

**District:** Greenville Public School District  
**Section:** G - Personnel  
**Policy Code:** GACN-P - Sexual Harassment - Procedures

## **SEXUAL HARASSMENT - PROCEDURES**

### **Section I: TITLE IX OF THE EDUCATION AMENDMENT OF 1972**

Employees and students in academic institutions are protected from sexual harassment by Title IX of the Education Amendment of 1972. This amendment to the 1964 Civil Rights Act prohibits sex discrimination and sexual harassment in educational institutions that receive federal assistance.

Complaints of violation of this policy may be made to the appropriate administrative officer or the Title IX coordinator without fear of reprisal. Should violations prove to be legitimate, the offending employee shall be subject to disciplinary action, including involuntary termination of employment.

### **Section II: REQUIREMENTS FOR PROCESSING COMPLAINTS**

1. Since it is important that complaints be filed and processed as rapidly as possible, the number of days indicated at each step are considered as maximum and every effort will be made to expedite the process. At any step in the complaint procedure, the time limits may be extended when necessary.
2. References to days are working days and do not include holidays and/or weekends.
3. Facts elicited during step two proceedings are confidential and do not become part of the employee's official personnel file. A copy of documents, communications, and records dealing with the processing of a complaint will be filed in a separate file in the office of personnel services.
4. The failure of a complainant to proceed from one step of the procedure to the next within the set time limits shall be deemed to be acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.
5. The failure of the reviewing officers to communicate their decision to the complainant within the time limits shall permit the complainant to proceed to the next step.
6. The complainants may withdraw their complaint at any step without prejudice. However, they shall not be permitted to re-file that same complaint once withdrawn.
7. No reprisal shall be invoked against any employee for filing a complaint or for participation in any way in this procedure.
8. If the complaint is against the person's immediate

supervisor, the complainant should talk immediately with the Title IX Coordinator.

### **Section III: PROCEDURES FOR PROCESSING COMPLAINTS**

#### **Step One:**

Within five (5) days of the time a complaint becomes known, the employee will present the complaint orally to his immediate supervisor or the district's Title IX Coordinator and complete the "Report of Violation of Title IX" form. It should be noted that the complainant does not have to report the incident to the supervisor before talking with the Title IX Coordinator.

#### **Step Two:**

Within 3-5 days the supervisor or complainant is to present the completed "Report of Violation of Title IX" form to the designated person in the office of personnel services.

#### **Step Three:**

Within five (5) days, after review of the written complaint, the Title IX coordinator shall personally question both or all parties involved in the sexual harassment complaint. A written record shall be made of the statements made by all parties involved. If the alleged harasser denies the allegation, the Title IX Coordinator must do additional fact finding before making a determination. This must be done within 5-7 days.

#### **Step Four:**

The complainant may request, in writing, within 5 days, a hearing before an unbiased panel of district employees. If such a request is made, it shall be the responsibility of the district's Title IX Coordinator to convene a panel of three to five district employees.

#### **Step Five:**

A panel of three to five district employees shall review the facts presented and question all parties involved before making a determination. The complainant and alleged harasser will be informed by registered mail of the date and time to appear before the panel. The proceedings of the hearing will be taped and kept on file in the office of personnel services. The panel shall be convened within 5-10 days of the written request. Representation of a complainant or alleged harasser by other individuals will not be permitted.

The panel will prepare a written summary of all relevant facts, being careful to state such facts fairly and objectively. The panel will then express its findings and conclusions. The summary of facts, findings and conclusions will then provide the basis for subsequent review in the event of further appeal by the complainant.

**Step Six:**

Within five days of review of the response of step five, the complainant and/or alleged harasser may appeal the decision by requesting, in writing, a review of the decision by the superintendent of schools. The superintendent will review the written summary of the step five panel and shall, within ten (10) days render his/her written decision.

**Step Seven:**

Within five (5) days of review of the response of step six, the complainant or alleged harasser may appeal this decision by requesting, in writing, a review of the decision by the board of trustees. The board shall review the written summary of the panel and the written decision of the superintendent within thirty (30) days of the receipt of the step six appeal. The board's decision shall be rendered no later than the conclusion of its next regularly scheduled board meeting.

**LEGAL REF.:** 1964 Civil Rights Act; Title IX of the Education Amendment of 1972.

**CROSS REF.:** Policy GACN C Sexual Harassment

**Last Review Date:** \_\_\_\_\_

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