

2-2 Civil Rights/Nondiscrimination Policy (23 NCAC 2C.0701a)

College of The Albemarle is committed to the principle of equal opportunity. It is the college's policy to comply with the provisions of the Civil Rights Act of 1964 and other acts banning discrimination because of race, national origin, color, religion, sex, disability, age, or political affiliation with regard to its employees or applicants for employment.

A. Distribution of Policy

The above nondiscrimination policy statement will be included in the *Policy and Procedure Manual* and employee applications for employment.

B. Responsibility for Policy Implementation (23 NCAC 2C.0701b)

The President of College of The Albemarle will be responsible for coordinating efforts to comply with and to carry out the responsibilities under federal statutes and regulations, which deal with nondiscrimination. The Director, Human Resources shall maintain up-to-date compliance forms for the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and Title IX of the Education Amendments of 1972.

Grievance Procedures

All complaints and appeals which are based on the college's nondiscrimination policy must be submitted in writing to the Director, Human Resources who will refer the complaint or appeal to the appropriate college official or committee. A written record will be maintained on all complaints and their disposition.

The procedure to be followed by an employee or employee applicant when they believe the college's nondiscrimination policy has been violated is as follows:

1. Submit a written complaint to the Director, Human Resources within thirty (30) days of the events giving rise to the grievance. The complainant must include a detailed description of the factual basis for the grievance, the identity of all persons involved in the event(s) and a statement of the actions requested by the complainant.
2. Within ten (10) working days, the Director, Human Resources will refer the complaint to the Vice President or Dean on the President's Leadership Team who has supervisory responsibilities for the position in question. The staff member will begin an investigation and attempt to resolve the complaint.
3. Should the complainant or the person against whom the complaint has been made be dissatisfied with the decision rendered by one of the above individuals, a written appeal may be submitted, within ten (10) working days, to the President.

4. The President will then refer the complaint, within ten (10) working days, to the following appeals committee:
5. Employees and employee applicants may follow or participate in the grievance procedure without fear of reprisal or retaliation.

Employee and Employee Applicant Appeals Committee

This committee will be composed of the Chair of the Faculty Executive Committee and two officers from the following list who did not handle the initial complaint: The Vice President, Learning; Vice President, Student Success and Enrollment Management; Vice President, Business and Administrative Services; Vice President, Workforce Development and Continuing Education; Dean, Edenton-Chowan Campus; and Dean, Dare County Campus. The President will appoint one of the committee members to serve as Chair. The committee shall hear the grievance, make its findings, and submit its recommendations in writing to the complainant and any other appropriate parties (including, if applicable, the person against or about whom the complaint was made) with a copy to the President and the Director, Human Resources within thirty (30) working days of receipt of the appeal.

6. Should the complainant or the person against or about whom the complaint has been made be dissatisfied with the decision rendered by the above committee, a written appeal may be submitted to the President, within ten (10) working days after the date of the committee's decision. The President will then render a decision which will be sent to all appropriate parties within ten (10) working days after his/her receipt of the appeal. If no appeal has been filed, the President may adopt the committee's decision or may reject or modify the decision and promptly notify all appropriate parties. If no appeal was filed, and if it is the decision of the President to adopt without modification the committee's recommendations, then there shall be no further right of appeal.
7. The President's decision may be appealed (except as provided above) within ten (10) working days, to the Board of Trustees via a written appeal to the Chair, Board of Trustees with a copy to the President. The Board shall consult with the President to determine whether or not it will hear the appeal. If the Board determines not to hear the appeal, then the decision of the President will stand as final. If the Board agrees to hear the appeal, it will be heard in closed session (unless prohibited by law) by either the full Board of Trustees or by a committee of Trustees, appointed by the Chair. Any such hearing will be conducted no less than ten (10) working days and no more than thirty (30) days after notification of the hearing is delivered by the Board to the appellant and other appropriate parties. The Board or the Trustee Committee shall render its written decision to the parties within ten (10) working days following the hearing. That decision shall be final.