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## AFFIRMATIVE ACTION PLAN

### GENERAL POLICY STATEMENT

#### **A. Statement of nondiscrimination**

In accordance with applicable Federal and/or State laws and regulations, the Sanford School Department prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, or disability. For the purpose of this policy, "sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

#### **B. Compliance with anti-discrimination laws**

The Sanford School Department 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.); the Maine Human Rights Act of 1972 as amended (5 M.R.S.A. § 4571 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. § 623 et seq.); the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.); and 20-A MRSA § 6553 (Prohibition of Hazing).

#### **C. Contacts for Inquiries or Complaints**

To make an inquiry or file a complaint concerning the above statement, an individual may contact one of the following:

Stacey Bissell  
Affirmative Action Officer  
Sanford School Department  
917 Main Street – Suite 200  
Sanford, ME 04073  
207-324-2810

Office for Civil Rights  
Regional Director  
U.S. Department of Education  
5 Post Office Square - 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
ocr.boston@ed.gov

Maine Human Right Commission  
State House Station 51  
Augusta, ME 04333  
Telephone: (207) 624-6050

**D. Complaint Procedures**

Employee and student complaint procedures (see Appendices B and C) are available which provide for the prompt and equitable resolution of complaints alleging discrimination and harassment based on race, age, color, ancestry or national origin, religion, sex or physical or mental disability. Copies of the complaint procedures will be made available to any interested person upon request at the Superintendent or Affirmative Action Officer's office.

**DISSEMINATION PROCEDURES: NOTICE AND POSTING****A. General notice and posting**

Notice of the contents of the Affirmative Action Plan shall be provided to all employees and students at the beginning of each school year by means chosen by the Superintendent.

Notice of the Sanford School Department's compliance with anti-discrimination laws shall be:

1. Posted in a conspicuous and accessible place in all school buildings of the school unit;
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 annually in the local newspaper.

**B. Annual notice of employee harassment and sexual harassment policy/complaint procedure**

A copy of the Employee harassment and Sexual harassment Policy and Complaint Procedure in Appendix B shall be distributed annually to all school unit employees

**C. Posting on sexual harassment and employment discrimination**

Workplace posters on sexual harassment and employment discrimination shall be posted in conspicuous and accessible places in school buildings where notices to employees are customarily posted [e.g., in each school office and/or staff rooms].

**D. Copies of Affirmative Action Plan available**

A copy of this Affirmative Action Plan, including all appendices, shall be made available to any interested person upon request at the office of the Superintendent or Affirmative Action Officer.

**TRAINING****A. Gender equity training**

The Sanford School Department is responsible for developing plans for in-service training programs on gender equity for teachers, administrators and the School Committee.

**B. Sexual harassment training**

The Sanford School Department shall conduct education and training programs on sexual harassment: (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.

### **RESPONSIBILITY FOR IMPLEMENTATION**

- A.** The Superintendent of Schools holds ultimate responsibility for the operation, oversight and success of the Sanford School Department's Affirmative Action Plan and nondiscrimination policies. These responsibilities will be delegated in whole or in part to an Affirmative Action Officer who is appointed by and reports directly to the Superintendent.
- B.** The responsibilities of the Affirmative Action Officer include, but are not limited to, the following:
1. Managing the organization and implementation of the Affirmative Action Plan;
  2. Disseminating the required notices, policies and information regarding federal and state anti-discrimination laws to employees, applicants, students and parents, and others, where applicable;
  3. Maintaining records, reports and documents required to comply with federal and state recordkeeping requirements;
  4. Coordinating the Sanford School Department's efforts to comply with and carry out its responsibilities under all applicable federal and state anti-discrimination laws (including serving as the Title IX/ADA/Section 504/Age Discrimination Coordinator as required by those laws);
  5. Conducting and/or coordinating the investigation of discrimination complaints based on race, age, color, ancestry or national origin, religion, sex, physical or mental disability;
  6. Reporting to the Superintendent when necessary any findings and recommendations for ensuring compliance with the Affirmative Action Plan;
  7. Developing, coordinating and implementing plans for in-service gender equity training programs;
  8. Developing, coordinating and implementing sexual harassment training programs for employees and supervisors.
- C.** Each person charged with recruiting, screening, selecting, hiring, and/or promoting applicants or employees in the Sanford School Department must adhere to the policy of nondiscrimination and equal employment opportunity established in the Affirmative Action Plan.

