

AMEND BOARD REPORT 08-1216-PO1

**AMEND BOARD REPORT 08-0123-PO4
COMPREHENSIVE NON-DISCRIMINATION,
TITLE IX AND SEXUAL HARASSMENT POLICY**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board amend Board Report 09-1216-PO1 Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy.

PURPOSE: The Board recognizes that the goal of eliminating all forms of unlawful discrimination, sexual harassment and retaliation in the workplace and attendance centers will create a better work and learning environment for Board employees and students. This policy establishes procedures for the reporting

investigation and resolution of complaints of sexual harassment, discrimination and retaliation occurring in

D. **Limitations:** Nothing in this policy is intended nor shall be construed to create a private right of action against the Board or any of its employees. Furthermore, no part of this policy shall be construed to create contractual or other rights or expectations. Nothing herein is intended to affect the right of any person to make a charge of discrimination, retaliation or sexual harassment at any agency with jurisdiction over such

claims.

F. **Guidelines:** The EOCO Administrator ~~Manager~~ shall establish guidelines which include procedures

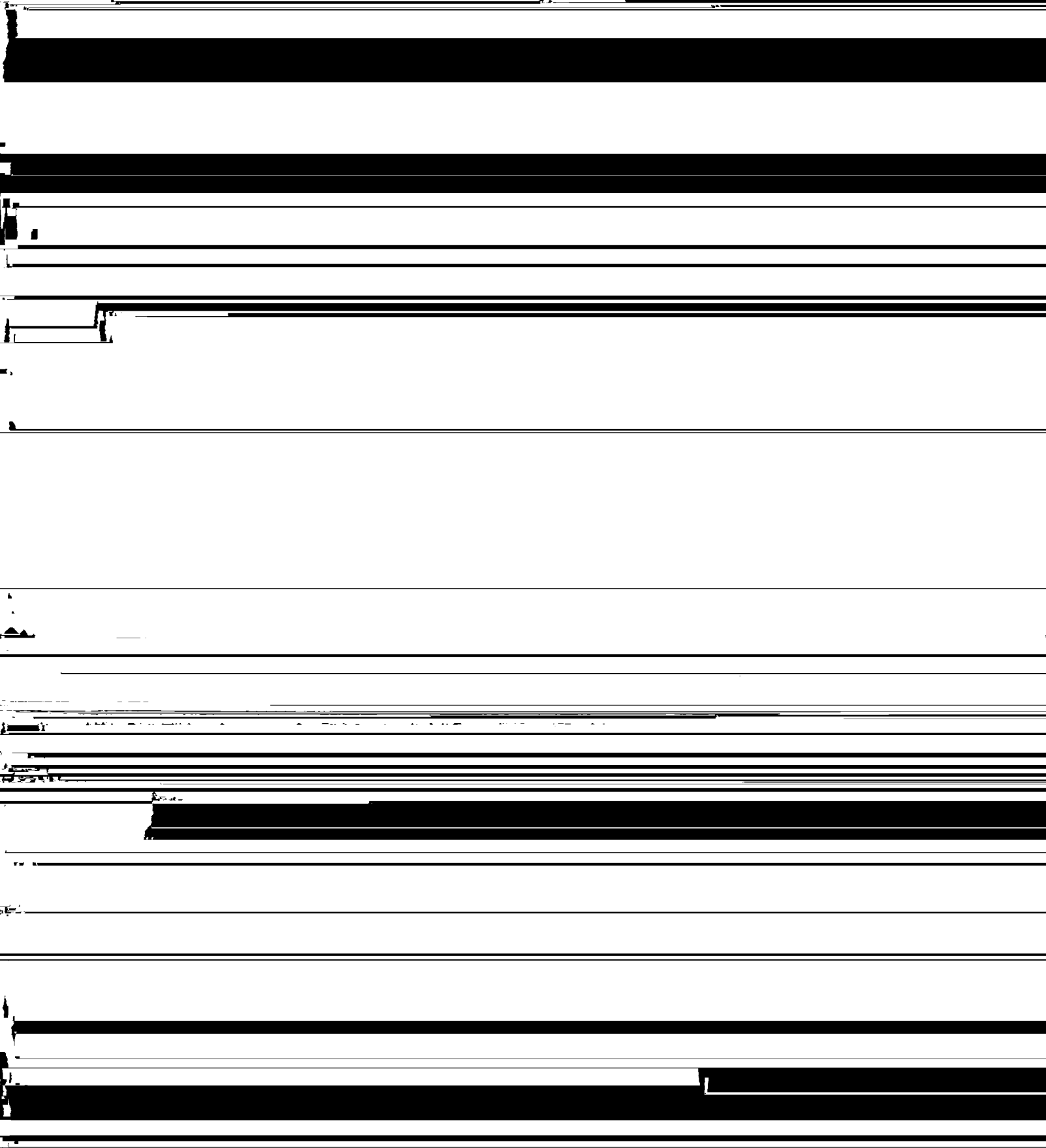
necessary to implement the requirements of this policy and shall make them available to interested persons. Guidelines shall include complaint forms which must be signed by the complainant, timelines for initiation

