

P1120 HARASSMENT OF EMPLOYEES BASED ON RACE, COLOR, RELIGION, GENDER, NATIONAL ORIGIN, AGE OR DISABILITY

BOARD POLICY:

Unified School District #259 will not tolerate harassment or intimidation of an employee based on race, color, religion, gender, national origin, age, or disability by another employee, a pupil, or others. Violation of this policy shall result in disciplinary action against any employee or pupil involved, including possible termination of the employee and expulsion of the pupil. Others who violate this policy shall be reported to local law enforcement agencies for investigation. Supervisors who fail to follow the policy or fail to investigate complaints shall also be disciplined. Employees who observe conduct in violation of this policy, whether as a victim or as a witness, have a duty to report such a violation to their supervisor or the Chief Human Resources Officer or designee where the supervisor is the person engaging in the harassment.

Administrative Implemental Procedures:

1. All district employees have the right to work in an environment free from all forms of unlawful discrimination and conduct which can be considered harassing, coercive, or disruptive. Consistent with the District's respect for the rights of each employee, harassment based on race, color, religion, gender, national origin, age, disability or any other characteristic protected by the laws of the State of Kansas or the United States of America, will not be tolerated.
2. Harassment on the basis of any of these characteristics is strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability or any other characteristic protected by law or that of his/her relatives, friends, or associates and that:
 - a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
 - b. Has the purpose or effect of unreasonably interfering with an individual's work performance; or,
 - c. Otherwise substantially adversely affects an individual's employment.
3. Harassing conduct includes, but is not limited to:
 - a. Epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; and, written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the District's premises or circulated in the work place.
4. The standard for determining whether an intimidating, hostile, or offensive, work environment is created or the alleged conduct unreasonably interferes with the victim's work performance or educational opportunities is whether a reasonable person in the same or similar circumstances would find the conduct intimidating, hostile or offensive. The determination should give consideration to the perspective of the "reasonable person" of the

alleged victim's race, color, religion, etc. A showing of actual psychological harm is not required.

5. Supervisors are responsible for assuring that no employee is subjected to conduct that constitutes any of the forms of harassment described above.
6. Any individual found to have engaged in harassment as described herein will be disciplined as appropriate, up to and including discharge of employees or expulsion of pupils. Others violating this policy will be reported to local law enforcement agencies for investigation. In addition, the principal or designee may sanction the offender by prohibiting the offender from being present on school property for a designated period of time and/or from specific school activities.
7. Any employee who believes he or she has been the subject of any form of harassment prohibited herein by a pupil, or any other person that the employee comes into contact with while engaged in the District's business, shall bring the matter to the attention of his or her supervisor, the Chief Human Resources Officer or designee.
8. Any employee who believes he or she has been the subject of any form of harassment prohibited herein by a pupil, or any other person that the employee comes into contact with while engaged in the District's business, shall bring the matter to the attention of his or her supervisor, the Chief Human Resources Officer or designee.
9. A prompt and thorough investigation of the alleged incident, if the alleged harasser is an employee or pupil, will be conducted to the extent reasonably necessary and possible. Appropriate corrective action will be taken, if warranted, to punish the offender and prevent similar conduct in the future. To the extent consistent with adequate investigation and appropriate corrective action, complaints of harassment will be treated as confidential. If the alleged harasser is not a pupil or employee, the incident shall be reported to local law enforcement agencies for investigation.
10. The District will not, in any way, retaliate against an employee, or others who, in good faith, makes a complaint or report of harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual for in good faith reporting a claim of harassment or cooperating in the investigation of same will not be tolerated and will itself be subject to appropriate discipline.
11. This policy shall apply to protect the employee while the employee is performing his or her duties as an employee of the District.

Administrative Responsibility: Human Resources

Latest Revision Date: August 2012

New Policy: June 2001 P1120