

PROCEDURE GOALS

The U.S. Department of Education, Office of Civil Rights, requires school districts to have a grievance process. The Bay City Public Schools Civil Rights Coordinator shall coordinate federal regulation and initiate School Board policies.

BAY CITY PUBLIC SCHOOLS SEXUAL HARASSMENT POLICY

Any form of sexual harassment is expressly prohibited. The district promotes an environment for staff and students free from any form of sexual harassment or discrimination.

Sexual Harassment is defined as:

“Any unwelcome communication or conduct of a sexual nature where submission to the conduct is explicitly or implicitly made a term or condition of the individual’s employment, or educational opportunity, and/or submission to or rejection of the conduct is a factor in any decision affecting the individual’s employment, and/or educational opportunities, or the conduct unreasonably interferes with the individual’s work performance, or educational performance, or creates a hostile or offensive working or educational environment on the basis of sex.”

EXAMPLES OF SEXUAL HARASSMENT

Quid Pro Quo:

Tangible job/education benefits are granted or withheld based on submission or rejection of unwelcome requests or conduct based on sex:

- Pressure for sexual activity or favors
- Suggestions or demands of sexual involvement accompanies by implicit or explicit threat

Hostile Work and/or Educational Environment:

Conduct which has the purpose or effect of unreasonably interfering with an individual’s work performance or educational opportunities creating an intimidating, hostile or offensive work and/or educational environment.

Examples include:

- Verbal harassment or abuse of a sexual nature;
- Repeated remarks with sexual or demeaning implications;
- Unwelcome touching of a sexual nature;
- Sexual name-calling, gestures, jokes and spreading sexual rumors.

BAY CITY PUBLIC SCHOOL DISTRICT

COMPLAINT PROCEDURE

If any person believes that the Bay City Public School District or any of the school's staff have discriminated against them on the basis of sex, national origin, race/color, age, disability, height, weight, familial status, or marital status, or engaged in sexual harassment, he/she may bring forward a complaint to the Administration Office at the following address: 910 N. Walnut Street, Bay City, Michigan 48706. Prompt reporting of such complaint is encouraged.

INFORMAL PROCEDURE

The person who believes he/she has a valid basis for complaint shall discuss the concern with the Civil Rights Coordinator, who shall in turn investigate the complaint and reply to the complaint in writing within five (5) business days. If this reply is not acceptable to the complainant, he/she may initiate formal procedures according to the steps listed.

FORMAL GRIEVANCE PROCEDURES

- STEP 1: A written statement of the grievance shall be prepared by the complainant and signed. This grievance shall be presented to the Civil Rights Coordinator within ten (10) business days of receipt of the written reply to the informal complaint. The Coordinator shall further investigate the matters of the grievance and reply in writing to the complainant within ten (10) business days by certified mail.
- STEP 2: If the complainant wishes to appeal the decision of the Civil Rights Coordinator, he/she may submit a signed statement of appeal to the Superintendent of Schools within ten (10) business days after receipt of the Coordinator’s response to the grievance. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the grievance within ten (10) business days by certified mail.
- STEP 3: If the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the Board of Education within five (5) business days of her/his receipt of the Superintendent’s response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representatives within thirty (30) business days of the receipt of such an appeal. A copy of the Board’s disposition of the appeal shall be sent by the Board Secretary to each concerned party within ten (10) business days of this meeting by certified mail.

The complainant may file a complaint with the Office of Civil Rights at anytime.

INFORMAL RESOLUTION OPPORTUNITIES

Appeal/Alternative Complaint Procedure(s)
Confidentiality
Reprisal/Retaliation Statement

CONSEQUENCES OF SEXUAL HARASSMENT/DISCRIMINATION

The Student:

Progressive discipline process specifying behavior and consequence which may lead to suspension or expulsion as provided in the Student Code of Conduct.

The Employee or Volunteer:

Progressive intervention process ranging from informal appeal to dismissal. Engaging in discrimination, harassment, or retaliation shall constitute reasonable and just cause for discipline.

Civil Rights Coordinator/Administrator/Staff:

Failure to report another individual's harassing behavior, investigate, or to take remedial action may cause liability to the individual and/or district and may result in discipline.

Recommended Corrective Actions:

- Counseling for both victim and harasser
- Warning and/or discipline for harasser
- Separating harasser from victim
- In-services and/or training to address and correct harassment or discrimination
- Formal sanctions as specified by contract, school board policy and/or state and federal laws.

RIGHTS/RESPONSIBILITIES

Student:

"Every student has the right to a safe learning environment. Every student has the right to be treated with respect. Every student has the right to attend a school that is free of discrimination." Each student has a responsibility to avoid behavior that could constitute bullying, sexual harassment, including sexually offensive behavior.

Staff:

Our school district is responsible for providing a safe learning and working environment for students and staff. Our school district has the right and responsibility to establish a code of conduct for students and staff, to ensure an atmosphere free of sexual harassment.

TO LEARN MORE ABOUT SEXUAL HARASSMENT

ANNUAL TRAINING

Student:

- Student Handbook and Code of Conduct
- Building Administrator talks with students
- K-10 Conflict Resolution Curriculum
- Counselor/Administrator small groups
- Assemblies and/or workshops to address and correct harassment and discrimination, as needed

Staff:

- Organizational reminder at Opening Day
- Staff Development through Personnel Office
- Sexual Harassment Brochure provided annually to all staff.

Services Available:

- Small group activities
- United Way Community Guide identifies agencies which offers counseling/support services to victims

EDUCATIONAL REFERENCES

Board Policies: A0380 & AO400 (adopted 12/14/98)

Non-Discrimination
Sexual Harassment

Student Handbook:

- 1) Each student is provided a student handbook at registration/beginning of the year.
- 2) This Sexual Harassment brochure will be available in every office in the district.

DISCRIMINATION AND HARASSMENT

Civil Rights Coordinator

Ms. Carla Derocher
Bay City Public Schools
910 North Walnut Street
Bay City, MI 48706
(989) 671-8128

rev. 3/2015

Bay City Public Schools

Applicable laws:

- Titles VI and VII of the Civil Rights Act of 1964
- Age Discrimination in Employment Act
- Americans with Disabilities Act and Section 504 of the Rehabilitation Act
- Title IX of the Education Amendments of 1972
- Elliott-Larsen Civil Rights Act

District Mission Statement:

It is our Mission to provide all students with the knowledge, attitudes and skills that they need to succeed. To address this mission, the Bay City Public Schools will: provide a safe, stimulating and productive learning environment; teach students academic, social and coping skills; nurture personal responsibility and respect for others; actively engage family, community members and staff in the learning process; continually challenge staff and students to excel.