### **ASSESSMENT OF CURRENT WORKFORCE: UTILIZATION ANALYSIS**

The Sanford School Department shall periodically assess the numbers of minorities, women and persons with disabilities in its workforce, and determine where imbalances exist. Such assessment will determine whether there is underutilization of a particular gender or minority or of persons with disabilities in different job categories in the school unit.

The term “underutilization” is defined by the Office of Federal Contract Compliance as having fewer minorities or women in a particular job classification than would reasonably be expected by their availability in the job market where an employer can reasonably expect to recruit new employees. In determining whether under utilization in the workforce exists, the school unit shall consider relevant local work force statistics, the school unit’s workforce profile, the nature and validity of its job classifications, and the number, frequency and category of vacancies.

## **GOALS, PROCEDURES AND TIMETABLES**

If an assessment determines that imbalances exist in the Sanford School Department’s workforce with respect to numbers of minorities, women and persons with disabilities, the school unit 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 at all levels and in all segments of the Sanford School Department’s workforce where imbalances exist:

1. **Recruitment:** It is the intent of the Sanford School Department to ensure equal access to all employment opportunities.  
**Goal/Objective:** the Sanford School Department will make continued efforts to recruit all segments of the population in the State of Maine, including women, minorities and the disabled.  
**Responsibility:** Affirmative Action Officer. **Timetable:** Ongoing.
2. **Selection:** hiring of personnel is done through established policies and procedures, with interviews being monitored by the Affirmative Action Officer for compliance with the Affirmative Action Plan.  
**Goal/Objective:** When vacancies arise in job classifications where women, minorities or the disabled are underrepresented, the Affirmative Action Officer will review interview questions prior to contacting candidates to ensure that the school unit presents an equal employment opportunity. **Responsibility:** Affirmative Action Officer. **Timetable:** Ongoing.
3. **Wage and Salary Standards:** Job classifications and wage and salary standards are based solely upon the knowledge, skills, and abilities required by the position.  
**Goal/Objectives:** Creation of new or upgrading of existing job classifications will be discussed with the Affirmative Action Officer prior to implementation. **Responsibility:** Superintendent.  
**Timetable:** Ongoing.
4. **Complaint Procedure:** Internal and external complaints of discrimination will be treated seriously and promptly by the Sanford School Department.  
**Goal/Objective:** All discrimination complaints shall be referred to the Affirmative Action Officer. The Affirmative Action Officer will attempt to settle informal complaints where appropriate and will pursue all other procedures necessary to effectively and appropriately address the complaint.  
**Responsibility:** Affirmative Action Officer. **Timetable:** Ongoing.
5. **Reasonable Accommodation for Disabled Applicants and Employees:** It is the Sanford School Department’s intent to provide reasonable accommodation to applicants and employees with disabilities consistent with the requirements of the Americans with Disabilities Act and the Maine Human Rights Act.

Goal/Objective: Periodically review and assess hiring procedures and implementation of employee leave policies for compliance with the Americans with Disabilities Act and the Maine Humans Rights Act. Responsibilities: Affirmative Action Officer and Superintendent. Timetable: Ongoing.

### **RECRUITING AND HIRING OF ADMINISTRATIVE STAFF PROCEDURE**

The Sanford School Committee has adopted a policy and procedure concerning the recruitment and hiring of administrative staff. The procedures are based upon the "Model Administrative Hiring Procedure" published by the Maine Department of Education in its "Final Report of the Equity Board," April 1991 (see Appendix E).

#### Cross Reference:

ACAB - HARASSMENT AND SEXUAL HARASSMENT OF EMPLOYEES  
ACAA-R – HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS  
ACAD – HAZING  
GCFB-R - RECRUITING AND HIRING OF ADMINISTRATIVE STAFF PROCEDURE

Adoption date: May 3, 2004

Recoded: March 19, 2007 (from AC to AC-R)

Revised: August 20, 2013