

# Affirmative Action Plan



Adopted March 1, 2002  
Central Maine Community College  
1250 Turner Street  
Auburn, ME 04210  
Edited June 2021

Central Maine Community College is an  
equal opportunity / affirmative action  
institution and employer. For additional  
information, please call (207) 755-5396.

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# STATEMENT AND POLICY ON NONDISCRIMINATION

Central Maine Community College does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, disability, or age or marital, parental or veteran's status in its programs and activities. Inquiries about the College's compliance with and policies that prohibit discrimination on, these bases may be directed to:

## **Human Resources Officer Affirmative Action Officer & ADA Compliance Officer**

Jalbert Hall, CMCC  
1250 Turner Street, Auburn, ME 04210  
Telephone: 207-755-5396  
Maine Relay Service: 800-457-1220  
Fax: 207-755-5482  
E-mail: [humanresources@cmcc.edu](mailto:humanresources@cmcc.edu)  
Internet: [www.cmcc.edu](http://www.cmcc.edu)

## **United States Department of Education**

Office for Civil Rights  
33 Arch Street, Suite 900, Boston, MA 02110  
Telephone: 617-289-0111  
TTY/TDD: 617-289-0063  
Fax: 617-289-0150  
E-mail: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)  
Internet: <http://www.ed.gov/about/offices/list/ocr/index.html?src=oc>

## **Maine Human Rights Commission (MHRC)**

51 State House Station, Augusta, ME 04333-0051  
Telephone: 207-624-6050  
TTY/TDD: 207-624-6064  
Fax: 207-624-6063  
Internet: <http://www.state.me.us/mhrc/index.shtml>

## **Equal Employment Opportunity Commission**

475 Government Center, Boston, MA 02203  
Telephone: 617-565-3200 1-800-669-4000  
TTY: 617-565-3204 1-800-669-6820  
Fax: 617-565-3196  
Internet: <http://www.eeoc.gov/>

The College does not discriminate on the basis of sexual preference or marital, parental, or veteran's status. Inquiries about the College's policies that prohibit discrimination on these bases may be direction to the Affirmative Action Officer or MHRC identified above.

The College is committed to providing an environment that promotes gender equity. Women and men are encouraged to consider enrolling in programs typically considered non-traditional for their gender. Efforts are made to provide a supportive environment for those students who do. The College's goal is to heighten public awareness of the occupational opportunities existing for both males and females.

The leadership of Central Maine Community College is committed to affirmative action and takes the position that students and employees must be proactive in assuring compliance with all federal and state laws, rules and regulations which exist regarding civil and human rights. This is essential to assure that all students and employees and applicants for admission and employment are provided with an environment free of discrimination on the basis of gender, race, color, sexual orientation, national origin, age, religion, marital status, parental status, veteran's status or disability. Employees of the College should work to identify discriminatory practices and to eliminate any bias or stereotype that has the effect of condoning discriminatory attitudes and behavior.

# STATEMENT AND POLICY ON NONDISCRIMINATION

Central Maine Community College's Affirmative Action Plan was developed to comply with the doctrines of fair and equal employment and educational practices as mandated by various federal and state regulations, including Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Age Discrimination Act of 1975; and the Maine Human Rights Act, relevant portions of which appear as the Appendix to this Plan. Sexual harassment is a form of gender-based discrimination; accordingly, CMCC's policy on sexual harassment is part of this Affirmative Action Plan.

In a strong commitment to the protection of the rights of all individuals who seek enrollment or employment at this institution, Central Maine Community College advocates proactive steps in the recruitment of students, faculty and staff regardless of their status. This commitment includes on-going efforts to reduce attrition among under-represented groups once enrolled or employed at the College.

In implementing the Affirmative Action Plan (AAP), the individual designated as the Affirmative Action Officer (Officer) has the administrative responsibility and authority to ensure the success of this Plan. For this purpose, this individual reports directly to the President. Each College employee is responsible for implementing the College's AAP. Corrective action is required regardless of whether a formal complaint has been filed.

