

**Maine School Administrative District #51
AFFIRMATIVE ACTION PLAN**

1. GENERAL POLICY STATEMENT

A. Statement of Nondiscrimination

MSAD #51 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 School Board has adopted a nondiscrimination policy (see Appendix A).

B. Compliance with Nondiscrimination Laws

MSAD #51 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 MRSA §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 the school unit's compliance with the above statement or to file a complaint concerning an alleged violation, an individual may contact one of the following:

Dr. Julie Olsen
MSAD #51
PO Box 6A
Cumberland, ME 04021
207-829-4800
jolsen@msad51.org
Affirmative Action Officer, Title IX Coordinator & Section 504/ ADA Coordinator

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 (including harassment) based on protected characteristics. Copies of these complaint procedures will be made available on the school unit's website and upon request at the Superintendent, Affirmative Action Officer and Title IX Coordinators offices.

2. 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 in each school's student/family handbook and each school/district department's staff handbook and posted on the school unit's website.

Notice of MSAD #51's compliance with nondiscrimination laws shall be:

- i. Posted in a conspicuous and accessible place in all school buildings of the school unit.
- ii. 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.
- iii. Distributed to all personnel responsible for recruiting and screening applicants, and selecting, hiring and promoting employees.
- iv. Published on the school unit's website.

OPTIONAL NOTIFICATION PROVISION:

- v. **Sent to all secondary school, college or university placement services which receive information on available job openings in the school unit.**

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

A copy of the Harassment and Sexual Harassment of Employees Policy and Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures in Appendix B shall be distributed annually to all school unit employees in each school and district department staff handbook.

C. Postings on Sexual Harassment and Employment Discrimination

Required federal and state 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 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 Superintendent, Affirmative Action Officer and Title IX Coordinators offices.

E. Submission to Maine Department of Education

The school unit shall provide its Affirmative Action Plan, and any updates to the plan, to the Maine Department of Education.

3. TRAINING**A. Gender Equity Training**

MSAD #51 is responsible for developing plans for in-service training programs on gender equity for teachers, administrators and the School Board.

B. Sexual Harassment Training

MSAD #51 shall 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.

The school unit shall 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 of Schools holds ultimate responsibility for the operation, oversight and success of MSAD #51's Affirmative Action Plan and nondiscrimination policies. These responsibilities will be delegated in whole or in part to an Affirmative Action Officer and a Title IX Coordinator who are appointed by and report directly to the Superintendent.

B. Responsibilities of Affirmative Action Officer

- i. Day-to-day responsibility for implementing and managing the school unit's Affirmative Action Plan, and compliance with state and federal nondiscrimination laws and regulations.
- ii. Disseminate required notices, policies and information regarding federal and state nondiscrimination laws to employees, applicants, parents and others as applicable, including postings on the school unit's website.
- iii. Assess discrimination, harassment and other related complaints received by the school unit to ensure the appropriate policies and procedures are followed, consulting with the Title IX Coordinator, Superintendent and others as appropriate.
- iv. Coordinate and/or conduct investigations of discrimination and harassment complaints as appropriate.
- v. Overall responsibility for ensuring that discrimination and harassment complaint procedures are followed.
- vi. Coordinate and implement appropriate training for school unit employees on nondiscrimination and harassment laws, policies, procedures and duty to report.
- vii. Ensure that persons involved in recruiting and hiring processes adhere to nondiscrimination and confidentiality requirements.
- viii. Ensure that School Board members and employees receive gender equity training.
- ix. Compile data and reports for the Superintendent and School Board members as requested.

- x. Advise the Superintendent of any needed revisions to the Affirmative Action Plan or related policies/procedures.
- xi. Comply with all recordkeeping requirements.
- xii. Any other duties related to the Affirmative Action Plan assigned by the Superintendent.

