

AFFIRMATIVE ACTION PLAN

Fiscal Years 2024-2026

DES MOINES AREA COMMUNITY COLLEGE



AFFIRMATIVE ACTION POLICY STATEMENT

The philosophy and intent of equal employment opportunity is to provide all individuals throughout our country the assurance that all employment decisions will be made without regard to race, color, national origin, creed, religion, sex (including pregnancy), sexual orientation, gender identity, age, disability, genetic information, or, to the extent covered by law, veteran status. Des Moines Area Community College firmly believes in and supports this philosophy. As President of the College, I welcome this opportunity to reaffirm the College's continuing policy to provide equal employment and advancement opportunity in all personnel activities of all job classifications, including recruitment, hiring, transfer, promotion, reduction-in-force (layoff), reinstatement, compensation, benefits, training and education, tuition assistance, and social and recreational programs. In addition, reasonable accommodations will be made for religious needs and for individuals with disabilities.

Des Moines Area Community College and all its employees are committed to create environments that encourage each individual associated with DMACC to advance in his/her academic endeavors and careers based upon his/her abilities and skills and will not tolerate any type of discrimination based upon race, color, national origin, creed, religion, sex (including pregnancy), sexual orientation, gender identity, age, disability, genetic information, or, to the extent covered by law, veteran status.

In dedicating itself to establishing a work environment free from discrimination, Des Moines Area Community College has created an Office of Diversity, Equity, and Inclusion, and hired a DEI Director. The goal of that position is to assist the College in reaching the established DEI goals. Reaching those goals is not the responsibility of one department, it is a College wide initiative that is directed and monitored by the DEI Director. The DEI Director works in concert with the Affirmative Action Officer. The job of the Affirmative Action Officer is to ensure equal employment opportunity in employment and with affirmative actions. The role of the DEI Director is to monitor and report on those goals. DMACC's designated Affirmative Action Officer is the Executive Director of Human Resources:

Jenifer Owenson, JD
2006 S. Ankeny Blvd.
Ankeny, Iowa 50021
(515) 964-6408

College President/CEO _____ Robert J. Denson _____

Signature _____ Date July, 2023

AFFIRMATIVE ACTION PLAN

Table of Contents

	Page
Introduction	4
Quantitative Analysis and Goals	5
Quantitative Analysis	6
Goals	6
Qualitative Analysis	8
Recruitment	8
Hiring Process	8
Promotion, Transfer, Demotion, Discharge, and Layoff	9
Working Conditions and Compensation	9
Discrimination Complaint Procedure	10
Progress Toward Goals	
Diversity Initiatives and Practices	11
Supplements	
Related Board Policies	
Consensual Relationships	15
Equal Employment Opportunity/Affirmative Action . . .	16
Harassment	17
Related College Procedures	
Equal Employment Opportunity/Affirmative Action . . .	20
Harassment	22
Consensual Relationships	24
Discrimination Complaint Procedure	26
Reasonable Accommodations – Disability	28
Reasonable Accommodations – Religion	30

Introduction

The philosophy and intent of equal employment opportunity are to provide all persons, regardless of race, color, national origin, creed, religion, sex (including pregnancy), sexual orientation, gender identity, age, disability, genetic information, or, to the extent covered by law, veteran status equal access to positions, limited only by their ability to do the job. The philosophy and intent of affirmative action are to remedy past and present discrimination. Des Moines Area Community College firmly believes in and supports these philosophies. The purpose of this Affirmative Action Plan is to assure that artificial, non-job-related barriers to employment are eliminated and that personnel activities in all aspects of employment shall be conducted in a manner to ensure fair and equitable treatment of all persons who participate in, or seek entrance to, the Des Moines Area Community College work force. In dedicating itself to establishing a work environment free from discrimination, the College shall take specific affirmative actions to ensure successful achievement of a nondiscriminatory employment program.

This Affirmative Action Plan was developed by the Office of DEI using available quantitative and qualitative analysis. The College contacted the Department of Education to assist in understanding the goal of a quantitative analysis since the census data has not been updated. The DE gave the College permission to proceed without using the census data. With that said, current College-wide personnel policies, procedures and practices were reviewed. Campuses were asked to assist in compiling qualitative data which exemplifies the College's commitment to improving in areas of underrepresentation. That available data was used to develop long term goals.

The Affirmative Action Plan shall require approval by the Board of Directors and shall be reviewed and updated on a biennial basis. It is being offered in September of 2023 this year due to some staffing issues. The DEI Director shall have the responsibility to oversee the plan, monitor it, and report out on the plan. The Affirmative Action Officer will accordingly update equal employment opportunity policies and procedures, commit to adherence, and insist that affirmative actions are appropriately and aggressively implemented. Achievement of the goals identified in the plan will be monitored by the DEI Director. In furtherance of this objective, the DEI Director will create an advisory committee. The duties of the Committee shall include, but not be limited to, ongoing qualitative analyses which may result in future modifications to the Affirmative Action Plan. This committee shall meet at least on an annual basis.

The Affirmative Action plan is available on the DMACC website. All employees shall be responsible for being aware and supportive of the Affirmative Action Plan. Employees shall demonstrate sensitivity to and respect for all employees; shall demonstrate commitment to the College's Affirmative Action Policy in spirit as well as in actions; and shall be held accountable for compliance with all related College policies and procedures. Hiring authorities shall have an additional responsibility to make sure that progress is made towards achieving the goals of the Plan.

Quantitative Analysis and Goals

(As previously noted, the Census data was unavailable for this report. This was reported to the DE, with advice to report on what qualitative data was available, and to report on the qualitative data.)

The College-wide profile as of March 31, 2021 was as follows:

	Employees	Minorities	Women	Men	Disabled
Ankeny	563	46	314	249	7
Boone	76	7	45	31	0
Carroll	35	3	25	10	1
Newton	38	3	23	15	0
Urban	117	29	75	42	0
West	28	2	18	10	0

Total	857	90	500	357	8
-------	-----	----	-----	-----	---

Percentages	10.5%	58.3%	41.7%	.9%
-------------	-------	-------	-------	-----

The College-wide profile as of October 31, 2022 was as follows:

	Employees	Minorities	Women	Men	Disabled
Ankeny	582	54	319	263	10
Boone	79	6	46	33	1
Carroll	40	3	29	11	0
Newton	32	0	17	15	0
Urban	136	39	89	47	4
West	26	2	16	10	0

Total	895	104	516	379	15
-------	-----	-----	-----	-----	----

Percentages	12%	58%	42%	2%
-------------	-----	-----	-----	----

Comparing the percentages across the district over the years shows:

- Minorities went up from 10.5% to 12%
- Women went down from 58.3% to 58%
- Men went up from 41.7% to 42%
- Disabled went up from .9% to 2%

Goals

When under-representation exists, the Administrative Code requires that numerical hiring goals be developed. These goals are not to be treated as rigid quotas and may not be used to exclude groups from the hiring process. They are, instead, to be treated as “reasonable aspirations toward correcting imbalance in the agency’s work force.”