Betsy H. Libby, Ed.D., President

# AFFIRMATIVE ACTION COORDINATORS

## CENTRAL MAINE COMMUNITY COLLEGE AUBURN, MAINE

**Human Resources, Affirmative Action Officer** • Compliance with Title IX of the Education Amendments of 1972

Telephone: 207-755-5396  
Fax: 207-755-5498  
E-mail: [humanresources@cmcc.edu](mailto:humanresources@cmcc.edu)

**Jennifer Lyons, Disabilities Coordinator** • Services to Students with Disabilities

Telephone: 207-755-5277  
TTY: 207-755-5377  
Fax: 207-755-5481  
E-mail: [jlyons@cmcc.edu](mailto:jlyons@cmcc.edu)

# DISSEMINATION OF POLICY

## External Dissemination:

CMCC will have this Affirmative Action Plan available to the general public at its offices during hours of operation. The Statement and Policy on Nondiscrimination will appear on its website at [www.cmcc.edu](http://www.cmcc.edu).

The College should include an affirmative action/non-discrimination statement on all publications, including advertisements, made available to applicants for admission or employment and to all unions and professional organizations holding collective bargaining or professional agreements with CMCC, in the following form:

Central Maine Community College does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, disability, or age or marital, parental or veteran's status in its programs and activities. Inquiries about the College's compliance with and policies that prohibit discrimination on, these bases may be directed to:

### Human Resources, Affirmative Action Officer & ADA Compliance Officer

Jalbert Hall, CMCC  
1250 Turner Street, Auburn, ME 04210  
Telephone: 207-755-5396  
Maine Relay Service: 800-457-1220  
Fax: 207-755-5491  
E-mail: [humanresources@cmcc.edu](mailto:humanresources@cmcc.edu)  
Internet: [www.cmcc.edu](http://www.cmcc.edu)

### United States Department of Education

Office for Civil Rights  
33 Arch Street, Suite 900  
Boston, MA 02110  
Telephone: 617-289-0111  
TTY/TDD: 617-289-0063  
Fax: 617-289-0150  
E-mail: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)  
Internet: <http://www.ed.gov/about/offices/list/ocr/index.html?src=oc>

### Maine Human Rights Commission (MHRC)

51 State House Station  
Augusta, ME 04333-0051  
Telephone: 207-624-6050  
TTY/TDD: 207-624-6064  
Fax: 207-624-6063  
Internet: <http://www.state.me.us/mhrc/index.shtml>

### Equal Employment Opportunity Commission

475 Government Center  
Boston, MA 02203  
Telephone: 617-565-3200 1-800-669-4000  
TTY: 617-565-3204 1-800-669-6820  
Fax: 617-565-3196  
Internet: <http://www.eeoc.gov/>

The College does not discriminate on the basis of sexual preference or marital, parental, or veteran's status. Inquiries about the College's policies that prohibit discrimination on these bases may be direction to the Affirmative Action Officer or MHRC identified above.

Copies of the Statement should be given to employers who provide supervised work experience for students, affiliation agencies and professional organizations associated with CMCC and the Affirmative Action Plan in its entirety should be made available from the Affirmative Action Officer at CMCC, 755-5233.

# DISSEMINATION OF POLICY

## Internal Dissemination:

The Affirmative Action Plan is available to faculty, staff and students in the library at Central Maine Community College. The Statement and Policy on Nondiscrimination will appear on its website at [www.cmcc.edu](http://www.cmcc.edu). Portions of the plan should be included in new employee orientation and student orientation materials.

Students should be provided with the non-discrimination policy, including the sexual harassment policy, and complaint procedures policy, the Student Code of Conduct, and information about the availability of ADA services at student orientation. This information should be in the Student Handbook. The nondiscrimination statement and names of contact persons should be posted in buildings on campus.

New employees should be oriented to the Nondiscrimination Statement, the Sexual Harassment Policy and Complaint Procedure at the time of hire.

New faculty should be oriented to the above as well as the ADA requirements, procedure, and grievance procedure.

The Policy on Disabilities and Complaint Procedure; the Sexual Harassment Policy and Complaint Procedure; and the Nondiscrimination Statement and Compliance Complaint Procedure are part of the College Policy Manual.

All employees should be notified of the Sexual Harassment policy and grievance procedure each year.

