

Book	Policy Manual
Section	100 Programs
Title	Discrimination/Harassment/Retaliation Affecting Staff
Code	104
Status	

## **Authority**

The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, **religious** creed, religion, sex, sexual orientation, **gender identity**, ancestry, national origin, marital status, genetic information, handicap/disability or pregnancy, **childbirth or pregnancy-related medical conditions**. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, **as well as pregnancy, childbirth and pregnancy-related medical conditions**, consistent with the requirements of federal and state laws and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting **sex-based discrimination and** harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the **Office** for Civil Rights of the U.S. Department of Education, or both.

## **Definitions**

### **General Definitions**

**Complainant** shall mean an individual who is alleged to **have been subject to conduct that could constitute discrimination in accordance with law and this policy.**[\[14\]](#)

**Respondent** shall mean **a person who is** alleged to **have violated the district's prohibition on discrimination in accordance with applicable law and this policy.**[\[14\]](#)

**Retaliation** shall mean **intimidation, threats, coercion or discrimination against any person by the district, a student, employee or other person authorized to provide a district aid, benefit or service, for the purpose of interfering with any right or privilege under applicable law or Board policy, or because the person has reported information, made a complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing, including an informal resolution process or any other actions taken by the district in accordance with applicable law and this policy and procedures. This term shall not include the district requiring an employee or other individual providing a district aid, benefit or service to participate or assist with an investigation, proceeding or hearing in accordance with applicable law and this policy.**[\[14\]](#)[\[17\]](#)

### **Definitions Related to Title IX**

**Complaint** shall mean an oral or written request to the district that objectively can be understood as a request to investigate and make a determination about alleged discrimination.[\[14\]](#)

Title IX sex-based discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity. [\[14\]](#)[\[21\]](#)[\[22\]](#) **Title IX sex-based harassment is a form of sex discrimination and means **sexual harassment and other harassment** on the basis of sex, including:** [\[14\]](#)

1. ***Quid pro quo harassment*** - a district employee **or other person authorized to provide a district aid, benefit or service explicitly or impliedly** conditioning the provision of **a district aid, benefit, or service** on an individual's participation in unwelcome sexual conduct.
2. ***Hostile environment harassment*** - unwelcome **sex-based** conduct **that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a district education program or activity. Determination of whether a hostile environment has been created is a fact-specific inquiry that includes consideration of factors, including but not limited to:**
  - a. **The degree to which the conduct affected the complainant's ability to access the district's education program or activity;**
  - b. **The type, frequency and duration of the conduct;**
  - c. **The complainant's and respondent's ages, roles in the district education program or activity, previous interactions and other relevant factors;**
  - d. **The location and context in which the conduct occurred; and**
  - e. **Other sex-based harassment in the district's education program or activity.**
3. ~~Sexual assault, dating violence, domestic violence or stalking.~~  
Dating Violence, Domestic Violence, Sexual Assault, Stalking.
  - a. ***Dating violence*** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors: [\[23\]](#)
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  - b. ***Domestic violence*** includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [\[23\]](#)
  - c. ***Sexual assault*** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. [\[24\]](#)
  - d. ***Stalking***, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [\[23\]](#)
    - i. Fear for their safety or the safety of others.

ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as **sex-based discrimination or harassment** under Title IX. **This includes conduct that is subject to the district's disciplinary authority. An education program or activity includes, but is not limited to, academic, extracurricular, research, occupational training and other education programs or activities of the district. The district is obligated to address a sex-based hostile environment in a district education program or activity, even when some conduct is outside the district's program or activity, or outside of the United States.**[\[22\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

**Pregnancy, childbirth and pregnancy-related medical conditions, as defined in federal law, refers to the pregnancy or childbirth of the specific employee and includes, but is not limited to, current pregnancy; past pregnancy or recovery; termination of pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment and the use of contraception); labor; childbirth; and lactation. Related medical conditions are medical conditions relating to the pregnancy, termination of pregnancy, childbirth or lactation of the specific employee.**[\[14\]](#)[\[15\]](#)