DMACC is committed to continue to track the hires for the College and increase hiring from one year to the next in areas of under-representation.

QUANTITATIVE PROGRESS TOWARDS PLAN GOALS FISCAL YEARS 2022 & 2023

Affirmative Action Plan Quantitative Goal – For job categories with under representation, the total goal for the fiscal years 2022 & 2023 shall be to have one or 20% of new hires, whichever is greater, from the underrepresented groups.

Goals met:

(2022)

The hiring goal for Executive/Administrative/Managerial (EEO Category 10) was 1.2 rounded to 1, which was met by hiring two new employees who met affirmative action goals.

The hiring goal for Faculty (EEO Category 20) was 6.4 rounded to 6, which was met by hiring nine new employees who met affirmative action goals.

The hiring goal for Other Professional (EEO Category 30) was 10, which was met by hiring twelve new employees who met affirmative action goals.

The hiring goal for Technical/Paraprofessional (EEO Category 40) was 2.6 rounded to 3, which was met by hiring seven new employees who met affirmative action goals.

The hiring goal for Secretarial/Clerical (EEO Category 50) was 6.8 rounded to 7, which was met by hiring nine new employees who met affirmative action goals.

The hiring goal for Service/Maintenance (EEO Category 70) was 2, which was met by hiring three new employees who met affirmative action goals.

(2023)

The hiring goal for Other Professional (EEO Category 30) was 3.8 rounded to 4, which was met by hiring five new employees who met affirmative action goals.

The hiring goal for Technical/Paraprofessional (EEO Category 40) was 1.4 rounded to 1, which was met by hiring five new employees who met affirmative action goals.

The hiring goal for Secretarial/Clerical (EEO Category 50) was 1.2 rounded to 1, which was met by hiring one new employee who met affirmative action goals.

The hiring goal for Service/Maintenance (EEO Category 70) was .2 rounded to 1, which was met by hiring one new employee who met affirmative action goals.

Goals where progress was made:

(2023)

Progress has been made towards hiring goal for Faculty (EEO Category 20) which was 6.4 rounded to 6. Three individuals were hired who met an affirmative action goal.

Goals not met:

(2022)

The hiring goal for Skilled Craft (EEO Category 60) was 1, which the College failed to meet, hiring no individual who met an affirmative action goal.

(2023)

The hiring goal for Executive/Administrative/Managerial (EEO Category 10) was .4 rounded to 1, which the College failed to meet, hiring no individual who met an affirmative action goal.

The hiring goal for Skilled Craft (EEO Category 60) was .2 rounded to 1, which the College failed to meet, hiring no individual who met an affirmative action goal.

Qualitative Analysis

Recruitment

Standard procedures shall be followed in the recruitment of applicants for Regular employment. Recruitment activities may include, but are not limited to, the distribution of Employment Opportunity postings, the placement of employment advertisements on various websites. DMACC's on line application collects information as to where applicants are finding our postings, which can inform the HR Department about relevant posting sites. Departments have the option to use job sites, such as LinkedIn, Indeed, or Glassdoor that target specific groups and geographical areas. a

Recruitment activities for regular positions and employment advertising for all positions shall be coordinated by Human Resources. Advertisements shall include an "Equal Employment Opportunity/Affirmative Action Employer" (EEO/AA) clause. Generally, regular vacancies shall be announced through Employment Opportunity postings. Postings shall include specific job related information such as job summary, essential functions, qualifications, salary and benefits. In addition, postings shall contain a nondiscrimination clause, application procedures, and general information about the College. Also, all job postings include as a desired qualification: "Demonstrated effectiveness working with populations having diverse values, and/or coming from varied cultures and backgrounds."

Hiring Process

The College provides a Supervisory Excellence Training Series for all supervisors. The series includes a session on the hiring process and interviewing skills. In addition, Human Resources staff conducts hiring and interviewing workshops on all six campuses for staff and faculty on an as needed basis. Human Resources staff also work individually with supervisors and interview committee chairs throughout the hiring process.

A standardized hiring process is used by the College to assist and guide supervisors and screening committees through the employee selection process. The process attempts to insure that screening criteria are job related and that all applicants for a specific vacancy are screened against identical criteria. Selection recommendations and decisions shall be guided by the employee selection process, be made as objectively as possible, and meet the legal and philosophical tenets of equal employment opportunity and affirmative action.

Screening Committees are generally used when the College hires new employees. The role of the screening committee is to assist in narrowing the field of candidates. The screening committee will make recommendations to the supervisor but the supervisor shall retain responsibility for making the final selection recommendation.

During the application review process, the qualifications of all applicants shall be screened against the position requirements and ratings documented for all applicants.

A structured interview process shall be used to ensure that all applicants are asked the same core questions. The questions shall be restricted to job-related information and free of illegal inquiries.

If there is an affirmative action requirement for the position (e.g. the campus vacancy is in a job category which shows under-representation), the Affirmative Action Officer or designee, shall review the applications and screening materials before interviews are offered and before job offers are extended to ensure that equal employment opportunity and affirmative action have been appropriately provided.

This process has proven to be beneficial in addressing under-represented areas in the hiring process as several screenings have been asked to include candidates identified by the Affirmative Action Officer over the last years. The applicant's underrepresented status is considered a factor in the hiring process aligned with the College's strategic goals.

Promotion, Transfer, Demotion, Discharge, and Layoff

Current regular employees who wish to be considered for a posted vacancy must follow the same application process as external applicants, completing an application and submitting it prior to the posted deadline. For Support Staff positions, if fewer than six candidates are selected for interviews, the supervisor must interview at least the two Regular Support Staff applicants with the greatest seniority who meet the vacancy qualifications. Faculty members applying for a transfer shall be guaranteed an interview if they meet the vacancy qualifications.