## **GOAL OF THE AFFIRMATIVE ACTION PLAN**

The goal of the Affirmative Action Plan is to provide awareness of CMCC's policies on non-discrimination and diversity. It also provides guidance to members of the CMCC community in dealing fairly with students and potential students, employees and potential employees and members of the general public.

Each employee has a responsibility for implementing the Affirmative Action Plan and must take a role in promoting an environment that accepts a standard of nondiscrimination.

As students and potential students, employees and potential employees and members of the general public interact with the personnel of the College, they are exposed to attitudes and behaviors that give them messages about who they are, how they are valued, and what they may become. Therefore, administrators, department chairpersons, instructors, support staff, and resident assistants, or any student acting in an official capacity, must take appropriate action to prevent discrimination.



# RECRUITMENT AND EMPLOYMENT

CMCC will recruit for employment in such a way that under-represented groups have an equal opportunity to apply for and be hired into all positions. A good faith effort should be made by the hiring authority to establish a network of contacts, composed of agencies and institutions that provide access to female, minority and disabled applicants. Search and screening Committees should exercise an oversight capacity in documenting and maintaining evidence of compliance by the College in efforts to recruit candidates from underrepresented groups.

The internal process for announcing position openings is governed by contracts between the Maine Community College System and representatives of the bargaining units to which the position is assigned.

After completing the internal process, personnel placement may be preceded by the announcement of job openings in local and/or statewide papers. All job announcements will state that CMCC is an Equal Opportunity, Affirmative Action Employer. The Chief Human Resources Officer will maintain applicant flow data including the following information:

1. Job opening
2. Number of applicants
3. Gender (when stated by applicant)
4. Race (when stated by applicant)
5. Action taken

This information will be available to the Affirmative Action Officer on request.

**Search and Screening Committees:** The use of a search and screening committee is strongly recommended for all supervisory, administrative, confidential and faculty positions. The Affirmative Action Officer will meet with each search and screening committee to reaffirm the policies of the College and the requirements of this Plan.

## RECRUITMENT AND ADMISSION OF STUDENTS

The goal of the Affirmative Action Plan is to provide awareness of CMCC's policies on non-discrimination and diversity. It also provides guidance to members of the CMCC community in dealing fairly with students and potential students, employees and potential employees and members of the general public.

Each employee has a responsibility for implementing the Affirmative Action Plan and must take a role in promoting an environment that accepts a standard of nondiscrimination.

As students and potential students, employees and potential employees and members of the general public interact with the personnel of the College, they are exposed to attitudes and behaviors that give them messages about who they are, how they are valued, and what they may become. Therefore, administrators, department chairpersons, instructors, support staff, and resident assistants, or any student acting in an official capacity, must take appropriate action to prevent discrimination.

# ROLE OF THE AFFIRMATIVE ACTION OFFICER

The Affirmative Action Officer shall assist the College in complying with applicable laws and regulations and with the terms of CMCC and MCCS Policy regarding affirmative action and non-discrimination, and the requirements of this plan

## Administration of the Policy and Plan

1. Provide advice and guidance to the Executive Officers of the College on affirmative action/non- discrimination issues
2. Provide or arrange for training in the elements covered by the Plan
3. Lead a review of the Plan annually

## Hiring

1. Assist each hiring authority in establishing a network of contacts composed of agencies and institutions which provide access to female, minority and disabled applicants
2. Meet with search and screening committees at the beginning of their work to reaffirm the elements of the Plan

## Complaints and Enforcement

1. Receive complaints from any person who believes he or she has been discriminated against by or at the College
2. Provide advice and assistance to other employees who receive information or complaints of possible discrimination or non-compliance
3. Investigate and report on complaints of discrimination or non-compliance as outlined in the
4. Complaint Procedure in this Plan

# POLICY STATEMENT AGAINST SEXUAL AND OTHER ILLEGAL HARASSMENT

Central Maine Community College has an obligation to its students and employees to maintain a work and learning environment free from sexual harassment or harassment of any kind, including intimidation or hostility. Such harassment is a form of discrimination, is counter to College policy and is subject to disciplinary action.

