

Nashua Community College

Human Rights/Equity (Affirmative Action)

Statement of Nondiscrimination

Human Rights/Equity Committee Reporting Procedures

The Nashua Community College Human Rights/Equity Committee (HREC) is sensitive to the threat and/or embarrassment an individual may experience in coming forward with a complaint regarding discriminatory behavior. The reporting procedures outlined below are designed to provide a safe, confidential, and supportive environment in which an individual may discuss his/her concerns. This committee has been put in place for use by students, faculty, staff and administration.

Complaints of discrimination, or of retaliation for making such complaints, may be reported directly to NCC's Human Rights/Equity Committee Chairperson at ncchumanrights@ccsnh.edu . Complaints may also be reported to any member of the HREC or NCC's faculty, staff, or administration, who will then refer the complaint(s) to the Committee Chairperson. Each reported complaint will be followed up by the Committee Chairperson or designee in a timely manner.

Any NCC student or employee who has observed or is aware of discriminatory behavior and/or retaliation for reporting said discriminatory behavior should report this to the Human Rights/Equity Committee Chairperson or other HREC representative.

No one shall be required to file a complaint with an individual who is hostile to him/her and/or who engages in, or has been alleged to have engaged, in conduct which could be considered discriminatory.

Initial Reporting

The individual with the complaint is encouraged to contact NCC's Human Rights/Equity Chairperson at ncchumanrights@ccsnh.edu to arrange for a meeting. This communication and meeting will be confidential and considered an informal review or discussion of the incident. An attempt to resolve the alleged complaint within ten (10) working days will be initiated by the Committee Chairperson. If a resolution cannot be reached through these informal means, a formal investigation will be launched, with the permission and written request of the complainant. Every attempt will be made to maintain the anonymity of the individuals involved, and each complaint will be handled as confidentially and expeditiously as possible.

Formal Investigations

Formal reporting procedures must be initiated within one year of the alleged violation. Investigations shall be conducted with particular care to preserve the confidentiality of all persons involved. Only those who have an immediate need to know (including, but not necessarily limited to, the investigator(s), the grievant (s), the respondent(s), and College President) shall be provided with the identity of the grievant, the respondent, and the allegations.

All involved persons shall be afforded the opportunity to submit information relevant to a complaint. All parties contacted in the course of an investigation shall be formally advised of the necessity of confidentiality and that any breach of confidentiality shall be treated as misconduct subject to disciplinary action. The investigation will be conducted within thirty (30) calendar days of receipt of a written complaint. If additional time is required to ensure a thorough investigation, this time may be extended. Upon completion of the investigation, a written report will be submitted to the College President, and will be disclosed to the grievant and respondent. If the investigators have determined that the complaint was proven valid by a preponderance of the evidence, the investigators' report to the College President shall be accompanied by a recommendation for corrective and/or disciplinary action determined according to the totality of the circumstances uncovered during the investigation. In making a recommendation for corrective and/or disciplinary action, the investigators may consider (but not limit themselves to) the following factors:

- the severity of the offense
- the frequency and duration of the prohibited conduct
- the extent to which the misconduct, however minor, serves to create an intimidating campus environment for the grievant, or otherwise increases the difficulties of education or job performance for the grievant.

The College President will take the report and its recommendations under advisement, and make a decision regarding any corrective and/or disciplinary action that may be taken. The time between submission of the report to the College President and the commencement of corrective and/or disciplinary action shall be no longer than 21 calendar days. The College President will provide the Human Rights/Equity Chairperson with written documentation of the decision regarding corrective and/or disciplinary action at the time of or prior to the commencement of disciplinary action. Both the grievant and the respondent will be informed of the College President's decision.

Appeals

Appeals of the President's decision may be made by students according to the procedures outlined in the Community College System of NH policy manual and/or the NCC Student Handbook, which is available in the Vice President of Student and Community Affairs office, the Library, the NCC website and in various offices on campus. Faculty, staff, and administrators may appeal according to the procedures outlined in their current Collective Bargaining Agreement or the Handbook for Administrative, Managerial, Professional and Operating Support Staff Exempt from the Collective Bargaining Process (Confidential Employees).

Retaliation Prohibited

Retaliation of any kind against anyone making an allegation of discrimination, against anyone involved in the investigation, or against anyone involved in the decision regarding corrective and/or disciplinary action is strictly prohibited, and will be subject to disciplinary action against the retaliator.

Any questions regarding these procedures or the State and Federal antidiscrimination legislation listed above should be addressed to any of the following:

NCC Human Rights/Equity Committee Chairperson

*Doug Pelczar
Library Office 130B
Nashua Community College
505 Amherst St
Nashua, NH 03063
Phone: (603) 578-8962
ncchumanrights@ccsnh.edu (confidential email)*

***Community College System of New Hampshire
Director of Human Resources***

*26 College Drive
Concord, NH 03301
Phone: (603) 271-2722
Fax: (603) 271-2725*

New Hampshire Commission on Human Rights

*2 Chenell Drive Unit 2
Concord, NH 03301
Phone: (603) 271-2767
Fax: (603) 271-6339
E-mail: humanrights@nhsa.state.nh.us*

Office of Civil Rights

U.S. Department of Education

*8th Floor
5 Post Office Square
Boston, MA 02109-3921
Voice phone (617) 289-0111
FAX (617) 289-0150
TDD (800) 877-8339
E-mail: OCR.Boston@ed.gov*

Revised: June 26, 2017