Objective criteria such as performance evaluations shall be used in making demotion, discharge, or layoff decisions. For purposes of layoffs, Support Staff employees with the best written evaluations and seniority shall be retained. Seniority shall be the deciding factor when evaluations are comparable. Determination of Faculty to be laid off shall be based upon competency as defined by their collective bargaining agreement. Seniority shall be the controlling factor in the layoff of faculty if performance is determined to be equal and fulfillment of the requirements of the Quality Faculty Plan have been met.

Working Conditions and Compensation

The Human Resources Procedures and Affirmative Action Plan shall be available to all employees. It is posted on DMACC's website.

Job descriptions shall be maintained for all regular non-faculty positions. A Job Evaluation Committee shall evaluate job descriptions using a point method of job evaluation. The compensation program is currently under review with an outside

consultant. The point factor analysis is being updated. Assignment of a regular non-faculty position to a pay grade shall be determined by the position's job evaluation points and the existing salary structure.

Individual job descriptions are not maintained for faculty positions, but a standard list of duties and the minimum and desirable education and experience requirements may be found on individual job postings. Initial placement of new faculty on the faculty salary schedule shall be made following evaluation of the new employee's professional experience, training received in industry, college credits earned, and directly related work experience.

Support Staff shall be hired at a rate of pay as required by their collective bargaining agreement. Administrative/Professional and Confidential Clerical employees shall be hired at the minimum rate of the assigned pay grade unless education, training, and/or experience beyond the minimum requirements of the position warrant an advanced rate.

Each regular employee shall be evaluated by his/her supervisor as required by College procedure. The evaluation shall be documented on the appropriate College performance evaluation form. The employee shall be asked to sign the completed evaluation form to indicate that the evaluation has been discussed. The completed evaluation shall be placed in the employee's personnel file.

Exit interviews are offered to all Regular employees. A summary of the interviews shall be reviewed by the Executive Director, Human Resources and discussed with the appropriate supervisor and/or administrative staff as needed. Periodic summaries of exit interviews will be shared with Vice Presidents.

Discrimination Complaint Procedure

The Discrimination Complaint Procedure establishes a process for registering complaints by employees, applicants, and students who believe the College policies and procedures on equal opportunity in employment and education have been violated, resulting in discriminatory treatment

DIVERSITY INITIATIVES AND PRACTICES

Initiatives and activities designed to enhance the College's Affirmative Action Plan

DMACC has supported educational resourcing, events, and sponsorships that are open to students, employees (faculty, staff, administration), and community members that relate to race, gender, ethnicity, age, disability, religion, sexual orientation, and differences of thought, perspective, and experience.

The Director of DEI was an inaugural position for DMACC in 2022. This position was created as a result of the College-wide consulting process with Schabel Solutions, Inc. in 2019-2021 to ensure that the College is well-equipped to support and strengthen an increasingly diverse workforce in the state of Iowa and to ensure all DMACC students are well-equipped with valuable skills in understanding and contributing to an increasingly diverse workforce, strengthening diverse communities in our state, across the country, and the world.

Under the direction of the College President, the Director of Diversity, Equity, and Inclusion (DEI) leads the development and implementation of proactive diversity, equity, and inclusion initiatives and strategies in support of the College's Strategic Plan to create a learning and working environment where College employment represents the communities and people we serve, and all have an opportunity to participate and succeed. The DEI Director champions the importance and value of a diverse and inclusive college environment and leads College efforts in the development and implementation of the College mission, vision, strategies, and measurements of success, evidencing a culture of diversity, equity, and inclusion.

DEI Accomplishments

- Alignment of the College's Diversity Commission with the Office of DEI, which is represented on the Executive Committee, to align efforts, plan for College-wide DEI resource development, and discuss DEI system challenges and growth opportunities.
- Creation of DEI and Pathways Subcommittee by Diversity Commission leadership team for Diversity Commission with Office of Planning, Data, and Assessment, the Pathways Team, Director of DEI, and Diversity Commission Leadership Team.
- Creation and Successful Launch of Multicultural Student Day partnership with DMPS.
- Creation of DEI Web Page and resources.

- Creation of DEI Heritage Month Resourcing for College. Creation of Heritage Month through the Library Team's "Read, Watch, Listen" resources that align with monthly Heritage Months.
- Successful formation of DEI Goals for all Enrollment Services and Student Success teams.
- DEI resource support, trainings, and consultations throughout the College with students and employees.
- DMACC partnered with Des Moines Public School to host the first Multicultural Student Day
- 20 DMACC faculty and staff from across the district participated in the virtual ASHE/ACPE Presidential Symposium on DEI.
- In partnership with Iowa ACES, provided trauma-informed care virtual module trainings to all faculty and staff throughout the College.
- DMACC is developing a strategy to formally assess student learning, development, and success in our Student Affairs departments. The assessment reviews departments through twelve consistent lenses, one of which is related to Access, Equity, Diversity, and Inclusion. The four-criterion measured under that lens include:
 - Provides Inclusive and Equitable Educational and Work Environments
 - Organizational aspects of Access, Equity, Diversity, and Inclusion (Provides equitable access, processes, facilities, etc.)
 - Advocates for Access, Equity, Diversity, and Inclusion
 - Implements goals, plans, and initiatives related to Access, Equity, Diversity and Inclusion

DMACC's Diversity Commission Accomplishments

- Provided an opportunity for Diversity Commission members to attend a virtual SpeakOut event on April 6, 2022, SpeakOut hosted a 60-minute virtual event with Alex Locust called *Spill the Disability-Tea: An Introduction to Disability Justice*.
- Offered an opportunity for DMACC representatives to attend the LGBTQ Legacy Leader Awards 2022 hosted by dsm Magazine on October 19, 2022.
- The Diversity Commission provides input to the President of the College's weekly all-College message
- Co-chairs speak at twice yearly DMACC In-Service Days to help promote the commission and give updates on various projects and goals.