## Sexual Harassment is

- **conduct** (verbal or physical) of a **sexual nature**;

AND

- submission to which is either explicitly or implicitly a **term or condition** of an individual's employment or educational benefits;

OR

- submission to or rejection of which is a **basis for an academic or employment decision** affecting the individual;

OR

- which has the purpose or effect of **substantially interfering with** an individual's academic or work performance or which creates an intimidating, hostile or offensive educational, work or living **environment**;

AND

- the conduct is **known** by the actor to be unwelcome, harmful or offensive

OR

- a **person of reasonable sensibilities would have clearly understood** such conduct to be unwelcome, harmful or offensive.

**Other Illegal Harassment** is deliberate or repeated unsolicited and unwelcome comments of such a nature as to create an offensive, hostile, or intimidating work or learning environment.

In keeping with these policies, managers, supervisors, and instructors are expected to actively prevent and eliminate sexual harassment and all other forms of illegal harassment within their areas of responsibility. Any employee who becomes aware of possible sexual or other harassment shall report it to the Affirmative Action Officer. As well, each employee will be held personally responsible for compliance with these policies. Corrective action will be taken immediately upon discovery of harassment.

The Affirmative Action Officer is available to provide assistance to students and employees regarding these policies.

# COMPLAINT PROCEDURE

Discrimination, including sexual harassment, is a violation of the Student Code of Conduct and the Policies of Central Maine Community College. Any student or employee who believes he or she has been discriminated against, must make a report to the Affirmative Action Officer (“Officer”). While a student or employee is free to disclose his or her complaint to instructors or other employees, and while instructors and other employees are encouraged to refer such disclosures to the Officer, a student or employee **must not** rely on disclosures to persons other than the Officer. If a student or employee discusses a complaint with any Executive Officer of the College, or with any person with supervisory or disciplinary authority over the alleged perpetrator(s) of the discrimination, that person **must** in turn report it to the Affirmative Action Officer. The Affirmative Action Officer will notify the President of each such complaint. The Officer may be contacted at Central Maine Community College, Affirmative Action Office, Jalbert Hall, (207) 755-5396.

Every effort will be made to resolve a complaint of discrimination in as informal a manner as possible by talking with the person or persons alleged to have violated the policy of nondiscrimination.

The following complaint procedure must be used for complaints of discrimination or non-compliance:

## 1. Filing a Complaint

A person who believes he or she has been discriminated against must provide timely notice to the Officer; timely notice generally means within 20 calendar days of the alleged violation. The complainant must disclose the identity of the alleged violator, and location, date(s) and description of the alleged discrimination.

## 2. Investigation

Within 10 calendar days, the Officer will meet with the complainant to discuss the complaint and will conduct an investigation into the facts of the matter and will determine whether or not unlawful discrimination occurred. Within 10 calendar days of completing the investigation the Officer will report findings to the complainant and the alleged perpetrator and to the appropriate disciplinary authority for action if a violation has occurred. If a disciplinary action is taken as a result of a grievance decision, that action will be taken utilizing procedures established by collective bargaining agreements or the Student Code of Conduct.

The Officer may refer a misconduct report to other College personnel for review or to solicit assistance for the victim. At the discretion of the President of the College, the matter may be referred to MCCS General Counsel.

## 3. Appeals to College President

Within fifteen (15) calendar days after receiving the Officer’s decision, any party to the complaint who is aggrieved by the decision may appeal to the College President or designee.

## 4. Decision of the College President

Within 15 calendar days of receipt of the appeal, the College President or designee will meet with the student to discuss the appeal. As soon as practical after the meeting, the College President or designee will issue in a format accessible to the student a final decision regarding the grievance.

## 5. Record Retention

The College will retain a record of all complaints, appeals and responses under the above policy and procedure for at least three (3) years.

# POLICY AND PROCEDURES REGARDING DISABILITIES AND REQUESTS FOR ACCOMMODATIONS

## I. PREFACE

This section sets forth the policy of Central Maine Community College (College) for qualified students (“students”) and employees (“employees”) with legally recognized disabilities (“disabilities”) who are entitled to and who are requesting reasonable accommodations (“accommodations”). The purpose of this document is to guide College students, faculty and staff in providing and receiving disability related services. No portion of this document is intended to expand or diminish any right or obligation imposed by law.

