

## **Mascenic Regional School District AC-Non-Discrimination Policy**

*It is the policy of the School Board that there will be no discrimination on the basis of age, gender, race, creed, color, religion, marital status, sexual orientation, national ethnic origin, economic status or disability for employment in, participation in, admission/access to, or the operation and administration of any educational program, food nutritional program or activity in the Mascenic School District.*

The district will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

The superintendent or his/her designee will receive all inquiries, complaints, and other communications relative to this policy and the applicable laws and regulations concerned with non-discrimination.

This policy of non-discrimination is applicable to all persons employed or served by the district. Any complaints or alleged infractions of the policy, law or applicable regulations will be processed through the grievance process as outlined.

### **GRIEVANCE PROCESS**

#### *REPORTING PROCEDURES*

1. The superintendent or his/her written designee is responsible for implementing and supporting all procedures of this policy in working to prevent discrimination within the Mascenic Regional School District. Additionally, the superintendent may develop and implement additional administrative regulations and training in furtherance of this policy.
2. Any employee who believes he or she has been the victim of discrimination should report the alleged act(s) to the building principal. If the alleged perpetrator is the principal, the alleged victim may report the allegation to the superintendent.
3. In each building, the principal is the person responsible for receiving oral or written reports of discrimination. Upon receipt of a report, the principal will notify the superintendent immediately without screening or investigating the report. If the report was given verbally, the principal shall reduce it to written form within 24 hours and then forward it to the superintendent. Failure to forward any report or complaint as provided herein may result in disciplinary action. If the complaint involves the building principal, the complaint shall be filed directly with the superintendent.
4. The board designates the superintendent as the district human rights officer to receive any report or complaint of discrimination. If the complaint involves the superintendent, the complaint shall be filed directly with the school board. The district shall post the name of the

human rights officer in conspicuous places throughout school buildings, including a telephone number and mailing address.

5. Submission of a complaint or report of discrimination will not affect the employee's standing in school, future employment, or work assignments.

6. The district will respect the confidentiality of the complainant and the person(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 discrimination.

#### *INVESTIGATION AND RECOMMENDATION*

The superintendent acting in his/her capacity as human rights officer will authorize an investigation upon receipt of a report or complaint alleging discrimination. This investigation may be conducted by district officials or by a third-party designated by the school board (as applicable).

If district officials conduct the investigation, the investigation should consider the surrounding circumstances, the nature of the discriminatory practices and the context within which this behavior is alleged to have occurred. Whether a particular action or incident constitutes discrimination requires a determination based on all the facts and surrounding circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also include any other methods and documents deemed pertinent by the investigator. Students who are interviewed may have a parent or other representative present.

In addition, the district may take immediate steps, at its discretion, to protect the complainant, students and employees pending completion of an investigation of alleged discrimination.

If the board determines that a third-party designee should conduct the investigation, the district agrees to assent to that party's methods of investigation.

Upon completion of an investigation conducted by either district officials or a third-party, the board and the superintendent will be provided with a written factual report and recommended action.

#### *SCHOOL DISTRICT ACTION*

If the investigating party determines that the alleged conduct constituted discrimination, the superintendent may discipline the offending employee. Such discipline may include, but is not limited to, a warning, training, temporary suspension and/or dismissal. Any discipline will be in accordance with all laws and collective bargaining agreements, as applicable.

If the investigating party determines that the alleged conduct did not constitute discrimination, both the complaining party and the accused will be informed of such. No disciplinary action will be taken.

Conduct which does not rise to the level of discrimination as defined by the law, but is nonetheless inappropriate or in violation of other related board policies, will be addressed on a case-by-case basis by the superintendent, who may order the offending employee to engage in some remedial action.

*APPEAL OF INVESTIGATOR'S RECOMMENDATION (as applicable)*

Either the complainant or the accused may appeal the investigator's recommendation and subsequent district action, if any, to the school board.

After a hearing, the school board will vote to either accept or deny the investigator's recommendation and resulting discipline.

*REPRISAL*

The school district will discipline any employee who retaliates against any other employee who reports alleged discrimination or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a discrimination complaint.

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