**Supportive measures** shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, **without unreasonably burdening a complainant or respondent** and without fee or charge to the complainant or the respondent **in order to:**[\[14\]](#)  
[\[26\]](#)

**1. Restore or preserve access to the district's education program or activity, including measures designed to protect the safety of the individuals or the district's educational environment; or**

**2. Provide support during the grievance procedures or during an informal resolution process.**

**Supportive measures** may include, but are not limited to:[\[26\]](#)

1. Counseling or Employee Assistance Program.

2. Extensions of deadlines or other course-related adjustments.

3. Modifications of work or class schedules.

4. Campus escort services.

**5. Restrictions on contact applied to one or more parties.**

**6. Changes in work locations or other activities.**

7. Leaves of absence.

8. Increased security.

9. Monitoring of certain areas of the campus.

**10. Training and education programs related to sex-based harassment.**

11. Assistance from domestic violence or rape crisis programs.

12. Assistance from community health resources, including counseling resources.

### Discrimination Other Than Title IX

**Discrimination** shall mean to treat individuals differently, or to harass, retaliate or victimize

based on a protected classification including race, color, age, **religious** creed, religion, sex, **gender identity**, sexual orientation, genetic information, ancestry, national origin, marital status, handicap/disability, pregnancy, **childbirth or pregnancy-related conditions, or based on an individual's association with a person who has a protected classification.**

**Harassment** is a form of discrimination based on the protected classifications listed in this policy, **or association with an individual who has a protected classification**, consisting of **objectively and subjectively hostile** conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes **or comments**, slurs, **stereotypes**, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, **ostracism, misgendering or denial of access to facilities consistent with an individual's gender identity**, or other conduct that **affects a term, condition or privilege of employment, and** may be harmful or humiliating or interfere with a person's school or school-related work performance, including when:[\[9\]](#)

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or
2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance at work or otherwise creates an intimidating, hostile or offensive working environment such that it alters the complainant's working conditions **or affects a term, condition or privilege of employment.**

**Examples of harassment based on race, color, ancestry or national origin may include but not be limited to harassment regarding traits or characteristics related to an individual's name, cultural dress or diet, accent, linguistic characteristics or manner of speech, or physical characteristics, such as hairstyles or hair texture.**

**Harassment based on religion, religious creed, sex, pregnancy or related conditions, or handicap/disability may include harassment based on a request for or receipt of a reasonable accommodation.**

**Discrimination or harassment based on handicap/disability may also include harassment based on how an individual speaks, looks or moves, as well as discrimination or harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability; has a record or history of a disability, even if the individual does not currently have a disability; or is associated with an individual who has a disability.**

**Pregnancy, childbirth and pregnancy-related medical conditions, as defined in federal law, refers to the pregnancy or childbirth of the specific employee and includes, but is not limited to, current pregnancy; past pregnancy or recovery; termination of pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment and the use of contraception); labor; childbirth; and lactation. Related medical conditions are medical conditions relating to the pregnancy, termination of pregnancy, childbirth or lactation of the specific employee.[\[14\]](#)[\[15\]](#)**

**Pregnancy, as defined in state law, shall include the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.[\[16\]](#)**

**Religious creed includes all aspects of religious observance, practice or belief.[\[18\]](#)**

**Religious beliefs include:[\[16\]](#)**

- 1. Moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views.**
- 2. The beliefs a complainant professes without regard to whether a religious group espouses these beliefs.**

Race includes all of the following:[\[16\]](#)[\[19\]](#)

- 1. Ancestry, national origin or ethnic characteristics.**
- 2. Interracial marriage or association.**
- 3. Traits associated with race, which includes but is not limited to, hair texture and protective hairstyles, such as braids, locks and twists.**
- 4. Hispanic ancestry, national origin or ethnic characteristics.**
- 5. Persons of any other national origin or ancestry as specified by a complainant or in a complaint.**

Sex includes:[\[16\]](#)[\[20\]](#)

- 1. Pregnancy.**
- 2. Sex assigned at birth.**
- 3. Gender, including a person's gender identity or gender expression. Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is part of a person's core identity.**
- 4. Affectional or sexual orientation, including heterosexuality, homosexuality, bisexuality and asexuality.**
- 5. Differences of sex development, variations of sex characteristics or other intersex characteristics.**