## II. STUDENTS

### A. INTRODUCTION

#### 1. Statement of College Policy

Pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990; and Maine Human Rights Act, the College is committed to helping qualified students with disabilities achieve their individual educational goals. Upon request and documentation, the College provides to qualified students reasonable accommodations to remediate the competitive disadvantage that a disability can create in our collegiate setting. The goal of the College is to balance on a case-by-case basis the specific needs of its students with the programmatic integrity, administrative resources and financial limitations of the College.

#### 2. Examples of Disabilities

Applicable law protects many, but not all, impairments that may be regarded as disabling. Disabilities protected by law include certain physical, psychological, mental, neurological, and learning disabilities. The law also protects certain cosmetic disfigurements and serious contagious and non-contagious diseases including, but not limited to, AIDS, AIDS-related complex, epilepsy and tuberculosis.

#### 3. Examples of Accommodations

Reasonable accommodations will be made on a case-by case basis and implemented to meet the specific needs of each student and each course, program or activity. Such accommodations may include, for example, providing additional copies of handouts and supplementary materials for readers, note takers and interpreters; enlarging and photocopying reading materials; providing printed outlines of class lectures or lesson plans; allowing for extra time during writing assignments and tests; allowing students to take exams in a quiet, distraction-free environment under supervision; providing alternative seating arrangements in a classroom or lab; providing for the alternative access to course content, such as a video and audio recordings; providing a reasonable amount of additional time for tutoring or conferring with the student; and other accommodations deemed reasonable by the college.

### B. PROCEDURE FOR REQUESTING, REVIEWING AND IMPLEMENTING ACCOMODATIONS

Applicable law requires a multi-step process for assessing requests for, and provision of, reasonable accommodations. The College administers that process as follows:

#### 1. Notice, Meeting and Documentation

In addition to other requirements imposed by law, a student must:

- a. be admitted to or enrolled at the College;
- b. disclose as soon as possible after acceptance to the ADA Services Coordinator (“Coordinator”) the student’s alleged disability and request for accommodations. While a student is free to disclose his or her condition and request to instructors or staff, and while instructors and staff are encouraged to refer such disclosures to the Coordinator, a student **must not** rely on disclosures to persons other than the Coordinator. The student **must** provide timely notice to the Coordinator; notice that does not permit the College a meaningful opportunity to review and implement an accommodation is **not** timely.
- c. make an appointment to meet with the Coordinator to discuss the alleged disability and possible accommodations: and

# **POLICY AND PROCEDURES REGARDING DISABILITIES AND REQUESTS FOR ACCOMMODATIONS**

d. at the initial consultation, provide current and valid documentation of the alleged disability. This documentation must specify the nature of the disability, how the disability affects the student in a college environment, and recommendations for accommodations to remediate competitive disadvantage. Examples of current and valid documentation include, but are not limited to:

(i) written assessment completed by a licensed or certified professional qualified to evaluate the disability; or

(ii) written evaluation based on assessment reports from the student's most recent secondary or post-secondary school.

A prospective or current student who believes that he or she may have a disability that is currently undiagnosed, undocumented or insufficiently documented should meet with the Coordinator for referral assistance.

## **2. College Review of the Request**

The Coordinator will review the disability documentation, the student's prior disability-related services and other pertinent information. The Coordinator may also consult confidentially with the person(s) assessing the student's disability and those College officials who the Coordinator deems necessary to the appropriate decision.

### **a. Approval of the Student's Request**

If the Coordinator finds the student eligible for accommodation, the Coordinator will discuss with the student the accommodations appropriate and reasonable under the circumstances. If the student and Coordinator agree to the provision of certain accommodations, the Coordinator will memorialize that agreement in a draft confidential Memorandum ("Memo") to the student. The student must approve, revise or reject the Memo and return it to the Coordinator. If the student wishes to revise or reject the Memo, the student must make an appointment and meet with the Coordinator and if the student and the Coordinator agree to different terms the new terms will be similarly be memorialized and approved, revised or rejected.

By agreeing to the terms of the Memo, the student understands that the Coordinator may share, confidentially, with necessary College personnel, information regarding the student's needs. The student must also meet with the affected instructor(s) to coordinate implementing the recommended accommodations. When requested by the student, the student's academic advisor and/or the Coordinator may assist in this effort.

As necessary, the student must arrange to renew or update the terms of the Memo at the beginning of each semester.

