

## STAFF ETHICS

For pertinent information concerning staff ethics refer to School Board Member Ethics, Section 2160 of this manual.

Adoption date: June 21, 1993

## EMPLOYEE ANTI-DISCRIMINATION POLICY

The Board of Education is committed to maintaining an academic and work environment that is free of discrimination. The district does not discriminate in employment on the basis of sex, color, race, ancestry, religion, national origin, age, physical or mental disability, medical condition, marital status, veteran status, citizenship status, or other characteristics protected by Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or other applicable federal and state laws and regulations.

All district employees and students are responsible to help ensure that the district does not discriminate. If you feel that you have experienced, witnessed or have information regarding possible discrimination, you should notify the district's designated Title IX Compliance Officer or another district official immediately. The Board prohibits retaliation against anyone, who in good faith, reports possible discrimination, makes a discrimination complaint, or cooperates in a discrimination complaint investigation or any related proceeding.

The district's policy is to investigate all discrimination complaints promptly and thoroughly. The Superintendent of Schools is directed to develop and implement specific procedures for reporting, investigating and acting upon allegations of discrimination consistent with applicable law. To the fullest extent practicable, the district will keep complaints and the terms of their resolution confidential. If an investigation confirms that discrimination has occurred, the Superintendent and/or the Board will take corrective action, including, but not limited to, appropriate disciplinary action. Disciplinary action may include disciplinary proceedings and/or termination of employment.

A copy of this policy and its accompanying regulation shall be distributed to all supervisory and non-supervisory personnel, employees and students and posted in appropriate places.

The Title IX Compliance Officer of the district is \_\_\_\_\_

\_\_\_\_\_, Northeastern Clinton Central School District, P.O. Box 68,

Northeastern Clinton, New York 12972, (518) 643-2396.

Adoption date: April 8, 1996

## EMPLOYEE ANTI-DISCRIMINATION REGULATION

### Section 1: CONSTRUCTION

#### 1.1 Policy Definitions

For the purposes of this policy:

“Days” means calendar days.

“District” means the Northeastern Clinton Central School District.

“Employee” means all teaching, administrative and support personnel employed by the district.

“Person” and “Complainant” will include an employee of the district.

“Student” means any person who is registered in the district and is taking academic classes.

“Title IX Compliance Officer” means the person designated by the district to ensure compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 or other applicable federal and state laws and regulations.

#### 1.2 Publication of Policy

The district shall promulgate this policy as follows:

A copy of the policy statement shall be given to each new employee at the time of hire.

A copy of the policy statement shall be published as part of the district’s student handbook and faculty handbook.

A copy of the policy statement shall be published annually in the official newsletter or newspaper of the district.

All distributions or publications of this policy shall contain the name, business address and telephone number of the current designated Title IX Compliance Officer of the district.

#### 1.3 Policy Information

Each employment application of the district will contain the following language:

The district does not discriminate in employment on the basis of sex, color, race, ancestry, religion, national origin, age, physical or mental disability, medical condition, marital status, veteran status, citizenship status, or other characteristics protected by Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or other applicable federal and state laws and regulations.

#### **1.4 Policy Information**

Copies of the legislative acts upon which the Anti-Discrimination policy is based shall be available upon request directed to the Title IX Compliance Officer.

A copy of the district's Anti-Discrimination policy and regulation shall be provided to any employee or student upon request directed to the Title IX Compliance Officer.

#### **1.5 Other Discrimination Information**

Further information concerning harassment may be made to:

Regional Director  
United States Department of Education - Office of Civil Rights  
16 Federal Plaza  
New York, New York 10278

New York State Department of Human Rights  
Alfred E. Smith State Office Building  
25th Floor, P.O. Box 7063  
Albany, New York 12225-0063

Equal Employment Opportunity Commission  
New York District Office  
90 Church Street  
Room 1505  
New York, New York 10007

New York State Commissioner of Education  
New York State Education Department  
Washington Avenue  
Albany, New York 12234

### **Section 2: DISCRIMINATION COMPLAINT PROCEDURE**

#### **2.1 Definition of Discrimination Complaint**

If any person believes that the district or any of the district's staff has inadequately applied the principles or regulations of (1) Title VI of the Civil Rights

Act of 1964, (2) Title IX of the Education Amendments of 1972, (3) Section 504 of the Rehabilitation Act of 1973 or (4) other applicable federal and state laws and regulations, then that person may file a Discrimination Complaint with the Title IX Compliance Officer.

## **2.2 Filing a Discrimination Complaint**

Discrimination complaints will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. However, it is preferred that a written discrimination complaint signed by the complainant be submitted to the Title IX Compliance Officer.

This complaint procedure is designed and will be administered to avoid a situation where an employee is faced with complaining to the person, or close associate of the person, who is the subject of his/her complaint.

## **2.3 Right to Alternative Complaint Procedures**

These procedures do not deny the right of any person to pursue other avenues of recourse available to him/her which may include filing an administrative charge, initiating a civil action, seeking redress under any federal and state laws and regulations.

## **2.4 Title IX Compliance Officer Notification**

The Title IX Compliance Officer shall notify the Superintendent of Schools upon receipt of a discrimination complaint.

The Superintendent shall notify the Board of Education as to the district's receipt of any discrimination complaint.

## **2.5 Discrimination Complaint Investigation**

The Title IX Compliance Officer shall create a complaint file, which shall contain a written description of the complaint, the investigation documentation, the complaint's resolution and any follow-up documentation.

The Title IX Compliance Officer may appoint an Investigative Officer to assist him/her in investigating a discrimination complaint. An Investigative Officer may be a third party designated by the district.