- A College-wide nomination process and selection process was implemented to highlight DMACC faculty and staff who have made exceptional efforts to advance DMACC's DEI goals.
- Increased funding for DEI-related scholarships for students.
- Collaborated with the Financial Aid Department to implement a "preferred name" option to DMACC's Work Study application
- Provided input to HR to add to the pool of DEI interview questions.
- Advocated to approve HIS 274: Women's History as a diversity Requirement class.
- Partnered with DMACC's Student Activities Council to hand out *National Coming Out Day* buttons to each DMACC campus and center.
- Hosted free viewing parties at each campus of *Invisible Warriors: African American Women in World War II* on March 21st, 2023 (National Rosie the Riveter Day) which is a documentary about Black 'Rosie the Riveters' during WWII. This virtual viewing included an introduction by Gregory Cooke, the filmmaker and director, as well as a Q&A with him at the end of the viewing.
 - Hosted a virtual interactive webinar with *Whole Damn Woman, LLC* on April 17th, 2023, focusing on unlearning fatphobia - which is an aspect of DEI that is often overlooked. Purchased \$500 in books in various formats related to fatphobia to be distributed across the district.
 - For Black History Month, DMACC students were provided an opportunity to attend *The Piano Lesson* which was a co-production with the Pyramid Theatre Company, Iowa's only Black Theater.
 - Helped sponsor the *DMACCs Celebration of the Literary Arts* by donating
 - \$500.

Helped sponsor graduation sashes for F-1 students that represent their nationality to wear at graduation.

Juneteenth will be included in the 2024-2025 academic year calendar.

SUPPLEMENTS

Consensual relationships between an employee and student, or between employees that may create the appearance of impropriety are considered contrary to the interest of the College and the public interest which it serves. That conduct includes behavior that may be perceived as a conflict of interest, coercion, favoritism, or bias in an academic, counseling, evaluative, or supervisory situation. Personal nonprofessional relations between employees or between employees and students with whom they also have a counseling, academic, evaluative, or supervisory role create the appearance of impropriety even when the relationship is genuinely consensual.

Therefore, employees are advised against participating in consensual relationships with students enrolled in their classes or with students or employees whom they otherwise evaluate, grade, counsel, or supervise. Similarly, employees may not evaluate, grade, counsel, or supervise students or employees with whom they currently have a consensual relationship. Whenever such a situation arises, employees are required to report the situation immediately to the appropriate supervisor. The supervisor shall take effective steps to ensure unbiased supervision or evaluation by another employee.

The respect and trust accorded an employee by a student, as well as the power exercised by the employee in an academic, counseling, evaluative or supervisory role, make the relationship susceptible to exploitation and may compromise the integrity of the institution.

Legal Reference:
Iowa Code Section 260C.14(5)

Cross Reference:
Procedure HR3006 – Consensual Relationships

Adopted: June 12, 1995
Reviewed: 2005, 2011, 2020
Revised: January 10, 2000
August 8, 2005
October 10, 2011
September 14, 2020

Des Moines Area Community College shall not engage in nor allow discrimination as defined by law against any person, group or organization: [Nondiscrimination Statement](#)

A grievance procedure exists for processing discrimination complaints. Complaint forms may be obtained from the campus provost offices, the academic dean's office, the judicial officer, the EEO/AA officer, or Human Resources.

ADA questions and concerns may be directed to:

Section 504/ADA Coordinator
2006 S Ankeny Blvd. Bldg. 6
Ankeny, IA 50023
(515) 964-6857
dso@dmacc.edu.

Title IX questions and concerns may be directed to:

Title IX Coordinator
2006 S Ankeny Blvd. Bldg. 1
Ankeny, IA 50023
(515) 964-6216
Title9@dmacc.edu.

Consensual relationships between an employee and student, or between employees that may create the appearance of impropriety are considered contrary to the interest of the College and the public interest which it serves. That conduct includes behavior that may be perceived as a conflict of interest, coercion, favoritism, or bias in an academic, counseling, evaluative, or supervisory situation. Personal nonprofessional relations between employees or between employees and students with whom they also have a counseling, academic, evaluative, or supervisory role create the appearance of impropriety even when the relationship is genuinely consensual.

Therefore, employees are advised against participating in consensual relationships with students enrolled in their classes or with students or employees whom they otherwise evaluate, grade, counsel, or supervise. Similarly, employees may not evaluate, grade, counsel, or supervise students or employees with whom they currently have a consensual relationship. Whenever such a situation arises, employees are required to report the situation immediately to the appropriate supervisor. The supervisor shall take effective steps to ensure unbiased supervision or evaluation by another employee.

The respect and trust accorded an employee by a student, as well as the power exercised by the employee in an academic, counseling, evaluative or supervisory role, make the relationship susceptible to exploitation and may compromise the integrity of the institution.

Legal Reference:
Iowa Code Section 260C.14(5)

Cross Reference:
Procedure HR3006 – Consensual Relationships

In accordance with Title IX of the Education Amendments Act of 1972, the Des Moines Area Community College (the "College") prohibits sex discrimination, including sexual harassment, against any individual participating in any education program or activity of the College. This prohibition on discrimination applies to students, employees, and applicants for admission or employment.

Any individual with questions about the College's Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the College's designated Title Coordinator, Debbie McKittrick, Judicial Officer & Title IX Coordinator at 2006 S. Ankeny Blvd, Bldg. 1, Ankeny, IA 50023, phone 515/964-6216, Title9@dmacc.edu.

The College will utilize this Policy and Procedure to respond to all claims of sex discrimination or sexual harassment as defined in Section II of this policy. If the College determines that a report or complaint does not allege conduct within the scope of Title IX, it may still proceed to investigate or respond to that report or complaint under any other applicable College policy or procedure.

DEFINITIONS

- A. Sexual harassment** means unwelcome behavior or conduct (physical, verbal, written, electronic) that is directed at someone because of that person's sex or gender, and that meets any of the following definitions:
1. **"Quid Pro Quo" Harassment.** A College employee explicitly or implicitly conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct; **OR**
 2. **Hostile Educational/Work Environment.** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; **OR**
 3. **Sexual assault.** An offense that meets the definition any one of the following offenses:
 - Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without consent of the victim;
 - Fondling: the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim;
 - Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
 - Statutory rape: sexual intercourse with a person who is under the statutory age of consent; **OR**
 4. **Stalking:**

- Purposefully engaging in a course of conduct directed at a specific person ("target") that would cause a reasonable person to fear bodily injury to, or the death of, the target or a member of the target's immediate family;
 - when the person ("stalker") knows or should know that the target will be placed in reasonable fear of bodily injury to, or the death of, the target or a member of the target's immediate family by the course of conduct; and
 - the stalker's course of conduct induces fear in the target of bodily injury to, or the death of, the target or a member of the target's immediate family; **OR**
5. **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of:
- The length of the relationship.
 - The type of relationship.
 - The frequency of interaction between the persons involved in the relationship;
- OR**
6. **Domestic Violence:** any felony or misdemeanor crime of violence committed:
- By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Iowa; or
 - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Iowa.