### **b. Disapproval of the Student's Request**

If the Coordinator finds the student ineligible for accommodation, or if a requested accommodation is denied by the Coordinator, the Coordinator will so notify the student. The student may then grieve the Coordinator's decision pursuant to the Grievance Procedure in Section III.

## **3. Role of Faculty, Instructors, Staff and Administrators**

Faculty, instructors, staff and administrators are situated to play an important role in this process. They are encouraged to refer to the Coordinator students who disclose a condition that may be disabling or who request an accommodation. Such persons may be asked to participate in identifying and assessing possible accommodations. Such persons shall keep confidential all such information regarding the student, and shall implement the accommodation(s) deemed reasonable by the College President. Faculty, instructors, staff and administrators with concerns or questions regarding a disability or its accommodation should bring these concerns or questions to the attention of the Coordinator as soon as possible.

# **POLICY AND PROCEDURES REGARDING DISABILITIES AND REQUESTS FOR ACCOMMODATIONS**

## **C. GRIEVANCE PROCEDURE**

The following grievance procedure must be used by a student for complaints regarding claims of disability and requests for accommodation.

### **1. Contents of the Grievance**

The grievance must be in writing; contain the name, address, and telephone number of student; and the location, date and description of the alleged discrimination. Alternative means of grieving, such as personal interview or tape-recording, are available upon request, if required by disability.

### **2. Filing the Grievance**

The student or, if necessary because of disability, a designee must submit the grievance to the ADA Compliance Officer ("Officer") as soon as possible and no later than twenty (20) calendar days after the alleged violation. The Officer may be contacted at Central Maine Community College, Affirmative Action Office, Jalbert Hall (207) 755-5233.

### **3. Officer's Decision**

As soon as practical after receipt of the grievance, the Officer will meet with the student to discuss the complaint. As soon as practical after the meeting, the Officer will respond in a format accessible to the student (such as large print, Braille or audiotape). The response will explain the position of the College and, where practical, offer options for substantive resolution.

### **4. Student Appeal to College President**

Within fifteen (15) calendar days after receiving the Officer's decision, the student may appeal to the College President or designee.

### **5. Decision of the College President**

As soon as practical after the receipt of the appeal, the College President or designee will meet with the student to discuss the appeal. As soon as practical after the meeting, the College President or designee will issue in a format accessible to the student a final decision regarding the grievance.

### **6. Record Retention**

The college will retain all grievances, appeals and responses in the above Procedure for at least three (3) years.

## **D. DISTRIBUTION**

This Policy and Procedure shall be distributed to all employees and added to the Student Handbook. Notice of the College's non-discrimination statement and contact information for the Affirmative Action Officer/ADA Compliance Officer and shall be posted in conspicuous locations throughout the campus.

## **III. EMPLOYEES**

### **A. INTRODUCTION**

#### **1. Statement of College Policy**

Pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990; and Maine Human Rights Act, the College is committed to helping qualified employees with disabilities maintain their productivity in the workplace. Upon request and documentation, the College provides to qualified employees reasonable accommodations to remediate the disadvantage to employment conditions that a disability can create in our setting. The goal of the College is to balance on a case-by-case basis the specific needs of its employees with the integrity, administrative resources and financial limitations of the College.

#### **2. Examples of Disabilities**

Applicable law protects many, but not all, impairments that may be regarded as disabling. Disabilities protected by law include certain physical, psychological, mental, neurological, and learning disabilities. The law also protects certain cosmetic disfigurements and serious contagious and non-contagious diseases including, but not limited to, AIDS, AIDS-related complex, epilepsy and tuberculosis.



# POLICY AND PROCEDURES REGARDING DISABILITIES AND REQUESTS FOR ACCOMMODATIONS

## 3. Accommodations

Reasonable accommodations will be made on a case-by case basis and implemented to meet and balance the specific needs of each employee and the College.