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the[\[28\]](#)

***[The district may choose the same or different individuals to fulfill the roles of Compliance Officer and Title IX Coordinator. Districts may appoint more than one (1) individual as Title IX Coordinator, but at least one (1) individual must be designated to maintain ultimate oversight.***

***If designating one (1) individual or individuals to fulfill both responsibilities as Compliance Officer and Title IX Coordinator, select the first option and enter the appropriate position title(s). If designating two (2) or more individuals to fulfill the separate responsibilities, select the second option and enter the appropriate position titles.]***

{X } \_\_\_\_\_ as the district's Compliance Officer/Title IX Coordinator. The Compliance Officer/Title IX Coordinator can be contacted at:

Address:  
Email:  
Phone Number:

{ } \_\_\_\_\_ as the district's Compliance Officer and  
\_\_\_\_\_ as the district's Title IX

Coordinator. The Compliance Officer can be contacted at:

Address:  
Email:  
Phone Number:

The Title IX Coordinator can be contacted at:

Address:  
Email:  
Phone Number:

The Compliance Officer and Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures, **to monitor and address barriers to reporting** and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate: [\[26\]](#)

1. Review - Review of personnel **and hiring** practices and actions for discriminatory bias and compliance with laws against discrimination **and harassment**, to include monitoring and **promptly implementing** corrective measures when appropriate. **This may include, but is not limited to, changes to** written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, nonrenewal of contracts and proposed employee disciplinary actions up to and including termination; **and provision of employee benefits and services.**
2. Training - Provide training for supervisors and staff to prevent, identify and alleviate **conduct which may constitute** discrimination **or harassment.**
3. Resources - Maintain and provide information to staff on resources available to **complainants** in addition to the school complaint procedure or Title IX procedures, such as making reports to **law enforcement**, and available supportive measures such as assistance from domestic violence or rape crisis programs, and community health resources, including counseling resources.
4. Reports/**Complaints** - Monitor and provide technical assistance to individuals involved in managing **reports** and **complaints.**

### **Guidelines**

**When district programs and activities include separation on the basis of sex, in accordance with law and regulations, including but not limited to separate restroom or changing facilities, the district shall not implement such programs or activities in a manner that discriminates on the basis of sex, including an individual's gender identity.**[\[22\]](#)[\[29\]](#)

**Violations of this policy, including acts of retaliation as defined in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures, and in accordance with applicable law and regulations.**[\[27\]](#)[\[30\]](#)[\[31\]](#)

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX **sex-based discrimination and** harassment, in any district education program or activity, to be issued to all students, parents/guardians **or other legal representatives of students**, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the **name or** title, office address, phone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator. **The district's notice shall provide information on the location of the Board policy and complaint or grievance procedures, how to report information about conduct prohibited by this policy and how to file a complaint.**[\[28\]](#)

**The Board directs that this notice be included in each staff handbook, on the district website, and in each catalog, announcement, bulletin and application form for applicants and employees. An abbreviated statement of the district's prohibition of discrimination, that individuals may report concerns to the Title IX Coordinator and location of the full notice on the district website may be published when necessary due to size or format of publications. A copy of this policy and related attachments shall also be posted to the district's website.**[\[28\]](#)

**The Board shall engage in the interactive process with qualified employees and provide reasonable accommodations in accordance with applicable law and regulations.**[\[11\]](#)  
[\[12\]](#)[\[32\]](#)

**The district shall not require a qualified employee to take paid or unpaid leave for pregnancy, childbirth or pregnancy-related medical conditions if another reasonable accommodation can be provided to address the employee's known limitations.**[\[33\]](#)[\[34\]](#)  
[\[35\]](#)[\[36\]](#)

#### Reports of Title IX **Sex-Based Discrimination and** Harassment and Other Discrimination and Retaliation

The Board encourages employees, **applicants** and third parties who believe they or others have been subject to Title IX **sex-based discrimination and** harassment, other discrimination, **harassment** or retaliation to promptly report such incidents to the building principal or **Title IX Coordinator**. A person who is not an intended victim or target of discrimination **or harassment** but is adversely affected by the **conduct** may file a report of **sex-based** discrimination.