B. Consent means knowing and voluntary agreement to engage in conduct or an activity with another individual. Silence or an absence of resistance does not imply consent. Past consent to engage in conduct or an activity does not imply future consent; consent can be revoked at any time. An individual who is incapacitated (e.g., when a person is asleep, unconsciousness, under the influence of drugs or alcohol, or disability) cannot give consent. Coercion, force, or the threat of either invalidates consent. Under no circumstances can a student give consent to engage in any sexual conduct or activity with an employee of the College.

C. Complainant means any person who alleges that they have been subjected to sexual harassment as defined by this Policy. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the College's education program or activity.

D. Respondent means any person who has been reported to be the perpetrator of conduct that could constitute sexual harassment under this Policy, and over whom the College is able to exercise substantial control.

POLICY SCOPE

This Policy applies to all persons participating in any program or activity of the College, including students and employees and applicants for employment and applicants for admission. Under Title IX, the College has jurisdiction over locations, events or circumstances over which it substantially controls the Respondent and the context in which the harassment occurs. The College's jurisdiction is limited to conduct against a person that occurs in the United States.

Any person may make a report of sexual harassment to the College's Title IX Coordinator.

CONFIDENTIALITY

The College is committed to creating an environment in which those who have experienced sexual harassment are encouraged to come forward, while also protecting the privacy of all involved in an investigation. It is important that those reporting sexual harassment understand the limits on confidentiality of the individual who they may contact for such assistance. Different people, depending on their positions, have different obligations with regard to confidentiality. Under Iowa law, communications with some individuals are confidential. Those who want to maintain confidentiality should always confirm whether confidentiality applies to the communication before they make the communication. Generally, confidentiality applies when seeking outside services from the following persons:

- Trained and statutorily certified victim's advocates;
- Licensed psychological counselors or health care providers;
- A personal attorney representing the victim; and/or a
- Religious/spiritual counselor.

The College will keep confidential the identity of any individual who has made a report or complaint of sexual harassment, or has been identified as the perpetrator or respondent to any such report or complaint, or is a witness to any complaint or investigation, **except** as required to carry out the purposes of this Policy (including the conduct of any investigation, hearing, or judicial proceeding), applicable law, or as permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

However, complaints about violations of this Policy will be handled in strict confidence, with personally identifiable information protected and information made available only to those who need to know in order for the College to promptly and thoroughly investigate and resolve the matter. The College must balance the needs of individual students with its obligation to protect the safety and well-being of the community at large.

The College will also keep personally identifiable information out of public recordkeeping, including the College's Annual Security Report of Crime Statistics under the Clery Act.

Adopted: August 10, 2020

Reviewed:

Revised:

Des Moines Area Community College

HR 3000

HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Equal Employment Opportunity/Affirmative Action
Number: HR 3000

I. Institutional Regulations

A. Equal Employment Opportunity

The philosophy and intent of equal employment opportunity is to provide all individuals the assurance that employment decisions will be made without regard to race, color, national origin, creed, religion, sex, sexual orientation, gender identity, age, disability, genetic information (in employment), actual or potential parental, family or marital status and, to the extent covered by law, veteran status. Des Moines Area Community College firmly believes in and supports this philosophy.

The College shall provide equal employment and advancement opportunity in all personnel activities involving Regular employees, including recruitment, hiring, transfer, promotion, reduction-in-force (layoff), reinstatement, compensation, benefits, training and education, tuition assistance, and social and recreational programs. Reasonable accommodations shall be made for religious needs and for individuals with disabilities.

The College shall also provide equal employment opportunity to applicants for employment and to Adjunct, Temporary and Student employees.

B. Affirmative Action

In dedicating itself to establishing a work environment free from discrimination, the College shall take specific affirmative actions to ensure successful achievement of a nondiscriminatory employment program. When members of a racial/ethnic minority group, women, men, or persons with disabilities are underrepresented in a job classification within the College's Regular workforce, the College shall take affirmative measures related to the recruitment, appointment, assignment, and advancement of Regular employees, and applicants for Regular employment, in accordance with applicable law.

II. Procedure

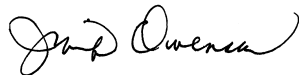
A. Des Moines Area Community College shall not engage in nor allow discrimination covered by law against any person, group or organization. This includes in its programs, activities, employment practices, or hiring practices, and harassment or discrimination based on race, color, national origin, creed, religion, sex, sexual orientation, gender identity, age, disability, genetic information (in employment), and actual or potential parental, family or marital status. Veteran status in educational programs, activities, employment practices, or admission procedures is also included to the extent covered by law.

Individuals who believe they have been discriminated against may file a complaint through the College Discrimination Complaint Procedure (HR3010). Complaint forms may be obtained from the Campus Provost's office, the Academic Deans' office, the Judicial Officer, or the EEO/AA Officer, Human Resources. ADA questions and concerns may be directed to the Section 504/ADA Coordinator at 2006 S Ankeny Blvd, Bldg 6, Ankeny, IA 50023, phone 515/964-6857, dso@dmacc.edu. Title IX questions and concerns may be directed to the Title IX Coordinator at 2006 S Ankeny, Blvd, Bldg 1, Ankeny, IA 50023, phone 515-964-6216, Title9@dmacc.edu. Questions or complaints about this policy may be directed to the Director of the Office of Civil Rights, U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL

60604-7204, phone 312/730-1576, fax 312/730-1576, TDD 800-877-8339, email OCR.Chicago@ed.gov.

- B. The Executive Director of Human Resources shall be designated as the College EEO/AA Officer. They shall be responsible for ensuring that equal employment opportunity policies and procedures are adhered to and that affirmative actions are appropriately and aggressively implemented.
- C. An Affirmative Action Committee may be appointed to assist the College in its affirmative action efforts.
- D. The College shall develop an Affirmative Action Plan to guide its efforts toward ensuring a nondiscriminatory employment program. The Plan shall require Board approval and shall be updated biannually.
 - 1. College supervisors shall be responsible for demonstrated leadership in the implementation of the College Affirmative Action Plan and shall be actively involved in the achievement of its objectives.
 - 2. College employees shall be expected to demonstrate sensitivity to and respect for all employees and to demonstrate commitment to College EEO/AA policies, procedures and the Affirmative Action Plan in spirit as well as in actions.
 - 3. The Affirmative Action Plan shall be on file in Human Resources, available on the Human Resources website.

