

BOARD POLICIES	<p style="text-align: center;">STUDENT COMPLAINTS OF DISCRIMINATION, HARASSMENT AND/OR RETALIATION (BP-5026) METRO TECHNOLOGY CENTERS</p>	<p style="text-align: center; color: red;">The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.</p>
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1.0 POLICY:

This policy applies to any high school or adult student of Metro Technology Centers. Any student who may be subjected to discrimination, harassment or retaliation or who witnesses such actions is encouraged to report such alleged actions to the Site Director, or the Campus Liaison posted at each site or to the:

Nondiscrimination/Title IX Coordinator
Metro Technology Centers
1900 Springlake Drive
Oklahoma City, OK 73111
405-424-8324
TitleIXCompliance@metrotech.edu

1.1. Submitting, Receiving, & Investigating a Complaint

- 1.1.1. A student or any witness of discrimination, harassment, disability harassment, sexual harassment, threatening behavior, or retaliation may make a verbal report or may file a written complaint using the official Complaint/Compliance Form available at the site or found on the Metro Technology Centers website under the *Contact Us* link. Complainant rights and options during the investigation and appeal process are provided on the website at the complaint link.
- 1.1.2. Complaint/Compliance Form is submitted to the Site Director or the Campus Liaison to be forwarded to the Nondiscrimination/Title IX Coordinator. If the complaint is against the Site Director or the Campus Liaison, the complaint may be submitted directly to the Assistant Superintendent, Instruction, Dean of Instruction, or Nondiscrimination/Title IX Coordinator.
- 1.1.3. If the complaint is based upon potential harm to any person or sexual misconduct, security should be notified immediately. Complaints of potential harm, sexual misconduct or discrimination should be referred to the site administrator, parents (if student is a minor), and Nondiscrimination/Title IX Coordinator within 24 hours and the investigation shall begin immediately.
- 1.1.4. Complaint investigations at all District levels will be conducted in a thorough and impartial manner within ten (10) school days of receiving the complaint, to the extent reasonably possible. The complainant and respondent will be provided opportunity to provide witnesses and other evidence.
- 1.1.5. During the investigation process, the center may take interim measures as deemed necessary to meet the immediate needs of parties to the complaint investigation, such as, but not limited to, scheduling/academic adjustments, no contact orders, transportation adjustments, counseling services and outside referrals.

1.2. Investigation Findings

- 1.2.1. For all findings and decisions, the investigator shall notify all parties in writing of the decision and their right to appeal within 5 days of completing the

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investigation, to the extent reasonably possible. The Site Administrator shall monitor and provide any needed support to involved parties.

- 1.2.2. If the investigator finds that discrimination, harassment, disability harassment, sexual harassment, threatening behavior, or retaliation has occurred, then the respondent will be disciplined following school procedures up to and including suspension and/or dismissal in accordance to District policy for non-academic misconduct. It may also be recommended and required that the respondent be placed in training and/or counseling that correlates with the found misconduct before 1) returning to school or 2) concurrently while attending school. On-site counseling and/or academic support will be offered to the complainant.
- 1.2.3. If the investigator finds that discrimination, harassment, disability harassment, sexual harassment, threatening behavior, or retaliation did not occur, then written notice to the parties of the outcome of the investigation will be provided to the extent permitted by law.
- 1.2.4. Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action up to and including suspension or dismissal. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

1.3. **Appeal Process**

- 1.3.1. All parties have the right to appeal investigation decisions.
- 1.3.2. The appeal must be made in writing to the Assistant Superintendent, Instruction within 10 days of written notice of the outcome of the investigation.
- 1.3.3. Upon receiving an appeal request, the District will provide the appellant a written explanation of the appellant rights and options within two days.
- 1.3.4. Within five days of receipt of an appeal request the Assistant Superintendent, Instruction shall appoint an impartial panel for a hearing of the appeal. Such panel will consist of five persons with a minimum of one member of District leadership, one professional level staff member and one faculty member. No person will serve on the panel who was a witness or has such close ties to the parties to the complaint that the individual could not be impartial.
- 1.3.5. The hearing will take place within ten days of receipt of the appeals request, to the extent reasonably possible. The appellant has the right to bring witnesses and other evidence. The hearing will be conducted in an impartial manner.
- 1.3.6. In the event the recommendations arising from the investigation are overturned by the hearing panel, appropriate measures will be taken in compliance with Metro Tech Board Policy.
- 1.3.7. The decision of the hearing panel is final.

1.4. **Retaliation**

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1.4.1. Retaliation is any negative conduct which is taken in response to an individual's complaint of harassment or discrimination or participation in any investigation of such harassment or discrimination complaint. At no point will retaliation of any type be permitted.

2.0 CROSS REFERENCE: BP-2031, BP-5020, BP-10006

3.0 REVISION HISTORY:

<u>Date:</u>	<u>Revision</u>	<u>Description of Revision:</u>
12-Sep-17	A	Adopted
15-Feb-22	B	Blanket review and annual adoption of all policies
14-Jun-22	C	Revised position title from Title IX Coordinator to Nondiscrimination/Title IX Coordinator; and revised position title from Associate Superintendent to Assistant Superintendent, Instruction

***** End of Policy *****