## B. PROCEDURE FOR REQUESTING, REVIEWING AND IMPLEMENTING ACCOMODATIONS

Applicable law requires a multi-step process for assessing requests for, and provision of, reasonable accommodations. The College administers that process as follows:

### 1. Step One: Notice, Meeting and Documentation

In addition to other requirements imposed by law, an employee must:

**a.** disclose to the ADA Services Coordinator (“Coordinator”) the employee’s alleged disability and request for accommodations. While an employee is free to disclose his or her condition and request to supervisors or co-workers, and while supervisors and co-workers are encouraged to refer such disclosures to the Coordinator, an employee **must not** rely on disclosures to persons other than the Coordinator. The employee **must** provide timely notice to the Coordinator; notice that does not permit the College a meaningful opportunity to review and implement an accommodation is **not** timely.

**b.** make an appointment with the Coordinator to discuss the alleged disability and possible accommodations: and At the initial consultation, provide current and valid documentation of the alleged disability. This documentation must specify the nature of the disability, how the disability affects the employee in a work environment, and recommendations for accommodations to remediate disadvantage.

Examples of current and valid documentation include, but are not limited to: written assessment completed by a licensed or certified professional qualified to evaluate the disability.

An employee who believes that he or she may have a disability that is currently undiagnosed, undocumented or insufficiently documented should meet with the Coordinator for referral assistance.

### 2. Step Two: College Review of the Request

The Coordinator will review the disability documentation and other pertinent information. The Coordinator may also consult confidentially with the person(s) assessing the student’s disability and those College officials who the Coordinator deems necessary to the appropriate decision.

#### **a.** Approval of the Request

If the Coordinator finds the employee eligible for accommodation, the Coordinator will discuss with the employee the accommodations appropriate and reasonable under the circumstances. If the employee and Coordinator agree to the provision of certain accommodations, the Coordinator will memorialize that agreement in a draft confidential Memorandum (“Memo”) to the employee. The employee must approve, revise or reject the Memo and return it to the Coordinator. If the employee wishes to revise or reject the Memo, the employee must make an appointment and meet with the coordinator and if the employee and the Coordinator agree to different terms the new terms will be similarly be memorialized and approved, revised or rejected.

By agreeing to the terms of the Memo, the employee understands that the Coordinator may share, confidentially, with necessary College personnel, information regarding the employee’s needs.

#### **b.** Disapproval of the Employee’s Request

If the Coordinator finds the employee ineligible for accommodation, or if a requested accommodation is denied by the Coordinator, the Coordinator will so notify the employee. The employee may then grieve the Coordinator’s decision pursuant to the Grievance Procedure in Section III.

# **POLICY AND PROCEDURES REGARDING DISABILITIES AND REQUESTS FOR ACCOMMODATIONS**

## **C. GRIEVANCE PROCEDURE**

The following grievance procedure must be used by an employee for complaints regarding claims of disability and requests for accommodation.

### **1. Contents of the Grievance**

The grievance must be in writing; contain the name, address, and telephone number of student; and the location, date and description of the alleged discrimination. Alternative means of grieving, such as personal interview or tape-recording, are available upon request if required by disability.

### **2. Filing the Grievance**

The employee or, if necessary because of disability, a designee must submit the grievance to the Compliance Officer ("Officer") As soon as possible and no later that twenty (20) calendar days after the alleged violation. The Officer may be contacted at Central Maine Community College, Affirmative Action Office, Jalbert Hall, (207) 755-5396.

### **3. Officer's Decision**

As soon as practical after receipt of the grievance, the Officer will meet with the employee to discuss the complaint. As soon as practical after the meeting, the Officer will respond in a format accessible to the employee (such as large print, Braille or audiotape). The response will explain the position of the College and, where practical, offer options for substantive resolution.

### **4. Appeal to College President**

Within fifteen (15) calendar days after receiving the Officer's decision, the employee may appeal to the College President or designee.

### **5. Decision of the College President**

As soon as practical after the receipt of the appeal, the College President or designee will meet with the employee to discuss the appeal. As soon as practical after the meeting, the College President or designee will issue in a format accessible to the student a final decision regarding the grievance.

### **6. Record Retention**

The college will retain all grievances, appeals and responses in the above Procedure for at least three (3) years.

## **D. DISTRIBUTION**

This Policy and Procedure shall be distributed to all employees and added to the College Policy Manual. Notice of the College's non-discrimination statement and contact information for the Affirmative Action Officer/ADA Compliance Officer and the ADA/504 Services Coordinator shall be posted in conspicuous locations throughout the campus.