The employee or applicant shall be entitled to representation of his or her choice, and at his or her own expense, at all complaint meeting(s). The complainant shall notify the Title IX Compliance Officer in writing of the name and title of any representative at least two (2) days prior to the meeting or as agreed by the parties.

Only those persons who have an immediate need to know or who are involved in the investigation will or may find out the identity of the complainant(s) in the course of the investigation. All parties contacted in the course of an investigation shall be advised that all the parties involved in a complaint are entitled to respect. This complaint process will be administered consistent with federal and state labor laws when bargaining unit members are affected.

All complaints shall be investigated promptly by the Title IX Compliance Officer or an Investigative Officer. Investigations shall be initiated within seven (7) calendar days of receipt of the complaint.

## **2.6 Investigation Report**

The Title IX Compliance Officer shall produce a written Investigation Report for the Superintendent upon the conclusion of the investigation, which shall summarize the investigation findings. The Title IX Compliance Officer may make recommendations as to appropriate remedial measures based on the information gathered in the investigation of the complaint. The Title IX Compliance Officer shall forward the Investigation Report to the Superintendent for action. In the event the Superintendent is implicated in a complaint, the Investigation Report will be forwarded to the Board for action.

## **Section 3: DISCRIMINATION COMPLAINT RESOLUTION**

### **3.1 Complaint Resolution and Notification of Parties**

The Superintendent (or the Board if applicable), shall consider and act upon the Investigative Report and any recommendations contained therein within seven (7) calendar days of its receipt and shall notify the complainant parties in writing as to the complaint's resolution.

Any district action taken pursuant to this policy will be consistent with requirements of applicable collective bargaining agreements, federal and state statutes and district policies. The district will take such corrective action it deems necessary and appropriate to end discrimination and/or retaliation and prevent its recurrence.

### **3.2 Complaint Investigation Questions**

All questions regarding a complaint investigation should be directed to the Superintendent or the Title IX Compliance Officer. The Superintendent or the Title IX Compliance Officer shall meet with the complainant party to explain how the investigation was conducted upon a request received within five (5) calendar days from his/her receipt of the complainant's written resolution.

### **3.3 Complaint Resolution Questions**

All questions regarding a complaint resolution shall be directed to the Superintendent. The Superintendent will address questions regarding a complaint resolution to explain how the result was reached upon request within ten (10) calendar days of the distribution of the complainant's written resolution.

### **3.4 Complaint Resolution Appeal**

If the complaint has not been resolved, a complainant party may appeal the resolution to the Board. A complainant party may appeal the complaint resolution by forwarding a signed Statement of Appeal to the Board within ten (10) calendar days of his/her receipt of the written complaint resolution.

### **3.5 Appeal Meeting with Board of Education**

In an attempt to resolve the appeal, the Board shall meet with the complainant party appealing and any representative within thirty (30) calendar days of receipt of such Statement of Appeal.

### **3.6 Appeal Disposition and Notification of Complainant Parties**

The Board's written disposition of the appeal will be sent to the complainant party appealing and a copy to any representative within fifteen (15) calendar days of the meeting with the Board. Notification of any remaining complainant parties will be made as necessary based on the Board's action and in its discretion.

### **3.7 Board Action Appeal**

The decision of the Board may be appealed by the complainant party contacting:

Regional Director  
United States of Education-Office of Civil Rights  
26 Federal Plaza  
New York, New York 10278

### **3.8 Investigative File Access**

Investigative files will be available to federal, state and local agencies charged with equal employment or affirmative action enforcement and as required by law. The name(s) of the complainant(s) shall be kept under separate file.

### **3.9 Non-Retaliation Policy**

An effective Anti-Discrimination Policy requires support and leadership by the example by all district personnel in positions of authority. District administrators, supervisors, teachers, employees or students who engage in discriminatory conduct or retaliation or who disrupt school-sponsored investigations

of discrimination may be severely sanctioned as appropriate, including suspension or termination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

In addition, district officials who refuse to implement remedial measures, obstruct remedial efforts of other district employees or students, and/or retaliate against discrimination complainants, witnesses or participants in an investigation or related proceeding may be immediately sanctioned as appropriate, including sanctions of suspension or termination.

Adoption date: April 8, 1996



**EMPLOYEE ANTI-DISCRIMINATION EXHIBIT**

DISCRIMINATION COMPLAINT FORM

Northeastern Clinton Central School District maintains a firm policy prohibiting all forms of discrimination. All persons are to be treated with respect and dignity. Discrimination affecting the work environment will not be tolerated.

Complainant \_\_\_\_\_

Home address \_\_\_\_\_

Home phone \_\_\_\_\_

Target(s) of discrimination \_\_\_\_\_

Date of the discrimination \_\_\_\_\_

Name of person(s) responsible for the discrimination \_\_\_\_\_

List any person(s) with knowledge of the discrimination \_\_\_\_\_

Where did the discrimination occur? \_\_\_\_\_

Describe the discrimination as clearly as possible. (Attach additional pages if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Resolution desired \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

This complaint is filed based on my honest belief that prohibited conduct under the Anti-Discrimination policy has occurred. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date

**EMPLOYEE ANTI-DISCRIMINATION EXHIBIT**

**NORTHEASTERN CLINTON CENTRAL SCHOOL DISTRICT  
ANTI-DISCRIMINATION POLICY  
DISCRIMINATION COMPLAINT RESOLUTION APPEAL FORM**

Person filing appeal \_\_\_\_\_

Date of appeal \_\_\_\_\_

Date of original complaint \_\_\_\_\_

List prior appeals, if any \_\_\_\_\_

Description of decision being appealed \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Describe why decision is being appealed (Attach additional pages if necessary.)

\_\_\_\_\_  
\_\_\_\_\_

Requested action to be taken \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Appellant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date