

CIVIL RIGHTS COMPLIANCE PROCEDURE

Prohibition of Discrimination

No person on the basis of race, color, national origin, sex, age, religion or disability shall be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in employment or any program or activity for which the Macomb Intermediate School District (District) is responsible.

Harassment on the basis of race, color, national origin, sex, age, religion, disability and retaliation are also forms of discrimination prohibited by the District and Title VI, Title VII, Title IX, The American with Disabilities Act (Title II), Section 504 of the Rehabilitation Act of 1973 and Michigan law (Civil Rights Laws).

Any staff member or other person who believes he or she has been or is the victim of discrimination, harassment and/or retaliation should immediately report the situation to an administrator or the Civil Rights Coordinator.

Any student who believes he or she has been or is the victim of discrimination, harassment and/or retaliation should immediately report the situation to the Principal or Assistant Principal. The student may also report concerns to a teacher or school staff member who will be responsible for notifying the appropriate administrator. Complaints against the building Principal should be filed with the Civil Rights Coordinator.

Complaints, inquiries and/or comments regarding compliance with Civil Rights Laws may also be directly submitted to the Civil Rights Coordinator, Assistant Superintendent of Human Resources and Operations, Macomb Intermediate School District, 44001 Garfield Road, Clinton Township, MI 48038-1100, (586) 228-3311. Complaints of discrimination, harassment and /or retaliation shall be promptly investigated and parent/ legal guardian will be notified, if applicable.

Anyone found to have participated in prohibited conduct shall be subject to corrective/disciplinary action up to and including discharge (employee) or expulsion (student or visitor). Anti-discrimination policies shall be reviewed with staff and students. Education, supervision and monitoring of these policies will be ongoing.

Reporting / Investigation Procedures

The District will investigate formal and informal reports/complaints of discrimination/harassment. Any student (or parent/guardian of a student), staff member or other individual experiencing conduct which he or she believes to be discrimination or harassment should follow these procedures:

Informal Adjustment

Any complainant who alleges discrimination/harassment can initially request that the matter be addressed under this provision regarding Informal Adjustment. Allegations of discrimination/harassment should be brought to an administrator, Assistant Superintendent of Special Education & Student Services, or the Civil Rights Coordinator (**Please see contact information below**) who shall investigate (or designate an investigator) and attempt to resolve the matter informally within fifteen work days after receiving complaint. Allegations of discrimination/harassment involving students may also be brought to the attention of the Principal, Assistant Principal or teacher/school staff. Administrative staff receiving report of discrimination/harassment will promptly notify the Civil Rights Coordinator. A teacher/school staff member receiving report of discrimination/harassment will promptly notify an appropriate administrator.

If the complaint against an individual is resolved informally to the satisfaction of the complainant, then the written documentation shall briefly describe the incident with resolution only, to be filed with the office of the Civil Rights Coordinator. The informal adjustment procedure can only be designated on one occasion when the allegation involves the same complainant and alleged perpetrator.

The complainant is not required to participate in the Informal Adjustment process. Informal Adjustment as described below is purely voluntary on the part of the complainant, and may be terminated at any time, at which time the District will move to its Formal Procedure.

Formal Procedure

Step 1 The person filing the report of discrimination/harassment may go to the Principal, Assistant Principal, or in the case of a student, to his/her teacher, or to the Assistant Superintendent of Special Education & Student Services; or the person may directly file the report with the **Civil Rights Coordinator:**

David Riley, Assistant Superintendent
Human Resources and Operations
44001 Garfield Road
Clinton Township, MI 48038-1100
(586) 228-3311

Additional contact:

Justin Michalak, Assistant Superintendent
Special Education & Student Services:
44001 Garfield Road
Clinton Township, MI 48038-1100
(586) 228-3510

Individuals are encouraged to immediately report incidents of discrimination. Any staff member who receives a report, verbally or in writing, from a student regarding discrimination, harassment and or retaliation of that student by another student, staff, or school visitor, shall notify the Principal or the Civil Rights Coordinator within 48 hours (or a reasonable extension of time thereafter for good cause). Staff shall report incident of alleged discrimination/harassment of any form, whether such incident is actually witnessed by the staff member or reported. Administrative staff receiving reports of discrimination/harassment will promptly notify the Civil Rights Coordinator.

- Step 2 Verbal reports of discrimination/harassment will be put in writing by the individual complaining or by the person who receives the complaint and should be signed by the person complaining. The District shall proceed to investigate reports of discrimination, regardless of whether or not the complainant chooses to sign a written statement.
- Step 3 No one shall be required to report an allegation of discrimination/harassment to the individual who is the harasser. For examples: if the complaint involves the student's teacher or the Principal, then the student may go to an administrator at the next level of supervision and/or the Civil Rights Coordinator.
- Step 4 The District will promptly and thoroughly investigate discrimination/harassment complaints. Each complaint of discrimination/harassment shall be investigated in a way that respects the privacy of all parties concerned to the extent permitted by law and to the extent practical and appropriate under the circumstances.
- Step 5 Upon receipt of an allegation of discrimination/harassment, the Civil Rights Coordinator will designate an investigator who should initiate an investigation into the complaint within 48 hours. The investigator shall conduct a reliable, sufficient and impartial investigation including review of policy and procedure, and as appropriate, interviewing complainant and witnesses as well as the examination of physical evidence, including written documentation related to a report of discrimination. The investigator will communicate his/her findings to the Civil Rights Coordinator, complainant and the alleged harasser as expeditiously as possible.
- Step 6 The District will use a preponderance of evidence standard (i.e., more likely than not based on the evidence) in determining whether or not discrimination /harassment has occurred, however facts may be indeterminate. If so, the matter will be recorded as unresolved and the record of the investigation will be maintained by the District separate and apart from the student or staff member's file. The filing of a complaint or reporting discrimination/harassment will not reflect upon the individual's status nor will it affect future employment, grades, work assignments or program participation.
- Step 7 District administrators will take immediate action to stop discriminatory behavior upon

determining that discrimination/ harassment has occurred in District buildings, settings or activities and may provide individual or group counseling, training and/or other interventions to restore a nondiscriminatory environment

Discrimination / Harassment Consequences

Any student who engages in discrimination/harassment of another student or adult in the school setting may be subject to corrective or disciplinary action, including but not limited to meeting with school social worker, training, modeling (rehearsal of positive social interaction), referral to community resources; and suspension/expulsion consistent with Special Education laws and regulations.

Any staff member who permits or engages in the discrimination/harassment of a student or another adult shall be subject disciplinary action up to and including dismissal. Further, any staff member who receives a report of discrimination/harassment or witnessed discrimination/harassment of a student, in any form, and who does not act promptly to forward the report to the Principal and/or the Civil Rights Coordinator shall be subject to disciplinary action. Corrective/remedial action such as individual or group counseling and/ or other interventions may also be provided.

Retaliation Prohibited

The District prohibits retaliation against any individual who has brought a report/complaint charging discrimination/harassment, opposed discrimination/harassment and/or participated in the reporting or investigation process. Any charge of retaliatory behavior received by the District will be investigated according to the reporting procedure and investigation process established for discrimination/harassment. Further, any individual found to have engaged in such retaliatory behavior will be subject to disciplinary action consistent with discrimination/harassment violations.