**An employee serving in a supervisory position who suspects or is notified that a district employee may have been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Title IX Coordinator.**

If the **Title IX Coordinator** is the subject of a complaint, the complainant, **building principal** or the individual making the report shall direct the report of the incident to the **Superintendent or designee**.

The complainant or the individual making the report may use the Discrimination/Harassment/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing; however, **oral** reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building **principal** shall promptly notify the Title IX Coordinator of all reports of discrimination, **harassment**, Title IX **sex-based discrimination and** harassment or retaliation.



The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures **and reasonable safety concerns.**[26]

The Title IX Coordinator shall conduct an assessment to determine whether the reported **conduct meets** the definition of Title IX **sex-based discrimination or harassment** and **the appropriate procedures to address the conduct in accordance with this Board policy and procedures, or other Board policies.**[26]

**If the Title IX Coordinator reasonably determines that the conduct may constitute sex-based discrimination or harassment, or other discrimination or harassment, the Title IX Coordinator shall take the following steps under applicable law and regulations, this Board policy and procedures:**[26]

1. **Treat the complainant and respondent equitably.**
2. **Offer and coordinate supportive measures, as appropriate, for the complainant and respondent.**
3. **Notify the complainant or individual who reported the conduct of the grievance procedures and informal resolution process, if available and appropriate.**
4. **If a complaint is made, notify the respondent of the grievance procedures and, if applicable, the informal resolution process.**
5. **Initiate the grievance procedures or informal resolution process, if available and appropriate.**
6. **In the absence of a complaint or withdrawal of any or all allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint under the grievance procedures, in accordance with law, regulations and the grievance procedures.**
7. **If initiating a complaint under the grievance procedures, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety and the safety of others, including by providing supportive measures.**
8. **Take other prompt and effective steps to ensure that sex-based discrimination and harassment or other discrimination or harassment does not continue or recur within the district's education programs or activities.**

#### Disciplinary Procedures when Reports Allege Title IX **Sex-Based Discrimination or Harassment**

When a report alleges Title IX **sex-based discrimination or harassment**, disciplinary sanctions may not be imposed until the completion of the grievance **procedures**. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance **procedures.**[27]

#### *Administrative Leave –*

When an employee, based on an individualized safety and risk analysis, poses an **imminent and serious** threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis. **The employee will be provided with notice and provided opportunity to challenge the emergency removal immediately following the removal.**[26][30]

An accused, nonstudent district employee may be placed on administrative leave during the pendency of the grievance **procedures**, consistent with all rights under Section 504 of the



Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract.

### Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX **sex-based discrimination or harassment**, shall be handled in accordance with applicable law, regulations, **Board policy and procedures**, and the district's legal and investigative obligations **to carry out the grievance procedures**.[\[17\]](#)[\[27\]](#)[\[37\]](#)[\[38\]](#)

**The district shall not disclose personally identifiable information except in the following circumstances:**[\[26\]](#)[\[37\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)

- 1. When the district has obtained prior written consent in accordance with law.**
- 2. When student information is disclosed to a parent/guardian as defined in Board policy or other authorized legal representative with the legal right to receive disclosures on behalf of the individual.**
- 3. To carry out the requirements of this policy and the accompanying procedures.**
- 4. As required or permitted by applicable law or regulations or the requirements of grant funding.**

### Retaliation

The Board prohibits retaliation by the district or any other person against any person for:[\[17\]](#)  
[\[43\]](#)

1. Reporting or making a **complaint of conduct that may constitute** discrimination or retaliation, including Title IX **sex-based discrimination or harassment**.
2. Testifying, assisting, participating **in any manner** or refusing to participate in a related investigation, process or other proceeding or hearing.
3. Acting in opposition to practices the person reasonably believes to be discriminatory.

