



College of The Albemarle Procedure

Procedure Number: 4-2.1P

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Title: Civil Rights/Nondiscrimination

Related Policy:

Division of Responsibility: Student Success and Enrollment Management

6/2021

Date of Last Review

Date of Last Revision

It is the policy of College of The Albemarle 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 students or applicants for admission.

College of The Albemarle shall adhere to the policy and procedures of the North Carolina Community College System as set forth in the State Board of Community Colleges Codes.

The applicable State Code is:

1C SBCCC 200.95 Civil Rights

College of The Albemarle shall develop and publish procedures to guarantee a prompt, reasonable, and impartial process for addressing informal and written student complaints. The College maintains a record of student complaints.

Administrative Responsibilities

It is the responsibility of the College President, Vice President of Student Success and Enrollment Management and the Director of Human Resources to review and revise this procedure.

Procedures

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 students, or applicants for admission.

A. Distribution of Policy

The above nondiscrimination policy statement will be included in the *Student Handbook*, the *College Catalog*, on student applications, on brochures and other materials used in recruiting students, and on the college's web site.



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B. Responsibility for Policy Implementation SBCCC200.95(a)

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.

C. 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 a student, or 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 responsibility for the position in question. That 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 committees:

Student and Student Applicant Appeals Committee

This committee will be composed of the Vice President, Learning; the Chair of the Faculty Executive Committee; the Chair of the Staff Council and the President of the Student Government Association or his or her designee. The Vice President, Learning will serve as the Chair of this committee. 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 Director, Human Resources within thirty



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(30) days of receipt of the appeal.

5. Should the complainant or the person against or about whom the complaint has been made be dissatisfied with the decision rendered by the above committees, a written appeal may be submitted to the President, within ten (10) working days after the date of the committee's decision. The President shall review the record of evidence and proceedings from the Committee and may make any other inquiry the President considers necessary to render a fair and appropriate 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.
6. 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 of the 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 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.
7. Students and student applicants may follow or participate in the grievance procedure without fear of reprisal or retaliation.
8. Failure by a student or student applicant to comply with any of the time limits of this policy, or to participate in any investigation or hearing shall be grounds for dismissal of their complaint and termination of the Grievance Procedures.