

Tapestry Public Charter School Policy Manual

Equal Employment Opportunity and Harassment Policy

Adopted: 6/16/2014

Revised: NA

The Tapestry Public Charter School Board adopts the following policy, effective on the date of adoption by the Board.

Sections:

- I. PURPOSE**
- II. EEO POLICY**
- III. SEXUAL OR OTHER UNLAWFUL HARASSMENT**

1. PURPOSE

It is the policy of Tapestry Public Charter School that all individuals shall learn and work in an environment free of all forms of discrimination, including sex discrimination. Tapestry Public Charter School is committed to maintaining a workplace and learning environment that is free of inappropriate or unlawful conduct on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, genetic information, or other protected group status as provided by law. In keeping with this commitment, we prohibit the unlawful treatment of employees and students, including harassment, discrimination, and retaliation, by anyone, including any supervisor, coworker, student, contractor, subcontractor, vendor, client, visitor, customer, or agent. It is our policy to comply with all applicable federal, state, and local laws.

Tapestry Public Charter School will investigate all complaints, formal or informal, verbal or written, of alleged improper conduct and will discipline any individual who, in the course of his or her employment or involvement with the Tapestry, exposes another person to harassment or improper sexual conduct.

2. EEO Policy

This Policy applies to all aspects of employment, including, but not limited to, recruitment, hiring, promotion, demotion, transfer, lay-off, recall, discipline, compensation, and benefits. Improper conduct also consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status or activity (e.g., opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. This includes conduct by someone to another of the same gender. The School prohibits unlawful conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No one, including any supervisor, has authority to engage in such conduct.

If an employee or student feels that he or she has been subject to the type of conduct prohibited by this

Policy, he or she must report this conduct in accordance with the School's Complaint Procedure. Individuals should report any improper conduct before it becomes severe or pervasive, and should not wait until it rises to the level of an unlawful action.

3. SEXUAL OR OTHER UNLAWFUL HARASSMENT

Sexual harassment is a form of sex discrimination that undermines the integrity of the educational and employment environment and violates Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972. Accordingly, sexual misconduct perpetuated against or by employees is prohibited at Tapestry Public Charter School.

It is the policy of the School to maintain a work and learning environment that is free from sexual and other harassment. It shall be a violation of this policy for any employee of the School to harass another employee or a student, and it shall also be a violation of this policy for any student to harass another student.

Unlawful harassment can take many forms, including based on an individual's sex, as well as conduct based on race, age, or any other protected status. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on a protected class constitute harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions; sexual innuendo; suggestive comments; sexually oriented or racial "kidding" or "teasing;" "practical jokes;" jokes about gender-specific or disability-specific traits; foul or obscene language or gestures; displays of foul, obscene, or racial material; sexually-related emails and text messages; and physical contact, such as patting, pinching, or brushing against another's body. Any individual, including an employee or student, who feels he or she has witnessed or been subject to harassment, including harassment from other employees or a student, must follow the School's Complaint Procedure.

Appendix 1 to Harassment/Discrimination policy

PROCESS FOR WHEN THERE IS AN ALLEGATION OF ABUSE, HARASSMENT OR DISCRIMINATION BY STAFF AGAINST A STUDENT OR OTHER STAFF---

NOTE: THIS POLICY DOES NOT REPLACE THE REQUIREMENT FOR MANDATORY REPORTING WHERE APPROPRIATE

As used in this Appendix, the following definitions apply:

“Abuse” means any behavior that may be deemed inappropriate or unprofessional but does not require mandatory reporting because it does not meet the definition of abuse under OCGA §19-7-5.

“Administration” means principal, vice principal, counselor, or dean of students.

“Initial Investigation” means gathering witness statements, reviewing video and otherwise collecting and reviewing relevant evidence as deemed appropriate by the administration.

Upon receiving notice of a verbal or written complaint or observation of possible unlawful harassment, discrimination, or abuse, an administrator must immediately or as soon as practicable make a written record of the complaint or observation in the appropriate confidential log. The administrator must promptly conduct an initial investigation and ensure appropriate action is taken based on the findings of the investigation. If a student makes the complaint, his or her parent or legal guardian will be notified no less than 24 hours after the complaint is received. At the same time, the parent or legal guardian will receive a written overview of the investigation process and anticipated timelines for completion.

Immediate steps will be taken to separate the individual(s) making the allegation from the individual(s) alleged to have engaged in the abuse or harassment. The administrator will notify the Chair of the executive committee of the allegation. If, based on the findings of the administration’s initial investigation, the Chair believes further review is warranted, he or she will convene a meeting of the executive committee as soon as practicable. The administrator will present to the executive committee information on the complaint, investigation, and resulting action. The executive committee, in conjunction with the administrator, will then determine whether further action and/or an independent investigation is necessary to address the specific allegations.

Upon completion of any investigation, the parent or legal guardian of a student making the complaint will be notified, in writing, of the investigatory results and any resolution, to the extent the law allows.

A confidential log of all reports, investigation, and resolutions will be maintained so as to ensure that all information is documented and preserved. All staff will be trained to advise the administration of any complaint related to allegations of abuse, discrimination and harassment. When appropriate, the administration will have access to this log and will be responsible for logging any complaints or reports.

Due to the serious nature of allegations of harassment or discrimination, all employees will be expected to fully cooperate in efforts to investigate and enforce this policy. For the same reasons, discretion will be utilized in investigating and, where appropriate, remedying improper conduct.

Tapestry Public Charter School will not tolerate any retaliation against an employee or student for making a good faith complaint or for cooperating in a harassment or discrimination investigation. Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Violations of this policy include, but are not limited to, harassing or retaliating conduct, failure or refusal to cooperate in an investigation concerning reported incidents of harassment or discrimination, or other actions contrary to this policy.

Since allegations of harassment or discrimination are serious matters for all concerned, employees will be expected to fully cooperate in efforts to investigate and enforce this policy. For the same reasons, discretion will be utilized in investigating and, where appropriate, remedying improper conduct.

Tapestry Public Charter School will not tolerate any retaliation against an employee or student for making a good faith complaint or for cooperating in a harassment or discrimination investigation. Employees will be subject to disciplinary action that may include discharge for violations of this policy. Violations of this policy include, but are not limited to, harassing or retaliating conduct, failure or refusal to cooperate in an investigation concerning reported incidents of harassment or discrimination, or other actions contrary to this policy.