



# Cumberland School Department Policy Manual

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AFFIRMATIVE ACTION PLAN

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## PURPOSE

The Cumberland School Committee believes that the race, color, religion, gender, national origin, sexual orientation, disability, age, or gender expression of an individual should not serve as a barrier to his or her equal opportunity for employment. Practices and conditions may exist which adversely affect the employment opportunities of entire groups of people, most notably women and members of minority groups and disabled persons.

The mere elimination of discriminatory barriers to employment is often not in itself sufficient to provide equal opportunities. The Committee, therefore, intends to pursue affirmative action through positive and aggressive measures designed to support and fulfill the Committee's commitment to equal employment opportunity.

In support of this intention, the Committee shall create a plan of affirmative action which will ensure non-discrimination in employment, include remedies to overcome the effect of any past exclusions, remove any existing barriers to the provision of equal employment opportunity, and adhere to both federal and state laws and regulations regarding affirmative action and equal employment opportunity.

*\*The Equal Pay Act of 1963, the Civil Rights Act of 1964, Presidential Executive Order 11246, the Age of Discrimination Act of 1969, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, 1972 Amendments to Title VII of the Civil Rights Act of 1964, Rhode Island General Law 28-5.1 entitled Equal Opportunities and Affirmative Action.*

## DISSEMINATION

In order to ensure that the public as well as all those directly concerned with the Cumberland School Department be apprised of our policy, the following steps will be taken under the direction of the Human Resources Department:

- A. A legal notice of the statement of our Affirmative Action Policy will be distributed annually to local newspapers for publication. Included will be the names of local and state compliance officers as well as procedures for due process.
- B. A statement of policy, including due process procedures and the names of local and state compliance officers will be disseminated without regard to gender, disablement, age or minority group to:
  1. All present and future employees as well as applicants for employment.
- C. A statement of policy, including due process procedures and the names of local and state compliance officers, and a copy of the EEO/AA plan will be disseminated to:
  1. The Cumberland Teachers' Association.
  2. The Independent Cumberland School Employees.
  3. Anyone requesting such policy statement and/or plan.



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- D. The following statement will appear on all publications of the Cumberland School Department, including advertisements, postings, stationery, student handbooks, employees' handbooks and other school publications.

*"The Cumberland School Department is an Equal Opportunity/ Affirmation Action Employer."*

- E. The Cumberland School Department will not utilize, distribute, or support any publication which suggests by test or illustration that the Department treats applications, students, or employees differently on the basis of gender, disablement, age or minority group, unless such treatment is in agreement with state and federal law.

## **COMPLIANCE OFFICER**

The Compliance Officer appointed by the Cumberland School Committee is a member of the Advisory Committee and has the following responsibilities:

1. To make known the Equal Employment Opportunity/Affirmative Action Policy of the Cumberland School Department.
2. To serve as liaison between the School Department and the community action groups concerned with employment opportunities of minorities and women.
3. To assist in monitoring the School Department's recruitment, hiring, promotion and training policies.
4. To assist in developing recruitment literature and materials aimed at women and minority groups.
5. To assist in the processing of all complaints of discrimination.
6. To counsel present and prospective employees in relation to the Affirmative Action plan.
7. To report to and provide assistance to the Superintendent and the School Committee in meeting the goals and responsibilities set forth in this plan.
8. To meet with all personnel for creating awareness about their rights and responsibilities in regard to this plan.
9. To ensure that recruitment procedures are directed towards members of minority groups and to women.
10. To design selection procedures which are non-discriminatory.
11. To examine wage and salary structure.
12. To examine benefits and conditions of employment.
13. To review tests and performance measures, and to train evaluators not to make discriminatory judgments.
14. To examine childbearing and childrearing policies.
15. To inform every one of due process procedures.
16. To compile Cumberland School Department statistics on women, minorities, disabled and age.



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## **PROCEDURE FOR DUE PROCESS IN THE CASE OF DISCRIMINATION FOR APPLICANTS OR EMPLOYEES**

For purposes of this due process procedure, discrimination is defined as action adversely affecting the employee or conditions of employment, if the action is based on the employee's race, color, national origin, religious or political affiliation, gender, gender expression, age, or physical or mental disability.

### Step I

If the employee feels discriminated against for any of the reasons stated above, the Compliance Officer of the Cumberland School Department may be contacted verbally, in writing, or in person, within ten (10) working days of the alleged incidence of discrimination.

Within five (5) working days of receipt of the complaint, the Compliance Officer will contact the employee for consultation regarding the incident.