APPROVED:



Executive Director, Human Resources

Date: October 1, 2002

Revised: January 1, 2005
November 1, 2010
March 1, 2011
October 1, 2014
March 24, 2016
February 21, 2017
September 11, 2017
March 1, 2019
September 1, 2020
January 19, 2022

Cross Reference:

Board Policy 106 – Equal Education Opportunity

Reference: [Nondiscrimination Statement](#)

Des Moines Area Community College

HR 3005

HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Harassment
Number: HR 3005

I. Institutional Regulations

Harassment based upon an individual's race, color, national origin, creed, religion, sex, sexual orientation, gender identity, age, disability, genetic information, actual or potential parental, family or marital status or, to the extent covered by law, veteran status is a form of discrimination. The harassment of College employees, students and applicants for employment by supervisors, faculty, students, colleagues or College business associates is prohibited. In addition, discrimination, harassment, and/or retaliation of or against an individual because of an association with someone with a protected characteristic is also prohibited.

II. Procedure

A. Harassment

Harassment is verbal or physical conduct or graphic display which is unwelcome, severe, offensive or shows malice toward an individual because of their race, color, national origin, creed, religion, sex (including pregnancy), sexual orientation, gender identity, age, disability, genetic information, actual or potential parental, family or marital status or, to the extent covered by law, veteran status. Examples of prohibited behavior include:

1. Abuse that diminishes the dignity of an individual through insulting or degrading remarks or conduct such as but not limited to racial or ethnic slurs, written or graphic material, vandalism, threats, physical contact or pranks which show malice or ridicule toward an individual or group, jokes which are demeaning to a racial or religious group, or to a particular nationality, or to one's sex;
2. Threats, demands or suggestions that an employee's work status, a student's academic progress, or an applicant's employment opportunity is contingent upon their toleration of or acquiescence to harassment.

B. Sexual Harassment

1. Sexual harassment is covered by Title IX policies and procedures available at the following location: <https://www.dmacc.edu/titleix/Pages/welcome.aspx>.

C. Harassment Complaints

1. If an employee or applicant for employment believes they are being harassed on the basis of a protected status (e.g. race, age, etc.), they may choose (but are at no time required) to attempt to resolve the matter informally by making their objections known to the alleged harasser. If this fails to stop the objectionable behavior, or if the individual is not comfortable confronting the alleged harasser, they should immediately bring the matter to the attention of the employee's current supervisor, a College administrator, or the Affirmative Action Officer. The College Affirmative Action Officer is the Executive Director, Human Resources. If the Affirmative Action Officer is named in an individual's allegations, the matter may be taken directly to the next higher level authority.

The student Discrimination and Harassment Complaint Procedure ES4645 is located at https://www.dmacc.edu/student_services/int/Procedures/ES4645%20Final.pdf.

1. Sexual harassment complaints are covered by Title IX policies and procedures located at <https://www.dmacc.edu/titleix/Pages/welcome.aspx>.
2. Employee harassment complaints may be filed formally (in writing) or informally (verbally). If an individual elects not to file a formal complaint, the College shall still be obligated to investigate the individual's allegations.
 - a. Formal complaints from employees shall be filed through the Discrimination Complaint Procedures (see HR 3010) or with the appropriate state and/or federal agencies. Complaint forms may be obtained from the DMACC Web site, Affirmative Action Officer, Human Resources, campus Provosts' offices, and Academic Deans' offices. Individuals are encouraged to file complaints in writing to ensure that issues are correctly understood and addressed. Students may file a formal complaint through the College Discrimination Complaint Procedure for Students (ES4645).
 - b. A College administrator, Affirmative Action Officer or designee shall investigate employee formal and informal complaints of harassment.
 - c. Information related to a complaint shall be kept confidential to the maximum extent possible. However, because the College has a duty to investigate all complaints, information regarding a complaint, including the name of the reporting party, may be disclosed as deemed necessary by the person in charge of the investigation.
 - d. As in all discrimination complaint investigations, investigators shall maintain the role of a neutral. Investigations shall be conducted in a thorough and objective manner to determine the facts of the complaint.
 - e. An employee found to have committed harassment may be subject to discipline, up to and including discharge. Employees may not be defended or indemnified by the College if they are sued for harassing behavior.
 - f. The College shall prohibit retaliation of any kind against an individual for filing a harassment claim or for their participation in the investigation of a harassment complaint. Any employee who is found to have retaliated against another in violation of this policy will be subject to discipline, up to and including termination.
 - g. The College expressly prohibits the intentional filing of a false harassment claim. An intentional false claim is different from a claim where the conclusion is unfounded or of no eventual determination.

APPROVED: 
Executive Director, Human Resources

Date: October 1, 2002
Revised: October 1, 2004
November 1, 2007
November 1, 2009
November 1, 2011
March 1, 2011
October 1, 2014
October 30, 2015
March 24, 2016
February 21, 2017
September 1, 2020

Cross Reference:

Des Moines Area Community College

HR 3006

HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Consensual Relationships
Number: HR 3006

I. Institutional Regulations

- A. Consensual relationships between an employee and student, or between employees that may create the appearance of impropriety are considered contrary to the interest of the College and the public interest which it serves. That conduct includes behavior that may be perceived as a conflict of interest, coercion, favoritism, or bias in an academic, counseling, evaluative, or supervisory situation. Personal nonprofessional relations between employees, or between employees and students, with whom they also have a counseling, academic, evaluative, or supervisory role, create the appearance of impropriety and could make it very difficult to prove immunity from a subsequent charge of sexual harassment, even when the relationship is genuinely consensual.
- B. Employees will not evaluate, grade, counsel, or supervise students or employees with whom they currently have or develop a consensual relationship.

II. Definition

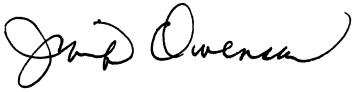
- A. Consensual relationships are defined as any relationship, either past or present, which is romantic, physically intimate, or sexual in nature, and to which the parties consent or consented.

