



SECTION: 247

TITLE: DISCRIMINATION & HARASSMENT

NESHAMINY SCHOOL DISTRICT

1	I. PURPOSE	It is the policy of the Board of School Directors to maintain a working	1
2		environment free from harassment and discrimination. Any employee of the	2
3		District who engages in conduct which constitutes discrimination and/or	3
4		harassment as defined by this policy shall be subject to discipline up to and	4
5		including discharge. Any employee of the District who is subjected to	5
6		discrimination and /or harassment in the course of his or her employment or as	6
7		a result of his or her employment with this school district shall have the right to	7
8		file a complaint under this policy.	8
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10	II. EXAMPLES	The School Board recognizes that impermissible discrimination and/or	10
11		harassment may take many forms, including but not limited to:	11
12		<ul style="list-style-type: none">• Verbal conduct such as threats, epithets, derogatory or degrading slurs,	12
13		or comments, telephone calls, invitations or comments	13
14		<ul style="list-style-type: none">• Visual conduct such as derogatory posters, cartoons, drawings, letters,	14
15		notes or gestures	15
16		<ul style="list-style-type: none">• Physical conduct such as assault, offensive or unwelcoming touching	16
17		and blocking normal movement	17
18		<ul style="list-style-type: none">• Threats and/or demands to submit to sexual requests or activity (Please	18
19		see Policy 248)	19
20		<ul style="list-style-type: none">• Retaliation for having reported the discrimination or harassment	20
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22	III.	The Superintendent or his/her designee shall be responsible for the	22
23	IMPLEMENTATION	implementation of this policy and shall be trained as the District Discrimination	23
24	OF PROCEDURES	and Harassment Liaison Officer (DDHLO).	24
25		The Superintendent or his/her designee shall designate one person in each	25
26		school or unit to be trained as the Building Discrimination and Harassment	26
27		Liaison Officer (BDHLO).	27
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29	IV. COMPLAINT	The building level action will give the complainant the opportunity to seek a	29
30	PROCEDURES	conflict resolution meeting within the building setting. It is the job of the	30
31		BDHLO to listen to concerns and immediately investigate the accusation. The	31
32		BDHLO will meet with the parties concerned and guide them to a mutually	32
33		satisfactory agreement about the occurrence and a course of action. Action may	33
34		include, but not limited to, an apology, counseling or further mediation.	34
35		Should the BDHLO be the person accused of the harassment or should the	35
		complainant feel that the BDHLO is in some way responsible for the	

1		POLICY 247 (continued)	1
2		discrimination/harassment, the complainant may bring his/her concerns directly	2
3		to the attention of the DDHLO.	3
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5		The District level action will give the complainant an opportunity to complete	5
6		a written statement which will be submitted to the Superintendent or his/her	6
7		designee. It is the job of the DDHLO to read the statement and immediately	7
8		investigate the accusations. Action may include but not be limited to:	8
9		• The complainant and respondent agree on the resolution of the complaint	9
10		• The Superintendent uses the disciplinary code as set forth in the School	10
11		Board Policy dealing with Work Regulations and Guidelines to respond to	11
12		the complaint.	12
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14		Should the complainant feel there is a conflict of interest with the BDHLO,	14
15		she/he may go directly to the DDHLO or to the Superintendent.	15
16		Should the DDHLO feel there is a conflict of interest, she/he may refer the	16
17		case directly to the Superintendent.	17
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19		<u>Formal Complainant Using Other Procedures</u> - This action will give the	19
20		complainant the opportunity to go directly to such agencies as the Equal	20
21		Employment Opportunity Commission, the Pennsylvania Human Relations	21
22		Commission, legal authorities, or a civil suit.	22
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24	V.	The Neshaminy School District will respect the confidentiality of the	24
25	CONFIDENTIALITY	complainant, other parties and the individual(s) against whom the complaint	25
26		is made to the extent possible, consistent with the school district's legal	26
27		obligations and the necessity to investigate allegations of discrimination	27
28		and/or harassment and take appropriate action.	28
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30	VI. REPRISAL	The Neshaminy School District will not tolerate any retaliation against an	30
31		employee who complains of discrimination and/or harassment, regardless of	31
32		the outcome of the complaint.	32
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34	VII.	Any employee of this District who is found to have engaged in conduct	34
35	CONSEQUENCES	constituting discrimination and/or harassment will be subject to disciplinary	35
36	OF THE	action as described in School Board Policy 248. In addition, any employee	36
37	VIOLATION OF	found to have violated this policy may be required to participate in	37
38	THIS POLICY	educational training activities, counseling, or mediation, as a condition of	38
39		continued employment. Determination of appropriate disciplinary sanctions	39
40		or educational or conciliatory requirements shall be based on circumstances	40
41		of the individual case, considering the following factors among others:	41
42		• Severity of the misconduct	42
43		• Pervasiveness or persistence of the misconduct	43
44		• Effect on the victim or victims	44
45		• Intent of the perpetrator	45

2	VIII. DISTRICT	The District will continue to build conflict resolution procedures and positive	2
3	COMMITTMENT	mediation behavior into its daily operations to encourage all employees to find	3
4		non-violent physical and mental methods to reduce incidents of harassment	4
5		and discrimination in a positive manner.	5
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7	IX. NOTICE OF	Employees shall be advised of this school board policy by the posting of the	7
8	POLICY	policy on bulletin boards accessible to employees and through the publication	8
9		in the District handbook.	9
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