

COUNCIL ROCK SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: HARASSMENT/
DISCRIMINATION

ADOPTED: November 5, 1998

REVISED:

548. HARASSMENT/DISCRIMINATION	
<p>1. Authority Title VI, IX 29 C.F.R. P.L. 101 336 ADA of 1990 U.S. Civil Rights Act of 1964, Title VII Pub. 29 CFR, Sec. 1604</p> <p>2. Definition</p>	<p>It is the policy of the Board to support fully the laws prohibiting harassment and discrimination, including harassment and/or discrimination because of race, sex, sexual orientation, religion, color, national origin, ancestry, marital status, familial status, handicap/disability, medical condition and age as well as sexual harassment, and to maintain a workplace free of any such harassment and discrimination.</p> <p>The School Board recognizes that impermissible harassment and/or discrimination may take many forms, including:</p> <ol style="list-style-type: none">1. Verbal conduct such as epithets, derogatory or degrading comments, slurs, telephone calls, invitations or comments.2. Visual conduct such as derogatory posters, cartoons, drawings, letters, notes or gestures.3. Physical conduct such as assault, offensive or unwelcome touching, unwanted sexual advances, blocking normal movement, or interference with work.4. Threats and/or demands to submit to a sexual request in offers of job benefits in return for sexual favors.5. Retaliation for having reported the harassment or discrimination.6. Denial of the benefits of employment for an impermissible reason such as race, religion, handicap/disability, age, familial status, marital status, sex or national origin.

<p>3. Guidelines</p>	<p>Any employee who is found to have engaged in such conduct will be subject to immediate and severe discipline, which may include termination.</p> <p>This policy shall be posted on a bulletin board accessible to all employees and shall be made a part of the employee handbook.</p> <p><u>Complaint Procedure</u></p> <p>Any employee who feels s/he is being harassed or discriminated against, or who is aware of harassment or discrimination, shall report it immediately to the Superintendent. Thereafter, a thorough, objective and confidential investigation shall be undertaken by the Superintendent or designee.</p> <p>If the investigator can resolve the complaint to the satisfaction of the complainant, no further action need be taken.</p> <p>Complaints should be made in writing, setting forth the details of the specific complaint.</p> <p>Thereafter, the complainant, the alleged perpetrator and any witnesses will be interviewed. The substance of all interviews shall be documented, but the investigation shall be confidential.</p> <p>The investigator shall review all evidence collected and shall make a determination as to whether there is sufficient evidence to find that the alleged harassment or discrimination occurred. The investigator shall prepare a report which summarizes the content of witness statements and other evidence reviewed during the course of the investigation, contains a determination of whether or not the complaint is founded and where the complaint is deemed founded, and contains the penalty imposed. Said report shall be submitted to the Superintendent.</p> <p>In determining what penalty to impose, the investigator shall consider the nature and severity of the offense; whether the perpetrator knew or should have known that the conduct was not permitted; whether the perpetrator is a supervisory employee; whether one (1) incident or recurrent conduct was involved; and whether there have been prior warnings or discipline for similar conduct.</p>
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A finding by the investigator that there is probable cause to believe that harassment or discrimination has occurred shall subject the perpetrator to disciplinary action, which may result in a written reprimand, a suspension or a recommendation for dismissal from employment by the Board. The perpetrator shall be directed to refrain from future harassment and/or discrimination in cases where the employment of the perpetrator has not been terminated. Retaliation against the complainant by the perpetrator shall result in a recommendation for termination of employment by the Board.

At the conclusion of the investigation, the investigator shall inform the complainant of the outcome of the investigation. If the complaint is deemed founded, the perpetrator and the complainant shall be advised of the disciplinary action that will be taken. If the complaint is deemed unfounded, the reason for such a finding shall be explained to the complainant.

If harassment and/or discrimination is found to have occurred, prompt and appropriate remedial action will be taken in addition to discipline of the offender. No employee will be retaliated against for reporting harassment or discrimination or for participating in an investigation.

Any employee who feels s/he has been retaliated against for making a complaint or participating in an investigation should immediately report the retaliatory act to the investigator of the original complaint, who shall immediately commence an investigation in accordance with the procedures outlined.