III. Procedure

- A. Consensual relationships between employees and students, or with other employees over whom they have perceived power, can result in a real or perceived conflict of interest, coercion, favoritism or bias. The significant power differential that exists between these individuals:
 - 1. Makes voluntary consent suspect;
 - 2. Makes such relationships particularly susceptible to exploitation;
 - 3. Renders the involved employee(s) and the College vulnerable to potential allegations of sexual harassment.
- B. If a consensual relationship situation begins in a situation where there is an instructor/coach or supervisory conflict, the employee(s) shall report the situation immediately to the appropriate supervisor.
 - 1. The supervisor shall take effective steps to ensure unbiased instruction, supervision or evaluation by another employee.
 - 2. The supervisor shall advise Human Resources of the situation.
- C. If a consensual relationship situation exists or begins in a situation where there is **not** an instructor/coach or supervisory conflict, the employee(s) shall report the situation immediately to their direct supervisor(s). The supervisor(s) shall advise Human Resources of the situation.
- D. Employees are cautioned that even in consenting relationships, the instructor/coach or senior level/supervisory employee would bear a special burden of accountability if charges of sexual harassment were to arise.

- E. For purposes of this procedure "Employee" shall include all regular, adjunct, temporary and/or student employees of the College.

IV. If an employee is involved in a relationship that violates this policy, or fails to report an allowable relationship, the College may take disciplinary action up to and including termination to ensure that there is no conflict of interest or power differential that may compromise the professional relationships which are essential to the mission of the College.

APPROVED: 
Executive Director, Human Resources

Date: October 1, 2002
Revised: December 1, 2003
November 1, 2010
May 1, 2023

Cross Reference:
Board Policy 402 – Consensual Relationship

HR 3010 HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Discrimination Complaint Procedure for Employees and Applicants
Number: HR 3010

I. Institutional Regulations

A College employee or applicant for employment who believes that College policies or procedures on equal opportunity in employment or education have been violated, resulting in discriminatory treatment on the basis of race, color, national origin, creed, religion, sex, sexual orientation, gender identity, age, disability, genetic information (in employment), actual or potential parental, family or marital status or, to the extent covered by law, veteran status, may file a formal complaint through the College Discrimination Complaint Procedure or with the appropriate state and/or federal agencies. Subjecting a person to coercion or retaliation for filing a complaint or providing information regarding a complaint is prohibited. Students may file a formal complaint through the College's Discrimination and Harassment Complaint Procedure for students (ES 4645).

II. Procedure

A The Discrimination Complaint Form for Employee and Applicants is used for complaints not related to Title IX. A link to the complaint form is provided at the bottom of this procedure. Complaint forms may also be obtained from the DMACC Web Site, Affirmative Action Officer, Human Resources, campus Provosts' offices, and Academic Deans' offices. Title IX complaints are to be filed based on guidance in the Title IX policy/procedure located at <https://www.dmacc.edu/titleix/Pages/welcome.aspx>.

B. Discrimination Complaint Procedure

1. Step 1

- a. The complainant shall submit a Discrimination Complaint Form for Employees or Applicants (P-30) within 15 working days of the day the complainant became aware of, or should have become aware of, the discrimination issue through the reasonable exercise of diligence. In no instance may this be later than 300 days from the date of the alleged discriminatory treatment.
- b. Complaint forms shall be submitted as follows, unless the recipient is named in the allegations, in which case the recipient shall be the next higher level authority:

<u>Complainant</u>		<u>Recipient</u>
Applicant	→	Hiring Supervisor
Employee	→	Immediate Supervisor

- c. The supervisor may elect to meet with the complainant if additional information is needed. The supervisor shall review the complaint with the next higher level of authority and issue a written response as soon as a reasonable investigation can be concluded but no longer than 45 calendar days from the receipt of the complaint.

2. Step 2

- a. If the complainant is not satisfied with the response received at Step 1, they may submit the Discrimination Complaint Form to the Affirmative Action Officer within 5 working days from receipt of the Step 1 response.
- b. The Affirmative Action Officer, or designee, shall meet with the complainant and any other parties deemed appropriate. The Officer

shall review the complaint with the appropriate Vice President or other direct report to the President, and issue a written response within 10 working days from receipt of the complaint at Step 2

3. Step 3

If the complainant is not satisfied with the response received at Step 2, they may submit the Discrimination Complaint form to the President within 5 working days from receipt of the Step 2 response. The President, or designee, may meet with the complainant or any other parties deemed appropriate. A final written decision shall be issued within 10 working days from receipt of the complaint at Step 3.

C. All reported complaints shall be investigated.

1. Investigators shall maintain the role of a neutral in the investigation process.
2. Investigations shall be conducted in a thorough and objective manner to determine the facts. Investigations may involve the collection of data/evidence from 3rd parties and witnesses.

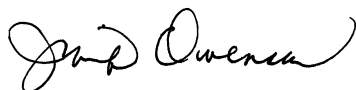
D. Information related to a complaint shall be kept confidential to the maximum extent possible. Selected information, including the name of the reporting party, may be disclosed as deemed necessary by the person in charge of the investigation.

E. Time limits may be extended by written mutual agreement of the parties. If a complainant fails to proceed to the next step within the prescribed time limits, the complaint shall be considered closed based upon the last response. If the administration fails to respond within the prescribed time limits, the complainant may proceed to the next step.

F. An employee found to have committed discrimination may be subject to discipline, up to and including discharge.

G. The College expressly prohibits the intentional filing of a false discrimination claim. An intentional false claim is different from a claim where the conclusion is unfounded or of no eventual determination.

APPROVED:



Executive Director, Human Resources

Date: October 1, 2002

Revised: July 1, 2004

October 1, 2004

November 1, 2008

November 1, 2010

March 1, 2011

October 1, 2014

October 30, 2015

March 24, 2016

February 21, 2017

September 1, 2020

June 10, 2022

Cross Reference:
Board Policy 106 – Anti-Harassment

Related Form: <https://www.dmacc.edu/hr/forms/Public/p30.pdf>

3015 HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Reasonable Accommodations - Disability
Number: HR 3015

I. Institutional Regulations

The College shall provide reasonable accommodation to the known physical or mental disabilities of otherwise qualified applicants for employment or employees unless the accommodation would pose an undue hardship on program operations.