Within fifteen (15) working days following contact with the employee, the Compliance Officer will investigate the complaint. The investigation may include consultation with the employee's supervisor or with other persons involved in the alleged incident of discrimination. A written opinion regarding the incident may be secured from all involved persons.

### Step II

If necessary, the Compliance Officer may bring together the employee, the supervisor, the appointing authority, and other persons involved in the incident, in order to reconcile the parties' differences and/or rectify the alleged discrimination.

If a mutually satisfactory solution is reached in this way, the agreement will be recorded in writing. Within ten (10) working days, the agreement will be recorded in writing. Within ten (10) working days, the agreement will be signed by the employee, the supervisor or appointing authority, and the Department's Compliance Officer.

### Step III

If a mutual agreement cannot be reached via this meeting, the Compliance Officer will render a recommendation within five (5) working days to the State Equal Employment Opportunity Office.

Within ten (10) working days of receipt of this recommendation, a hearing of the concerned parties will be held by the State Equal Opportunity Officer.



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Within ten (10) working days of the hearing, the State Equal Opportunity Officer, in consultation with the Compliance Officer, will render a decision to all involved parties. This decision will be based on the recommendation of the Compliance Officer and on information obtained in the hearing. This decision may include actions required to reconcile differences and/or rectify discrimination, and it will also include the names of appropriate agencies to which the employee can turn for further recourse in the due process procedure. Such agencies include the State Human Rights Commission and the Regional Equal Employment Opportunity Commission.

*Note: Applicants or employees may file a complaint directly with the State or Regional Equal Employment Opportunity Commission, or Equal Opportunity Officer, Human Rights Commission, without going through the process listed above.*

## CUMBERLAND SCHOOL DEPARTMENT

DATE: \_\_\_\_\_

TO: The Cumberland School Department

I have read the Affirmative Action Requirements and Equal Employment Opportunity as adopted by the Cumberland School Department and approved by the Cumberland School Committee.

A copy of the School Policy is attached as part of the bid specifications.

Company:

Signed: \_\_\_\_\_  
Name

Title: \_\_\_\_\_

Contract No: \_\_\_\_\_

For: \_\_\_\_\_



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## MONITORING PROCESS

### Equal Employment Opportunity/Affirmative Action Policy

All advertisements for any certified and non-certified positions indicated the Cumberland School Department is an:

#### **“Equal Employment Opportunity/Affirmative Action Agency”**

All applicants for any position within the Cumberland School Department are treated equally without regard to and not discriminated on the basis of:

#### **“Age, Gender, Gender Expression, Disability, Race, Religion, National Origin, Color, Creed, or Political Affiliation”**

The hiring process is fair and is conducted without:

#### **“Discrimination”**

Provide all applicants access to appropriate information on all vacancies within the school system.

Prepared by: Robert A. Mitchell  
Affirmative Action Officer

Date: \_\_\_\_\_

The Cumberland School Department does not discriminate on the basis of age, gender, gender expression, race, religion, national origin, color or disability in accordance with applicable laws and regulations.



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Inquiries regarding equal employment, educational activities, and/or programs may be directed to:

## SCHOOL DEPARTMENT AFFIRMATIVE ACTION OFFICER

Robert A. Mitchell, Superintendent  
Cumberland School Department  
2602 Mendon Road  
Cumberland, RI 02864-3496  
Telephone: (401) 658-1600  
Email: [robert.mitchell@cumberlandschools.org](mailto:robert.mitchell@cumberlandschools.org)

## STATE AFFIRMATIVE ACTION OFFICER

Raymond Lambert, Administrator  
State Equal Opportunity Programs  
One Capitol Hill  
Providence, RI 02908  
Telephone: (401) 222-3090  
Fax: (401) 222-2490  
Email: [rlambert@gw.doa.state.ri.us](mailto:rlambert@gw.doa.state.ri.us)  
TTY: Relay 711

## U.S. DEPARTMENT OF EDUCATION

New England Region - (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont)  
Susan Rhodes, Regional Manager  
Office for Civil Rights  
U.S. Department of Health and Human Services  
Government Center  
J.F. Kennedy Federal Building - Room 1875  
Boston, MA 02203  
Customer Response Center: (800) 368-1019  
Fax: (202) 619-3818  
TDD: (800) 537-7697  
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)

*Policy Adopted: April 23, 1987;*

*Reviewed and Approved by Policy & Procedures Sub-Committee: 07/12/2016*

*Reviewed and Approved by Cumberland School Committee: 07/14/2016*

*Reviewed and Approved by Policy & Procedures Sub-Committee: 07/11/2017*

*Reviewed and Approved by Cumberland School Committee: 07/13/2017*