, consulting with the Superintendent and others as appropriate.
5. Coordinate investigations of discrimination and harassment complaints as appropriate.
6. Provide appropriate support for parties when discrimination/harassment is reported, and throughout the investigation and resolution process.
7. Overall responsibility for ensuring that discrimination and harassment complaint procedures are followed.
8. Facilitate or coordinate informal resolutions of complaints, including sexual harassment complaints.
9. Coordinate and implement appropriate training for RSU 40 employees on nondiscrimination and harassment laws, policies, procedures and duty to report.
10. Ensure that persons involved in recruiting and hiring processes adhere to nondiscrimination and confidentiality requirements.
11. Ensure that Board members, teachers and administrators receive gender equity training.
12. Compile data and reports for the Superintendent and Board members as requested.
13. Advise the Superintendent of any needed revisions to the Affirmative Action Plan or related policies/procedures.
14. Comply with all recordkeeping requirements.
15. Any other duties related to the Affirmative Action Plan assigned by the Superintendent.

5. ASSESSMENT OF CURRENT WORKFORCE

RSU 40 will periodically assess the numbers of minorities, women and persons with disabilities in its workforce, and determine whether there are fewer employees from these groups than one would reasonably expect given availability in the job market where RSU 40's can reasonably expect to recruit new employees.

In conducting this analysis, RSU 40's will consider relevant local workforce statistics, RSU 40's workforce profile, its job classifications, and recruiting practices.

6. GOALS, PROCEDURES, AND TIMETABLES

If an assessment determines that imbalances exist in RSU 40's workforce with respect

to numbers of minorities, women and persons with disabilities, RSU 40 will develop realistic goals for necessary action and related procedures and timetables for correcting such imbalances.

The following goals, procedures, and timetables have been adopted to increase the representation of minorities, women and disabled individuals at all levels and in all segments of RSU 40's workforce where imbalances exist:

A. Recruitment

It is the intent of RSU 40 to ensure equal access to all employment opportunities.

Goal/Objective: RSU 40 will make continued efforts to recruit all segments of the population in the State of Maine, including women, minorities and individuals with disabilities.

Responsibility: Affirmative Action Officer/Title IX Coordinator.

Timetable: Ongoing.

B. Job Descriptions

It is the intent of RSU 40 that job descriptions will accurately reflect the needed qualifications, training, experience and duties.

Goal/Objective: RSU 40 will review and update job descriptions periodically and as vacancies occur.

Responsibility: Affirmative Action Officer/Title IX Coordinator.

Timetable: Ongoing.

C. Selection

Hiring of personnel is done through established policies and procedures, with the process monitored by the Affirmative Action Officer/Title IX Coordinator for compliance with the Affirmative Action Plan and related policies.

Goal/Objective: When vacancies arise in job classifications where women, minorities or the disabled are underrepresented, the Affirmative Action Officer/Title IX Coordinator will review interview questions prior to contacting candidates to ensure that RSU 40 presents an equal employment opportunity.

Responsibility: Affirmative Action Officer/Title IX Coordinator.

Timetable: Ongoing.

D. Wage/Salary Standards

Job classifications and wage/salary standards are based solely upon the knowledge, skills, and abilities required by the position.

Goal/Objective: Wages and salaries for particular positions or job categories will be discussed with the Affirmative Action Officer/Title IX Coordinator prior to

implementation.

Responsibility: Superintendent.

Timetable: Ongoing.

E. Complaint Procedures

Internal and external complaints of discrimination/harassment will be treated seriously and promptly by RSU 40.

Goal/Objective: All discrimination/harassment complaints will be processed in accordance with established complaint procedures.

Responsibility: Affirmative Action Officer/Title IX Coordinator.

Timetable: Ongoing.

F. Reasonable Accommodation for Applicants and Employees with Disabilities

It is RSU 40's intent to provide reasonable accommodations to applicants and employees with disabilities consistent with the requirements of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Maine Human Rights Act.

Goal/Objective: Periodically review and assess hiring procedures and implementation of employee policies for compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Maine Human Rights Act.

Responsibility: Affirmative Action Office/Title IX Coordinator, Section 504/ADA Coordinator, and Superintendent.

Timetable: Ongoing.

7. RECRUITING AND HIRING OF ADMINISTRATIVE STAFF PROCEDURE

The Board has adopted a policy and procedure concerning the recruitment and hiring of administrative staff.

APPENDIX:

[AC – Nondiscrimination/Equal Opportunity and Affirmative Action](#)

[ACA - Transgender Students](#)

[ACAA - Harassment and Sexual Harassment of Students](#)

[ACAA-R - Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure](#)

[ACAB - Harassment and Sexual Harassment of School Employees](#)

[ACAB-R - Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure](#)

[ACAD - Hazing](#)

[GBGB - Workplace Bullying](#)

[GCFB - Professional Staff Hiring](#)

[GCFB-R - Professional Staff Hiring Procedure](#)

[IICK - Bullying and Cyberbullying in Schools](#)

[IICK-R - Bullying and Cyberbullying in Schools Procedure](#)