

PHENIX CITY SCHOOLS

Sexual Harassment Grievance Process under Title IX

Phenix City Schools Board Policy

3.43 PROHIBITION OF SEXUAL HARASSMENT

The Phenix City Board of Education prohibits harassment against any employee, applicant for employment, student, or student applicant based upon race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, or social and family background. This policy also applies to non-employment volunteers who work subject to the control of school authorities.

Procedures

When an employee Phenix City Schools receives “actual knowledge” of conduct that may constitute sexual harassment, the employee must report information to the School-based Title IX Coordinator. A school or district has “actual knowledge” when notice or allegations of sexual harassment are reported to any school employee; or any employee personally observes such behavior.

School-Based Title IX Coordinator/Investigator

- Offers/coordinates student supportive measures
- May offer opportunity for informal resolution
- Must have a formal complaint to continue with grievance process
- Provides notice, leads the investigation and prepares an investigative report
- Investigative report and documentation is submitted to the Decision-Maker

Decision-Maker

- Provides opportunity for involved individuals and their parents/guardians to prepare written questions to be answered by the other side.
- Reviews all materials and makes a written responsibility determination – an impartial determination as to whether the alleged conduct occurred – including sanctions.
- Outlines the appeals process
- Grounds for appeal include:
 - A procedural irregularity affected the outcome
 - New evidence that may affect the outcome and was not previously reasonably available
 - The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias that affected the outcome