C. Responsibilities of Title IX Coordinator

- i. Day-to-day responsibility for implementing and managing the school unit's compliance with all aspects of state and federal sex/gender-based discrimination and harassment laws and regulations, including Title IX.
- ii. Ensure that required notices, policies and information regarding federal and state sex and gender-based discrimination/harassment laws and regulations are disseminated to employees, applicants, parents, unions, and others as applicable, including postings on the school unit's website.
- iii. Assess discrimination, harassment and other related complaints received by the school unit to ensure the appropriate policies and procedures are followed, consulting with the Affirmative Action Officer, Superintendent and others as appropriate.
- iv. Receive and process all reports and formal complaints of sex or gender-based discrimination, including sexual harassment complaints.
- v. Provide support for parties when sexual harassment is reported, and throughout the complaint investigation and resolution process.
- vi. Coordinate and/or conduct investigations of sex discrimination/harassment complaints as appropriate.
- vii. Facilitate or coordinate informal resolutions of sexual harassment formal complaints as appropriate.

- viii. Overall responsibility for ensuring that sex and gender-based discrimination and harassment complaint procedures are followed.
- ix. Implement any remedies after findings of responsibility for sexual harassment.
- x. Coordinate and implement appropriate training for school unit employees on sexual harassment laws, policies, procedures and duty to report.
- xi. Ensure compliance with all other aspects of state and federal sex/gender-based discrimination and harassment laws and regulations, including Title IX requirements pertaining to education, athletics, and other school programs.
- xii. Compile data and reports for the Superintendent and School Board members as requested.
- xiii. Advise the Superintendent of any needed revisions to discrimination/harassment policies/procedures.
- xiv. Comply with all recordkeeping requirements.
- xv. Any other duties related to sex and gender-based discrimination/harassment laws and regulations assigned by the Superintendent.

5. ASSESSMENT OF CURRENT WORKFORCE

MSAD #51 shall 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 the school unit can reasonably expect to recruit new employees.

In conducting this analysis, the school unit shall consider relevant local workforce statistics, the school unit's workforce profile, its job classifications, and recruiting practices.

NOTE: When the school unit performs a new utilization analysis, the analysis should be referred to here and the analysis itself should be included as an appendix to the Affirmative Action Plan.

6. GOALS, PROCEDURES, AND TIMETABLES

If an assessment determines that imbalances exist in MSAD #51'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 individuals at all levels and in all segments of MSAD #51's workforce where imbalances exist:

A. Recruitment

It is the intent of MSAD #51 to ensure equal access to all employment opportunities.

Goal/Objective: MSAD #51 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

Timetable: Ongoing

B. Job Descriptions

It is the intent of MSAD #51 that job descriptions will accurately reflect the needed qualifications, training, experience and duties.

Goal/Objective: MSAD #51 will review and update job descriptions periodically and as vacancies occur.

Responsibility: Affirmative Action Officer

Timetable: Ongoing

C. 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

D. 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/Objective: Wages and salaries for particular positions or job categories will be discussed with the Affirmative Action Officer prior to implementation.

Responsibility: Superintendent and Director of Human Resources

Timetable: Ongoing

E. Complaint Procedure

Internal and external complaints of discrimination will be treated seriously and promptly by MSAD #51.

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

Responsibility: Affirmative Action Officer

Timetable: Ongoing

F. Reasonable Accommodation for Applicants and Employees with Disabilities

It is MSAD #51'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 Officer and Superintendent

Timetable: Ongoing

7. RECRUITING AND HIRING OF ADMINISTRATIVE STAFF PROCEDURE

The School Board has adopted a policy and procedure concerning the recruitment and hiring of administrative staff (see Appendix F).

NOTE: INCLUDE THE FOLLOWING POLICIES/PROCEDURES IN APPENDICES

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

B – [Harassment and Sexual Harassment of School Employees Policy/ Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures](#) (ACAB and ACAB-R)

C – [Harassment and Sexual Harassment of Students Policy/ Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures](#) (ACAA and ACAA-R)

D – [Hazing \(ACAD\)](#)

E – [Bullying and Cyberbullying Prevention in Schools Policy \(JICK\)](#)

F – [Recruiting and Hiring of Administrative Staff Policy/Procedure](#) (GCFB and GCFB-R)

G – [Workplace Bullying \(ACAF\)](#)

Last Updated: September 2023