

Discrimination and Harassment

Federal or Michigan Law prohibits illegal discriminatory harassment based on sex, race, color, national origin, age, religion, height, weight, marital status, genetic information or disability. Furthermore, the District will not tolerate illegal harassment of employees within these protected classes by District Board of Education members, other District employees, students, parents, invitees, guests, volunteers, etc. These procedures address illegal harassment, subject to Federal and Michigan Law, and establish a process for investigating and resolving complaints of harassment made by District employees.

Generally, illegal harassment occurs when a District employee is subjected to unwelcome communications or conduct relating to an individual's sex, race, color, national origin, age, religion, height, weight, marital status, disability, or genetic information, when:

- Submission to the conduct or communication is made an explicit or implicit condition of employment;
- Submission to, or rejection of, the conduct or communication is used as a factor in decisions affecting the individual's employment; or,
- Such conduct or communication has the purpose or effect of substantially interfering with the individual's work performance or employment, creates an intimidating, hostile or offensive work environment or otherwise adversely affects the individual's employment opportunities.

Investigative Procedures

Any District employee or applicant, who believes s/he has suffered illegal discriminatory harassment, shall report the incident(s) to one of the following individuals:

- District Superintendent
- Human Resources Director
- Board President
- Immediate Supervisor

The District's Superintendent, or his/her designee, will investigate and resolve any such complaint. The District will appoint a non-District employee to investigate complaints of illegal discriminatory harassment against the Superintendent or Board of Education members. The District will not retaliate against any person because s/he made a good faith complaint of illegal discriminatory harassment.

The person conducting the investigation will ascertain the basis of the complaint, including permitting the complainant to identify witnesses and potentially relevant documents. In the same fashion, the investigator will ascertain the position of the person about whom the complaint has been made. This part of the investigation should be completed within 10 school days, absent unusual circumstances.

**WYANDOTTE PUBLIC SCHOOLS
PROCEDURES**

4000.02

Discrimination and Harassment

The investigator will, based on his/her investigation, determine whether illegal discriminatory harassment occurred. This determination will be based on the totality of the circumstances including, but not limited to, factors such as:

- The relationship between the parties.
- Surrounding circumstances.
- The nature of the behavior.
- How often the conduct occurred.
- The identity of the alleged perpetrator in relation to the alleged victim.
- The location of the alleged discrimination.
- The ages of the parties.
- The context in which the alleged incidents occurred.
- Past incidents or past or continuing patterns of behavior involving the parties.

The investigator will also dispose of the complaint. This disposition may include:

- Actions to prevent the recurrence of illegal discriminatory harassment, or the fact and circumstances that led to the complaint.
- Reasonable and appropriate sanctions or discipline against any person the investigator concludes committed illegal discriminatory harassment.
- A reasonable and appropriate remedy for any victim of illegal discriminatory harassment.

The investigator may also make an interim disposition pending the completion of the investigation and final disposition. The investigator should dispose of the complaint within 20 school days from the date it was presented, absent unusual circumstances.

The investigator will communicate the disposition of the complaint to the complainant and other involved parties on a need to know basis. The investigator's disposition will be final. However, any affected party dissatisfied with the investigator's disposition may pursue available legal remedies.

Complaints concerning illegal discriminatory harassment based on race, color, national origin, religion, sex, age, disability, or genetic information may be filed with:

The Office for Civil Rights
United States Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, Ohio, 44115-1812
Phone: 216-522-4970
Email: OCR.Cleveland@ed.gov

Effective Date: September 6, 2015