



Four County School Boards Association

NON-DISCRIMINATION, ANTI-HARRASSMENT, GRIEVANCE POLICY AND COMPLAINT PROCEDURES

The Four County School Boards Association (FCSBA) is an equal opportunity employer and is committed to providing a working and learning environment free from unlawful discrimination and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all of its members. FCSBA does not discriminate against or permit harassment of employees or applicants for employment on the basis of race, color, sex, gender (including gender identity and expression), pregnancy, religion, creed, national origin, age, alienage and citizenship, status as a perceived or actual victim of domestic violence, disability, marital status, sexual orientation, military status, partnership status, genetic predisposition or carrier status, arrest record, or any other legally protected status.

Sexual harassment is strictly prohibited. Harassment on the basis of any other protected characteristic is also strictly prohibited. FCSBA reasonably accommodates employees and applicants with disabilities and also provides reasonable accommodation of religious beliefs and practices in accordance with law.

The FCSBA's Executive Director has overall responsibility for the management of the FCSBA's Equal Opportunity and Non-Discrimination Policy and has been designated to coordinate compliance activities under these policies and applicable federal, state and local laws. Staff may contact the Executive Director to inquire about their rights under the FCSBA policies, request counseling, or seek information about filing a complaint.

All staff is protected from retaliation for filing a complaint or assisting in an investigation under the Non-Discrimination and Anti-Harassment Policies. FCSBA policies apply to all employees and applicants for employment (paid or unpaid), officers and directors and all such persons are protected from coercion, intimidation, interference, or retaliation for filing an internal or external complaint of discrimination or harassment or assisting in an investigation under any of the above-named policies and applicable laws.

Definitions

For purposes of these policies and procedures, discrimination, discriminatory harassment, and sexual harassment are defined as follows:

Discrimination

Discrimination is defined as:

- Treating members of a protected class less favorably because of their membership in that class; or
- Having a policy or practice that has a disproportionately adverse impact on protected class members, without sufficient justification.

“Protected class” refers to any personal trait or category that is protected by law, including an individual's race, religion, sex, color, ethnicity, national origin, age, marital status, creed, genetic predisposition and carrier status, sexual orientation, alienage, citizenship status, veteran status, disability, or any other characteristic protected by law.

Discriminatory Harassment

Discriminatory harassment is defined as substantially interfering with an individual's employment experience by subjecting him or her to threatening conduct or to repeated humiliating or abusive conduct, based on his or her membership in a protected class. This includes sexual harassment, which is described below in further detail. Under this policy, harassment is verbal or physical conduct that belittles or shows hostility or aversion toward an individual because of his or her race, religion, sex, color, ethnicity, national origin, age, marital status, creed, genetic predisposition and carrier status, sexual orientation, alienage, citizenship status, veteran status, disability, or any other characteristic protected by law, or that of his or her relatives, friends, or associates, and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive employment or work environment;
- Has the purpose or effect of unreasonably interfering with an individual's job performance; or
- Otherwise adversely affects an individual's employment or work experience.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; and written or graphic material that belittles or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on FCSBA premises or circulated in the office (including through email).

Sexual Harassment

Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, demeaning, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment— that is, harassment not involving sexual activity or language—may also constitute discrimination if it is severe or pervasive and directed at an individual because of his or her sex.

Truly consensual romantic relationships are not sexual harassment and are not prohibited by FCSBA's policies. Individuals should be aware, however, that romantic relationships are susceptible to being determined after the fact to have been non-consensual, and even coercive, whenever there is an inherent power differential between the parties. Therefore, any such relationship between staff members is strongly discouraged.

Requests for Disability Accommodation

Employees seeking an accommodation for a disability should contact the Executive Director.