

Section 5000 – Personnel

5035 Discriminatory Harassment of Employees or Applicants

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The Grand Rapids Board of Education strives to create and maintain a work environment in which staff are treated with dignity, decency and respect. Discriminatory harassment of District elected officials, employees, applicants for hire, District employees, vendors, contractors, or others doing business with the District, students, parent(s)/guardian(s), invitees, volunteers or guests will not be tolerated.

Discriminatory Harassment:

Discriminatory harassment means any verbal or physical conduct, intimidation, ridicule, disparagement, purposeful embarrassment, or chiding of any person because of their race, sex, sexual orientation, gender, gender identity and expression, height, weight, color, religion, national origin, age, marital status, pregnancy, disability or veteran status when:

- Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, to obtain employment,
- Submission to, or rejection of, such conduct or communication by an employee/applicant is used as a factor in decisions affecting such employee/applicant's employment, or
- Such conduct or communication has the purpose or effect of substantially interfering with an employee's employment, or creating an intimidating, hostile, or offensive employment environment, or otherwise adversely affects an employee's employment opportunities.

If a board member, employee, applicant for hire, vendor, contractor, or others doing business with the District allege sexual harassment, the provisions in Board Policy 5037 Sexual Harassment of Employees and Other Persons and its rules shall apply.

Reporting:

Any employee or applicant who believes that he or she has suffered discriminatory harassment as defined in this policy, or believes that any other employee, contractor, or vendor, student, or member of the public has suffered harassment, has the duty to immediately report the incident(s) to his/her supervisor, the Superintendent, the Civil Rights Coordinator, the Title IX Coordinator, or Human Resources at:

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Grand Rapids Public Schools
1331 Franklin SE., PO Box 117
Grand Rapids, MI 49501-0117
Phone: (616) 819-2000

- Reports may also be made to the Ethics Hotline at <https://reportanissue.com/grps/welcome.php>, or call 1-800-345-7377. The hotline will take anonymous complaints. Employees may also contact the Michigan Civil Rights Commission.

The District guarantees that an employee or applicant for employment, reporting an incident of discriminatory harassment will not suffer any form of reprisal.

Investigating Complaints:

In determining whether the alleged conduct constitutes discriminatory harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The Superintendent or designee has the responsibility of investigating complaints of discriminatory harassment of employees or applicants. In cases where the alleged harassment involves a member of the Board of Education, the school District will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the parties.

In the event the complaint is against the Superintendent, the Vice-President of the Board shall be automatically designated as the recipient and investigator for such complaints. The Vice-President of the Board may, at his/her sole discretion, elect to employ District legal counsel or other qualified, independent investigators to assist him/her in the investigation. Results of the Vice-President's investigation will be turned over to the President of the Board.

The District considers harassment on the basis of race, sex, gender, height, weight, color, religion, national origin, age, marital status, disability or veteran status to be a major offense, which, if substantiated, will result in disciplinary action of the offender. Disciplinary action against a District employee may include suspension or termination of

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employment. Disciplinary action against a Board of Education member may include a Board of Education public censure or any other remedy available under law.

Notification:

Notice of this policy and its accompanying rules will be posted on the District website. Notice will also be provided to applicants upon hire and to employees, students and parents/guardians on an annual basis. Training sessions on this policy, rules, and the prevention of sexual harassment shall be held periodically for Board members and employees of the District.

The Superintendent shall develop rules to implement this policy. Those rules are incorporated by reference as a part of this policy.

Approved: March 7, 2016

Revised: August 3, 2020

LEGAL REF: MCL 37.2101 *et seq.*, (Elliott-Larsen Civil Rights Act); 380.11a; 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments)