

Kingsport City Schools

Monitoring: Review: Annually, in March	Descriptor Term: Discrimination/Harassment of Employees (Sexual, Racial, Ethnic, Religious)	Descriptor Code: 5.500	Issued Date: 02/03/11
		Rescinds:	Issued:

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

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

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

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15 Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these
16 incidents immediately.² This report should be made to the immediate supervisor, except when the
17 immediate supervisor is the offending party. If the immediate supervisor is the offending party, the
18 report may be made to the Federal Rights Coordinator, the Chief Human Relations Officer and/or the
19 Superintendent of Schools. Allegations of discrimination/harassment shall be fully investigated (as set
20 forth in *Complaints and Grievances 5.501*). An oral complaint may be submitted; however, such
21 complaint must be reduced to writing to ensure a more complete investigation. The complaint should
22 include the following information:

- 23 Identity of the alleged victim and person accused;
- 24 Location, date, time and circumstances surrounding the alleged incident;
- 25 Description of what happened;
- 26 Identity of witnesses; and
- 27 Any other evidence available.

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

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36 A substantiated charge against an employee shall result in disciplinary action up to and including
37 termination. A substantiated charge against a student may result in corrective or disciplinary action up to
38 and including suspension.

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

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5 An employee disciplined for violation of this policy may appeal the decision by contacting the Federal
6 Rights Coordinator, the Chief Human Relations Officer and/or the Superintendent of Schools.
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41 Legal Reference:
42 1. 29 CFR §1604.11
43 2. 20 U.S.C. § 1681
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_____ Cross Reference:
Appeals To & Appearances Before the Board 1.404
Complaints and Grievances 5.501