

**CODE D12-R
(Mandatory)**

**PROCEDURES FOR HANDLING COMPLAINTS OF HARASSMENT OF
EMPLOYEES**

Thetford Academy hereby adopts the following administrative procedures to implement the school's policy with respect to unlawful harassment of Thetford Academy employees.

Reporting And Response

1. **To Head of School** (or designee): Any adult school employee who witnesses or receives a report, formal or informal, written or oral, of harassment at school or during school-sponsored activities shall report it to the Head of School (or designee). If the report involves the Head of School, the reporter shall make the report directly to another member of the Administrative Team.
 - **Head of School's (or designee's) duty:** Upon receipt of a report of harassment, the Head of School (or designee) shall decide whether to act upon the report informally as described below, and if not resolved within 5 calendar days, to proceed with a more formal investigation, or to proceed directly to a more formal investigation. A written complaint may be requested (but not insisted upon.)
 - The school shall prominently display the names of the persons who handle harassment complaints. There shall be two persons who handle harassment complaints, one man and one woman, including the Head of School and one other designee.

Informal Inquiry and Resolution

The complainant and the alleged harasser(s) may agree to a meeting facilitated by a school employee. If all parties involved agree the situation has been resolved during such meeting, the facilitator shall report to the Head of School (or designee) only that the matter has been resolved informally. If any party involved does not agree that the situation has been resolved, a formal investigation shall be initiated.

Investigation

1. **Who.** Unless the matter is resolved informally, the Head of School (or designee) shall conduct an investigation upon receipt of a report or complaint alleging harassment.
2. **How.** The investigator will interview individuals involved and any other persons who may have knowledge of the circumstances giving rise to the complaint and may use other methods and documentation.
3. **When.** The investigator shall complete the investigation as soon as practicable, but in no event later than ten school days following receipt of the complaint.
4. **Result.** Upon completion of the investigation, the investigator shall decide if a violation of this policy has occurred and report that decision, along with the

evidence supporting it, to the Head of School (if completed by other than that person) or if the complaint involves the Head of School, directly to the President of the Board of Trustees, for appropriate action in accordance with Thetford Academy disciplinary policy.

Appeal

A person judged to be in violation of the policy on unlawful harassment and subjected to action under it may appeal the determination and/or the action taken as follows:

1. **Student:** If the person filing the appeal is a student, the appeal shall proceed in accordance with Thetford Academy policy governing discipline of students and with legal due process requirements.
2. **Staff:**
 1. *Applicable collective bargaining agreement.* If the person filing the appeal is an adult school employee who has applicable appeal rights under the grievance procedure in a collective bargaining agreement, the appeal shall proceed in accordance with the person's rights as outlined in that agreement.
 2. *Other.* If the person filing the appeal is an adult school employee who does not have applicable appeal rights under the grievance procedure in a collective bargaining agreement, the appeal shall proceed in accordance with Thetford Academy policy governing employee discipline and with legal due process requirements.

Retaliation

Retaliation for reporting harassment or cooperating in an investigation of harassment is unlawful under 21 V.S.A. §495(a)(5) and 9 V.S.A. §4503(a)(5).

Record Keeping and Notification

1. **Record keeping:** The Head of School (or designee) shall assure that a record of any complaint and investigation of harassment as well as the disposition of the complaint and any disciplinary or remedial action taken is maintained by Thetford Academy in a confidential file.
2. **Notification:** The Head of School (or designee) shall assure that the complainant is notified whether allegations of unlawful harassment were found to be valid, whether a violation of the policy occurred, and whether action was taken as a result

Notice

The Head of School (or designee) shall provide notice of the policy on unlawful employee harassment and these procedures to all school employees, students, and to custodial parents or guardians of students. A summary of the policy and procedures shall appear in the student and employee handbooks (or other similar publications) as well as publications distributed to parents and community members and shall be posted conspicuously in each school. The notice shall:

1. Include examples of behaviors which, if sufficiently severe, pervasive or persistent to interfere with a person's ability to participate in or benefit from school programs, would constitute unlawful harassment; and

2. Provide the following information about additional methods of pursuing claims of harassment:

A person may make a complaint of harassment to the Vermont Attorney General's Office or the federal Equal Employment Opportunity Commission at the following places:

In addition, an individual may seek other remedies through private legal action and, in some circumstances, through criminal prosecution.

Cross Reference: *Harassment of Employees (D12)*
 Harassment of Students (F20)
 Board Commitment to Non-Discrimination (C6)