Allegany College of Maryland

STUDENT & LEGAL AFFAIRS

DISCRIMINATION GRIEVANCE REPORT/FORM

Any person who has experienced or witnessed unlawful discrimination and/or violation of civil rights protections* is strongly encouraged to report it so the College can address it. Read and follow the directions below. Retaliation for making a complaint or participating in the process is prohibited. See the next page for a general description of the process.
NOTE: Title IX reports are handled by a different process.

Directions: Complete this form in its entirety. Attach a typed statement and any supporting documentation. (Incomplete complaints will be returned to the submitter.) Send everything to Dr. Renee Conner, Dean of Student & Legal Affairs via email (rconner@allegany.edu). via hand-delivery (CC-12), or via postal mail (12401 Willowbrook Rd. Cumberland MD 20502),

Your Name (Complainant): _____

Address: _____

Phone: _____ Email: _____

- **What** type of unlawful discrimination is being alleged?
  ** Discrimination on the basis of sex (including pregnancy) is federally protected under Title IX. Contact the Title IX Coordinator or see www.allegany.edu/titleix for that form.*

Federal Law (+ Maryland, PA, employment law)	Maryland Law (only)	Pennsylvania Law (only)	Employment Law (only)
○ Race ○ Color ○ National Origin / Ancestry ○ Religion ○ Age ○ Disability ○ Veteran/Military Status	○ Marital Status ○ Sexual orientation ○ Gender Identity	○ Genetic Information	○ Marital Status ○ Sexual orientation ○ Gender Identity ○ Genetic Information

- **Who** is the College Official you are accusing of discrimination? _____
- **When** did the discrimination being alleged occur? Reports should be made in a timely manner.

  Date(s): _____ Time: ____:_____ am or pm
- **Where** did the discrimination being alleged occur? (ie., location) _____
- **What happened? Describe** in detail the discriminatory act(s) being alleged? *Must be typed and attached.*
  - The complaint should provide details about the particular acts of discrimination being alleged.
  - The complaint should describe whether/how the College Official treated the complainant differently than others in similar circumstances *because* of the Complainant's status as noted above.
  - The complaint should describe how the incident is connected to the College (ie., class, activity, ACM personnel in their official capacity, ACM sponsored event, etc.)
  - Attach any supporting documentation.
- **What** would resolve the issue or concern for you? (ie., what do you want to happen next?)
  Be specific. Must be typed and attached.

CERTIFICATION

By signing below, I certify that I have read and completed this report myself. I certify that all contents and any attachments are true and complete. I understand that any inaccurate, misleading, fraudulent, or incomplete information could result in the grievance being denied or other action (including disciplinary action) by the College as appropriate. I understand that the College reserves the right to request additional documentation and/or to verify any claims made in this report. I understand that submitting this form does not guarantee any particular response by the College.

_____ ____/____/____

Signature **Date**

Upon receiving a report of alleged discrimination by a College Official, Allegany College of Maryland will:

1. Review the written grievance report/form and any related documentation.
2. Determine if the report alleges unlawful discrimination and is specific and credible.
   - ›› **Standard: Sufficient, substantiating evidence**

   Vague claims are insufficient to support action by the College. Allegations must be sufficiently detailed to permit a reasonable investigation. Where possible, allegations should be corroborated by documents, written communications, videos/photos, witnesses, and/or other sources of information
3. If so, conduct a prompt, adequate, reliable, and impartial formal investigation of the complaint.
   - ›› *Accused person(s) (Respondent) is provided a copy of the complaint.*
   - ›› *Internal investigation procedures will be followed.*
4. Take immediate and appropriate action to stop any discrimination that is occurring
5. Determine if illegal discrimination occurred.
   - ›› **Standard: Preponderance of the evidence**
6. Take immediate and appropriate action to prevent its recurrence
7. Take immediate and appropriate action to remedy the effects upon the complainant.
8. Follow all appropriate procedures and other institutional policies.
9. Preserve the confidentiality and dignity of all parties;
10. Comply with other legal and policy/procedure requirements – coordinating this process with other procedures where appropriate for efficiency and fairness to all parties.

Illegal Discrimination: *An act that adversely affects a person in one of the protected classes listed in above and that is demonstrably different than how the College Official treated similarly situated persons who are not in the Complainant's protected class. Unlawful discrimination can be based upon both disparate treatment of a person/group of persons or upon disparate impact on a person/group of persons who belong to a protected class. Unlawful discrimination can also be based on the creation of a hostile environment by peers – including students.*

Outcome: *No particular outcome is guaranteed. The focus of this process is to identify if illegal discrimination is occurring; if not, then the matter will be closed without any adverse action. However, if illegal discrimination is proven to have occurred, the College will take steps to stop it, to prevent its recurrence, and to remedy any harmful effects upon the Complainant. The unique facts and surrounding circumstances will determine next steps. The matter could be referred to the responsible party's supervisor and/or Human Resources for corrective action. (Students may be referred to the Code of Student Conduct.)*

Informal Resolution*: At any point in the complaint process, if a mutually agreeable solution is reached, the matter may be closed without penalty or consequence to any party. The Dean of Student & Legal Affairs or designated College Official reserves the right to suggest resolutions at any time. The resolution shall be documented and provided to both the Complainant(s) and the Respondent(s). Written confirmation may be requested*

Withdrawing a complaint*: Any person who has reported unlawful discrimination has the option to subsequently withdraw the grievance without penalty or consequence. Circumstances may change or, as the complaint process unfolds, a mutually acceptable resolution is reached. Such an "exit" from the complaint process may occur at any stage. If that occurs, the complainant should notify the Dean of Student & Legal Affairs. Written confirmation may be requested.*

Third Party Communication*: Only the persons involved in the grievance will receive any communication about the matter from College Officials; third parties will not be given information regarding any of the specifics related to a grievance or information that compromises the integrity of the process or the confidentiality and dignity of any person.*

Attorney(s)*: This process is NOT a legal proceeding, and legal standards do not apply. Therefore, lawyers are neither necessary nor may participate. However, at any point in the grievance process, any person may consult an attorney at his/her own expense.*

Disclaimer: *Allegany College of Maryland does not discriminate based on the federally protected classes. The College complies with all federal, state, and local laws and regulations which prohibit unlawful discrimination. We are committed to complying with all Executive Orders, Dear Colleague Letters, and other federal directives; where language in published documents is inconsistent with those federal directives, the College will comply with and defer to the appropriate federal requirements pending revisions or changed legal mandates.*