



DISCRIMINATION COMPLAINT PROCEDURES

In order to maintain a school environment that encourages optimum human growth and development for its students and employees, it is the policy of the Mineral Point Unified School District to maintain and ensure a learning and working environment free of all harassment or intimidation toward personnel and students. Any comments, gestures or conduct relating to a person's race, religion, creed, ethnic background or feelings of the individual are unacceptable as are any threats to, or intimidation of, any person.

The Mineral Point Unified School Board acknowledges all regulations, requirements and responsibilities defined by the Equal Employment Opportunities Commission (EEOC) regarding sexual harassment. Guidelines published by the EEOC, the governmental agency responsible for administering laws relating to employment discrimination, hold that sexual harassment in the school is unlawful. Sexual harassment is defined for purposes of this policy as:

- A. Unwelcome or unwanted sexual advances. This means patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact which is considered unacceptable by another individual.
- B. Requests or demands for sexual favors. This includes subtle or blatant expectations, pressure or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment status.
- C. Verbal abuse or joking that is sexually oriented and considered unacceptable by another individual. This includes commenting about an individual's body or appearance where such comments go beyond mere courtesy; telling "dirty jokes" that are clearly unwanted and considered offensive by others; or any other tasteless sexually oriented comments, innuendoes or actions that offend others.

Policy 411-Rule Continued:

- D. Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This included extending unwanted sexual attentions to someone such that personal productivity or time available to work at assigned tasks is reduced.
- E. Creating an environment that is intimidating, hostile or offensive because of unwelcome or unwanted sexually oriented conversations, suggestions, requests, demands, physical contacts or attentions.
- F. Creating a work environment that is intimidating, hostile or offensive because of the existence at the work-site of sexually oriented materials including, but not limited to, photographs and posters.

In keeping with the commitment of EEOC, the Board will not tolerate such unlawful behavior by anyone - - supervisors, other employees, students, volunteers or visitors. If employees, students or others feel they are the victims of any of the above described behavior, they are urged to utilize the complaint procedure.

Submission of a complaint or report of sexual harassment or sexual violence will not affect the individual's future employment, grades or work assignments.

The school district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the school district's legal obligations and the necessity to investigate allegations of harassment and sexual violence and take disciplinary action when the conduct has occurred.

Harassment, sexual harassment, and sexual violence in the workplace is illegal and is prohibited by this school district policy. Harassment infringes upon equal respect in working relationships and causes serious harm to the productivity, efficiency and stability of the operation of the school district.

Persons guilty of sexual harassment, sexual violence, discrimination or harassment are subject to disciplinary action including suspension without pay and/or termination. Students will be disciplined according to the present student conduct policy.

Policy 411-Rule Continued:

Reprisal:

The school district will discipline any individual who retaliates against any person who reports alleged sexual harassment or sexual violence or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment or sexual violence complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Complaint Procedures:

Any person who believes he/she has been a victim of sexual harassment or sexual violence by a student, employee or representative of the school district or any third person who acknowledges or believes of conduct which may constitute sexual harassment or sexual violence should report the alleged acts immediately to the building principal or other administrator. The school district encourages the reporting party or complainant to use the report form available from the principal or school district office. However, use of a formal reporting form is not mandatory.

Step 1. The administrator receiving the complaint will forward the complaint to one of the members of the District Complaint Investigation Team. This team will consist of the Title IX and Section 504 Coordinators. If the complaint made is verbal, the administrator will notify the Investigation Team immediately and within 24 hours forward a written summary of the complaint to the Investigation Team. This team will conduct an investigation and reply in writing within 15 school/business days. If the Title IX or 504 Coordinator is the subject of the complaint, proceed to Step 2.

Any person filing a false claim under this policy will be subject to disciplinary action including suspension or termination.

Policy 411-rule Continued:

Step 2. If the complainant wishes to appeal the decision in Step 1, he/she may submit a signed statement of appeal to the superintendent within five (5) school/business days after receipt of the response in Step 1. The superintendent shall meet with the parties involved, formulate a conclusion and respond in writing within 10 business days. If the superintendent is a subject of the complaint, proceed to Step 3.

Step 3. If the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the Board within five (5) school/business days after the receipt of the superintendent's response in Step 2. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within 15 business days following the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent by the Board Clerk to each concerned party within 10 business days of the meeting. If a Board member is a subject of the complaint, proceed to Step 4 or the Board may choose to hire an independent investigator.

Step 4. If the complaint remains unsatisfied, the complainant may appeal within 30 days of the Board's decision to the Department of Public Instruction, Equal Educational Opportunity Office, P.O. Box 7841, Madison, WI 53707 or the Office for Civil Rights Division, U.S. Department of Justice, P.O. Box 66118, Washington, D.C. 20035.

Failure to forward any sexual harassment or sexual violence report or complaint as provided herein will result in disciplinary action. If the complaint involves the building administrator, the complaint shall be filed directly with the Title IX and Section 504 Coordinators.

The school district shall conspicuously post in all buildings the name of the Human Rights Officers, including a mailing address and telephone number for each. The officers will receive reports or complaints of sexual harassment and sexual violence from any individual who is a victim of sexual harassment or sexual violence and also from the deans or administrators as outlined above. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with the superintendent.

Policy 411-rule Continued:

Dissemination of the Discrimination Complaint Procedures:

The adopted discrimination complaint procedures shall be available to students, parents, employees, volunteers, and others to inform them about the proper process of making a complaint.

This policy will be discussed at one of the initial faculty meetings at the beginning of each school year. Staff members not present at the faculty meeting will be informed of the policy/procedures by their immediate supervisor.

Individuals with a complaint may report their concern to any of the following:

- A. District Administrator
- B. Building Principals
- C. Guidance Counselors, Psychologist, Nurse

The topic of sexual harassment will be part of the counseling curriculum. Students and their parents will be informed by the building principal of the school district policy and complaint procedure.

Volunteers will be informed of the policy by the building principal.

All Administrative Team members will receive training regarding the policy.

This policy will be posted at all work sites.

Maintenance of Complaint Records:

The building principals and the Investigative Team (Title VI, Title IX, Section 504 and 118.13) shall at least annually file with the district administrator all records of all formal and informal complaints for the purpose of documenting compliance and past practices. The records shall include information on all levels of the complaint and any appeals. The records shall include:

1. The name of the complainant and his/her title or status.
2. The date of the complaint filed.
3. The specific allegation made and any corrective action requested by the complainant.

Policy 411-rule Continued:

4. The name of the respondent(s).
5. The levels of processing followed and the resolution date and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.

Cross Reference: Equal Opportunity Employment (Policy 511)
Grievance Procedure and Compliance (A.R. 511)

Adopted: March 1997
Revised: June 2001

