

EMPLOYEE NONDISCRIMINATION AND ANTI-HARASSMENT POLICY

Discrimination Prohibited

It is the policy of the Barrington Public Schools ("BPS" or the "District") to maintain a work environment in which all employees are treated with respect and dignity. Each employee has the right to work in an atmosphere free from discrimination including harassment based on race, color, sex, disability, age, religion, national origin, gender identity or expression, genetic information, sexual orientation, pregnancy, childbirth or related medical conditions, citizenship status, marital status, military status, and any other category protected by law. Discrimination and harassment, whether verbal, non-verbal, or physical, are unacceptable and will not be tolerated.

This policy prohibits discrimination against and harassment of any person employed by BPS. With the exception of sexual harassment, which is covered by the District's Title IX Policy, this policy applies to all allegations of discrimination or harassment occurring in the workplace and in other settings employees may find themselves in connection with their employment, such as athletic events and on school-sponsored trips.

Discrimination and Harassment Defined

For purposes of this policy, harassment is defined as any unwelcome verbal, non-verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their membership in or association with an individual in a protected class. For example, racial harassment includes harassment based on an immutable characteristic associated with race (skin color or facial features). For the definition of sexual harassment, please refer to the BPS Title IX Policy.

It is a violation of this policy for an individual to engage in harassing conduct that:

- (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- (2) has the purpose or effect of unreasonably interfering with an individual's work performance;
- or
- (3) otherwise adversely affects an individual's job opportunities.

While it is not possible to list all of the circumstances that may constitute harassment under this policy, examples of behavior that may violate this policy include but are not limited to the following (if based on an individual's race, color, sex, disability, age, religion, national origin, gender identity or expression, genetic information, sexual orientation, pregnancy, childbirth or related medical conditions, citizenship status, marital status, military status, or other category protected by law):

- epithets, slurs, quips, and negative stereotyping;
- threatening, intimidating or hostile acts;
- written or graphic material (including graffiti) that denigrates or shows hostility or aversion toward an individual or group, and that is placed on walls, bulletin boards, or elsewhere on the school premises, or circulated or displayed in the educational setting or workplace; and
- "jokes," "pranks" or other forms of "humor" that are demeaning or hostile.

Unlawful discrimination refers to the unfair or unequal treatment of an individual, or group, based on the individual's or group's race, color, sex, disability, age, religion, national origin, gender identity or expression, genetic information, sexual orientation, pregnancy, childbirth or related medical conditions, citizenship status, marital status, military status, or other category

protected by law. Any type of discrimination or harassment is contrary to this policy and will not be tolerated.

Reporting Discrimination and Harassment

For the District's policy on reporting and investigating incidents of sexual harassment, see the BPS Title IX Policy. For all other forms of discrimination and harassment, the following policy applies:

Note: the availability of this complaint procedure is in addition to and does not foreclose persons who believe that they are being subjected to discriminatory or harassing conduct from promptly advising the offender that their behavior is unwelcome and requesting that it be discontinued, if the employee feels comfortable doing so.

Employees with supervisory authority who knowingly allow or tolerate discrimination, harassment, or retaliation, including the failure to immediately report such misconduct, are in violation of this policy and will be subject to discipline.

I. Where to report.

Report to

II. When to report.

All complaints should be reported as soon as possible. While there is no time limit for making a complaint, the sooner BPS knows about the complaint, the sooner it can take steps to stop any discriminatory behavior and remedy its effects.

III. How to report.

Complaints may be made orally or in writing. The contents of a complaint generally should include:

- The complainant's name;
- The name of the alleged perpetrator;
- A description of the conduct, including the date, time, and location; and • The names of any witnesses.

III. What to Expect After a Report

- *A consultation meeting with the complainant will be held with the EEO.*
- *At that meeting, next steps will be determined.*

Investigations, Confidentiality and Discipline

All allegations of discrimination and harassment will be investigated. The investigation may include interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. If an individual refuses to participate in an investigation, BPS will base its conclusions on the other information gathered during the inquiry and inferences drawn from all of the credible evidence. BPS will endeavor to maintain confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances.

If BPS finds that an employee has violated this policy, the employee will be subject to appropriate corrective and/or disciplinary action, up to and including discharge.

External Reporting

In addition to making a complaint internally, any employee who believes they have been subjected to discrimination or harassment may file a formal complaint with the following governmental agencies:

Rhode Island Commission for Human Rights

180 Westminster Street, 3rd Floor

Providence, RI 02903

Phone: 401-222-2661

Fax: 401-222-2616

TTY (Relay RI): 401-222-2664

RICHR.Info@richr.ri.gov

Equal Employment Opportunity Commission

Boston EEOC Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

Phone: 1-800-669-4000

Fax: 617-565-3196

TTY: 1-800-669-6820

Retaliation and Malicious Reporting Prohibited

BPS prohibits retaliation against any individual who makes a report of discrimination or harassment or who cooperates in an investigation. Any employee who is found to have retaliated against another individual for reporting any discrimination or harassment or for cooperating in an investigation of a complaint will be subject to disciplinary action.

Similarly, if an investigation results in a finding that the complainant knowingly and falsely accused another person of discrimination or harassment, the complainant will be subject to disciplinary action.

[\[Title IX of the Education Amendments of 1972\]](#)

[\[Title VI of the Civil Rights Act of 1964\]](#)

[\[Title VII of the Civil Rights Act of 1964\]](#)

[\[The Age Discrimination in Employment Act\]](#)

[\[The Americans with Disabilities Act\]](#)

[\[Section 504 of the Rehabilitation Act of 1973\]](#)

[\[R.I. Gen. Laws § 16-38-1\]](#)

[\[R.I. Gen. Laws § 16-38-1.1\]](#)

[\[R.I. Gen. Laws § 28-5-1 et seq.\]](#)

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