C. **Non-Fraternization:** No employee shall engage in or maintain a romantic relationship with another employee that they manage, supervise or may control or influence the supervision, evaluation or compensation of the other. Employees who become involved in such a relationship must communicate this fact to their principal supervisor. The principal supervisor will confer with the EOC

Administrator Manager to evaluate and determine an appropriate resolution in compliance with this policy. One or both employees may have to seek other employment, as the Board is under no obligation to reassign ~~any~~ ~~on both employees.~~ Romantic relationships between Board employees when there is no supervision:

The EOCO Administrator Manager shall also ensure that the affected students are afforded their rights provided for under Title IX of the Education Amendments of 1972.

2. Disability Discrimination Complaints By Students - Notwithstanding the procedures cited above, a student, or a parent/guardian on the student's behalf, making a complaint of disability discrimination by another student or by an employee, contractor or vendor, shall report their complaint in accordance with the



F. **School/Department's Involvement:** No school-based or department-based investigation or discipline may be initiated or imposed regarding allegations of discrimination, sexual harassment or retaliation by an employee, contractor, consultant, vendor, volunteer until the EOC Administrator Manager

as the Department has investigated the matter and made a determination. If the EOC Administrator

5. Any Board employee, contractor, consultant, vendor or volunteer who intentionally harasses, sexually harasses, conducts an unlawful discrimination,

conduct by a Board employee, contractor, consultant, vendor or volunteer towards a student that occurs in their presence, by failing to report that conduct. Discipline may be imposed in this instance regardless of whether or not the student complains about the conduct; and

6. Any covered individual to bring allegations in bad faith, and which the EOCO Administrator Manager or its designee finds to be false.

B. Discipline: Employees and students who violate this policy are subject to disciplinary action

Contractors, consultants or vendors who violate this policy are subject to remedies of law or remedies pursuant to their contract. Volunteers who violate this policy are subject to the relinquishment of their authorization.

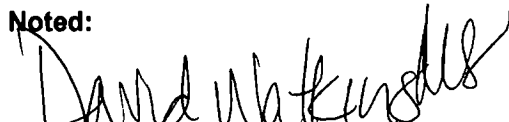
VII. NOTICE

Upon adoption of this policy, all new employees shall receive information on this policy at the date of hire. Each school shall maintain copies of this policy in its Main Office and annually the Principal shall advise each

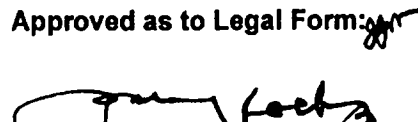
Approved for Consideration:

Respectfully submitted:

Noted:


David G. Watkins

Approved as to Legal Form:


Patrick J. Rocks