



Provo City School District

Policy Series 5000: Personnel

5150 P1

Workplace Harassment

All teaching and non-teaching staff shall eliminate harassment by promoting acceptance of our cultural, linguistic, and religious diversity by challenging prejudicial attitudes and racist or discriminatory behaviors.

Reporting Procedures

Employees who feel their employment is negatively affected by actions committed by personnel employed by the District or by students, should report orally or in writing, the action to an administrator or supervisor. If the complaint involves the immediate supervisor, it should be reported to the Deputy Superintendent. Employees should not feel embarrassed, intimidated, or reluctant to file a harassment report. Should the employee feel uncomfortable reporting the discriminatory action to an administrator of the opposite sex, they may report it to any administrator or supervisor of the same sex. Any employee who is a victim of harassment, or who has personal knowledge of harassment taking place (information, allegations, rumors, etc.) is responsible to report the problem immediately to an administrator or supervisor. A complaint must be filed within 180 calendar days of the harassment incident. For assistance and information regarding discrimination issues, please contact the Deputy Superintendent, 280 West 940 North Provo, Utah 84604 801-374-4800.

1. School Level Reporting

- a) The building principal is the person responsible for receiving oral or written reports of harassment at the building level.
- b) Upon receipt of a report, the principal should notify the Deputy Superintendent immediately without screening or investigating the report. A written report will be forwarded simultaneously to the Deputy Superintendent. If the report was given verbally, the principal should produce it in written form and then forward it to the Deputy Superintendent.
- c) Failure to forward any harassment report or complaint as provided herein may result in disciplinary action.
- d) If the complaint involves the building principal, the complaint should be filed directly with the Deputy Superintendent.

2. District-Wide Reporting

- a) The Board hereby designates the Deputy Superintendent to receive reports or complaints of harassment from any individual, employee or victim of harassment and also from the building principals as outlined above.

- b) If the complaint involves the Deputy Superintendent, the complaint should be filed directly with the Superintendent.

Investigation and Recommendation

By authority of the District, the Deputy Superintendent, upon receipt of a report or complaint alleging harassment, should immediately authorize an investigation. This investigation may be conducted by District officials or by a third party designated by the District.

The investigating party will provide a written report of the status of the investigation within ten (10) working days to the Superintendent and the Deputy Superintendent.

In determining whether alleged conduct constitutes harassment, the District should consider the surrounding circumstances, the nature of the incident, relationships between the parties involved and the context in which the alleged incidents occurred.

The investigation may consist of personal interviews with the complainant, the individuals against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the District may take immediate steps, at its discretion, to protect the complainant and employees pending completion of an investigation of alleged harassment.

Corrective Action

Once the facts in a case have been determined, the Deputy Superintendent or designee shall make a concentrated effort to resolve the case. Final resolution may include, but is not limited to:

- 1) Appropriate corrective action or discipline against violators of this policy; or
- 2) Agreement among the parties which resolves the issues; or
- 3) Determination that harassment did not occur.

Substantiated charges of harassment against an employee will subject the employee to corrective action or discipline consistent with district policies, including the possibility of suspension or termination.

Employees who file frivolous, unfounded, or malicious harassment reports will subject themselves to corrective action or discipline consistent with school and district policy.

Harassment reports will be investigated and handled as discreetly as possible. The District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action when the conduct has

occurred. All persons involved will refrain from discussing the case with anyone, except those who have a legitimate need or right to know.

Retaliation

Reprisals of any kind are strictly prohibited against any person who has filed a report of harassment, testified as a witness, or participated in any investigation or proceeding conducted under Policy 5280 Disciplinary Action, Non-renewal and Termination.

Reporting of harassment, or participation in a related inquiry, will not reflect upon the individual's status nor will it affect future employment or evaluation. The District will discipline any individual who retaliates against any person and in any manner as described above.

Cross Reference

Policy 5280 Disciplinary Action, Non-renewal and Termination

Adopted: March 30, 2015

Revised: February 8, 2016