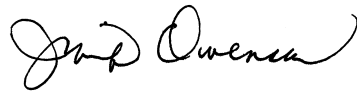
II. Procedure

A. Definitions of terms:

1. Employee or Applicant with a Disability - A person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.
2. Physical or Mental Impairment - Any physiological disorder, disfigurement, or anatomical loss or limitation or any mental or psychological disorder acquired as a result of illness, accident or birth.
3. Major Life Activity - Caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, or, operation of a major function, including normal cell growth and function of the following systems: immune, digestive, bowel, neurological, brain, respiratory, circulatory, endocrine, and reproductive. Disabilities controlled or compensated by medication, assistive devices, etc., are still considered disabilities, as are disabilities in remission.
4. Otherwise Qualified Employee or Applicant with a Disability - A person who meets the qualification requirements contained in the official College job description for the job and who can, with reasonable accommodations, perform the essential functions of the job in question.
5. Essential Job Functions - Those job responsibilities contained in the official College job description for the position which are determined to be critical to the basic function of the position and which cannot be eliminated. This shall include "regular, punctual attendance" for all jobs.
6. Reasonable Accommodation - An adjustment to a work situation for the purpose of enabling a person with a disability to perform an essential function(s) of a job and which does not present an undue hardship on the conduct of the College's operations. An accommodation will not be considered reasonable if it involves modifying an essential job function. Reasonable accommodation examples might include:
 - a. Environmental accommodations - such as improved lighting, ventilation, or temperature change
 - b. Physical accommodations - such as use of adjustable tables, relocation of switches, use of interchangeable light or sound signal (for visually impaired or the deaf)
 - c. Job restructuring - such as task modification, task elimination, task reassignments or recombination.
 - d. Other - such as flexible hours, compressed workweeks, or aides

7. Undue Hardship - An accommodation which would require significant difficulty or expense. Factors to be considered include (1) overall size of the College, including number of employees, number and type of facilities and size of budget, (2) type of operations, including composition and structure of the workforce and (3) the nature and the cost of the accommodation
- B. Applicants and employees are responsible for making their disabilities known to the College if they wish to request a reasonable accommodation.
1. Applicants should make their need for accommodation known to the supervisor before an employment offer is finalized.
 2. Employees should make their need for accommodation known to their supervisor as soon as they become aware of the need; the supervisor shall direct the employee to HR Benefits for guidance.
- C. Applicants and employees who wish to request accommodation shall be required to complete and submit a [Request for Accommodation form \(P-115\)](#).
1. Forms may be obtained from HR Benefits; or, on the forms page on the DMACC website.
 2. Applicants and employees shall be required to submit professional evidence of the disabling condition to HR Benefits.
- D. HR Benefits shall work with the hiring authority to review the essential job functions and evaluate the reasonableness of the requested accommodation. The Benefits Specialist may contact the applicant or employee, the Disability Services Office (515) 964-6234, or any other professional resources to assist in the decision to approve or deny the request.
1. The decision on the accommodation request shall be provided to the applicant or employee in writing by HR Benefits no more than 30 working days from the date of the receipt of the request and all supporting documentation. In the event of unforeseen circumstances, the decision may take longer than 30 working days. If a request is disapproved, the decision must be reviewed by the Affirmative Action Officer (Executive Director, Human Resources) before the applicant or employee is notified.
 2. If the applicant or employee believes that the accommodation decision constitutes a violation of College policy on EEO/AA, they may file a complaint through the College Discrimination Complaint Procedure. Complaint forms and instructions may be obtained from the DMACC Web site at <https://www.dmacc.edu/hr/forms/Public/p30.pdf>, the Affirmative Action Officer, Human Resources, campus Provosts' offices, and Academic Deans' offices.

APPROVED:



Executive Director, Human Resources

Date: October 1, 2002

Revised: November 1, 2007
November 1, 2009
November 1, 2009
October 1, 2014
February 1, 2016
April 13, 2020
July 14, 2021

Cross Reference:

HR Procedure 3010 – Discrimination Complaint Procedure
Board Policy CC106 – Equal Education Opportunity

Des Moines Area Community College

HR 3020

HUMAN RESOURCES PROCEDURES

Section: EEO/AA
Subject: Reasonable Accommodations - Religion
Number: HR 3020

I. Institutional Regulations

The College shall provide reasonable accommodation to the known religious observance or practice needs of applicants for employment or employees unless the accommodation would constitute an undue hardship on program operations. Religious needs shall be based on religious observances or practices.

II. Procedure

A. Religious accommodations generally relate to work schedule conflicts, but may also involve such issues as dress or grooming accommodations and medical examination accommodations.

B. In the case of work schedule conflicts, the College shall make every effort to accommodate an employee's needs. The College provides paid Vacation and Personal Business Leave and Leave Without Pay which may be requested for these purposes.

C. Applicants and employees are responsible for making their religious needs known to the College if they wish to request a reasonable accommodation.

1. For employees requesting use of Vacation or Personal Business, leave shall be requested according to procedures established by the supervisor and reported on Employee Web. Leave Without Pay shall be requested on a Request for Leave form (P-21).

2. For other types of accommodations, a written request shall be required. The request shall be submitted to the employee's supervisor or the applicant's hiring authority.

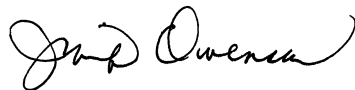
D. Supervisors and hiring authorities shall review accommodation requests and evaluate their reasonableness.

1. When more than one accommodation is possible, the College may select the one involving the least hardship.

2. The decision on the accommodation request shall be provided to the applicant or employee in writing no more than 10 working days from the date of the receipt of the request. If a request is disapproved, the decision must be reviewed by the Affirmative Action Officer before the applicant or employee is notified.

3. If the applicant or employee believes that the accommodation decision constitutes a violation of College policy on EEO/AA, they may file a complaint through the College Discrimination Complaint Procedure. Complaint forms and instructions may be obtained from the DMACC web site at <https://www.dmacc.edu/hr/forms/Public/p30.pdf>, the Affirmative Action Officer, Human Resources, campus Provosts' offices, and Academic Deans' offices.

APPROVED:



Executive Director, Human Resources

Date: October 1, 2002

Revised: November 1, 2007

November 1, 2008

September 1, 2020

Cross Reference:
HR Procedure 3010 - Discrimination Complaint Procedure
Board Policy 106 – Equal Education Opportunity