

# Weakley County Board of Education



Monitoring:

Descriptor Term:

## **Discrimination/Harassment of Employees (Sexual, Racial, Ethnic, Religious)**

Descriptor Code:

5.500

Issued Date:

6/7/2018

1  
2 Employees shall be provided a work environment free from sexual, racial, ethnic and religious  
3 discrimination/harassment. It shall be a violation of this policy for any employee or any student  
4 to discriminate against or harass an employee through disparaging conduct or communication  
5 that is sexual, racial, ethnic or religious in nature. The following guidelines are set forth to  
6 protect employees from discrimination/harassment.

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8 Employee discrimination/harassment will not be tolerated.<sup>1</sup> Discrimination/harassment is defined  
9 as conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or  
10 religious nature which:

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12 1. Unreasonably interfere with the individual's work or performance; or  
13 2. Create an intimidating, hostile or offensive work environment; or  
14 3. Imply that submission to such conduct is made an explicit or implicit term of employment;  
15 4. Imply that submission to or rejection of such conduct will be used as a basis for an  
16 employment decision affecting the harassed employee.

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18 Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report  
19 these incidents immediately.<sup>2</sup> This report should be made to the immediate supervisor except  
20 when the immediate supervisor is the offending party. If the immediate supervisor is the  
21 offending party, the report may be made to the Federal Rights Coordinator or the Special  
22 Education Supervisor. Allegations of discrimination/harassment shall be fully investigated (as set  
23 forth in *Complaints and Grievances 5.500*). An oral complaint may be submitted; however such  
24 complaint must be reduced to writing to ensure a more complete investigation. The complaint  
25 should include the following information:

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27 Identity of the alleged victim and person accused;  
28 Location, date, time and circumstances surrounding the alleged incident;  
29 Description of what happened;  
30 Identity of witnesses; and  
31 Any other evidence available.

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33 The privacy and anonymity of all parties and witnesses to complaints will be respected.  
34 However, because an individual's need for confidentiality must be balanced with obligations to  
35 cooperate with police investigations or legal proceedings, to provide due process to the accused,  
36 to conduct a thorough investigation or to take necessary action to resolve a complaint, the  
37 identity of parties and witnesses may be disclosed in appropriate circumstances to individuals  
38 with a need to know.

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Legal References:

<sup>1</sup> Title VII; 29 CFR § 1604.11

<sup>2</sup> Title IX (20 U.S.C. §§ 1681-1686)

## 5.500 Discrimination/Harassment of Employees

1 A substantiated charge against an employee shall result in disciplinary action up to and including  
2 termination. A substantiated charge against a student may result in corrective or disciplinary  
3 action up to and including suspension.

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5 There will be no retaliation against any person who reports discrimination/harassment or  
6 participates in an investigation. However, any employee who refuses to cooperate or gives false  
7 information during the course of any investigation may be subject to disciplinary action. The  
8 willful filing of a false report will itself be considered harassment and will be treated as such.

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10 An employee disciplined for violation of this policy may appeal the decision by contacting the  
11 Federal Rights Coordinator.

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Cross References:

1.404 Appeals to the Board

5.501 Complaints and Grievances