The district, its employees and others are prohibited from intimidating, threatening, **harassing**, coercing or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if they believe retaliation has occurred. **The district shall respond to reports of retaliation by initiating the appropriate procedures in accordance with applicable law, regulations and this Board policy.**

**Retaliation that falls under Title IX shall be addressed through the grievance procedures or, as appropriate, through the informal resolution process.**[\[17\]](#)

### Title IX Sex-Based Discrimination and Harassment Training Requirements

**The district shall provide training annually to all school employees on:**[\[28\]](#)

- a. The district's obligation to address sex-based discrimination and harassment in district education programs and activities.**
- b. The scope of conduct that constitutes sex-based discrimination and harassment, as defined in the law and this policy.**
- c. Staff responsibility to provide the Title IX Coordinator's contact information to**

**students or parents/guardians and to notify the Title IX Coordinator regarding conduct that may constitute sex-based discrimination or harassment, in accordance with Board policy and procedures.[41]**

The Compliance Officer and Title IX Coordinator, investigators, decision-makers, or any **staff responsible to implement grievance procedures** related to Title IX **sex-based discrimination or harassment and any staff authorized to modify or terminate supportive measures** shall receive the following training **annually**, as required or appropriate to their specific role:[28]

- 1. The district's obligations under Title IX, including definitions of sex-based discrimination and harassment.**
- 2. The grievance procedures used to address Title IX complaints.**
- 3. How to conduct an investigation**, including examination of evidence, **interviewing witnesses, evaluating credibility**, drafting **reports and determinations**, and handling appeals, as applicable.
4. How to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest and bias.
- 5. Issues of relevance in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance.**
6. **{ X }** How to address complaints when the alleged conduct does not qualify as Title IX **sex-based discrimination or harassment** but could be addressed under another complaint process or Board policy.[30][31][44][45]

**Staff designated to facilitate the informal resolution process shall receive training annually on the rules and practices associated with the informal resolution process and how to serve impartially, including by avoiding conflicts of interest and bias.[28]**

**The Title IX Coordinator and designees shall receive the following training annually, in addition to all other training required by Title IX and this policy:[28]**

- 1. Specific responsibilities of the Title IX Coordinator, in accordance with law and Board policy and procedures.**
- 2. The district's recordkeeping system and requirements for recordkeeping in accordance with Title IX and Board policy and administrative regulations.[40][46]**
- 3. Any other training required to coordinate the district's compliance with Title IX and other applicable laws, regulations and Board policy.**

All training materials shall be **retained for at least seven (7) years and must be made available for inspection upon request from a member of the public.[28][46][47]**

#### Disciplinary Consequences

An employee who violates this policy, **including a determination of sex-based harassment**, shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[30][31]

#### Handling of Reports

**[Use the first two (2) options if the district decides to maintain separate complaint and grievance procedures for Title IX complaints and complaints addressing other**

**types of discrimination. Use the third option if the district decides to maintain a single set of grievance procedures that aligns with the more prescriptive requirements of Title IX for all complaints of discrimination.]**

**{ X } Reports of Discrimination –**

**{ X }** Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX **sex-based discrimination or** harassment but are based on race, color, age, **religious** creed, religion, sex, **gender identity**, sexual orientation, ancestry, genetic information, national origin, marital status, handicap/disability **or pregnancy, childbirth or pregnancy-related conditions** shall **be handled in accordance with** the Discrimination Complaint Procedures **attached** to this policy.

**{X } Reports of Title IX Sex-Based Discrimination or Harassment –**

**{ X }** Any reports deemed by the Title IX Coordinator to meet the definition of **sex-based discrimination or** harassment under Title IX shall **be handled in accordance with** the **Grievance** Procedures **attached** to this policy.

**{ } All reports of discrimination or Title IX sex-based discrimination or harassment shall be handled in accordance with the Grievance Procedures attached to this policy.**

**PSBA 7/24 @2024**

Legal


-  [1. 43 P.S. 336.3](#)
-  [2. 43 P.S. 951 et seq](#)
-  [3. 34 CFR Part 106](#)
-  [4. 20 U.S.C. 1681 et seq](#)
-  [5. 29 U.S.C. 206](#)
-  [6. 29 U.S.C. 621 et seq](#)
-  [7. 29 U.S.C. 794](#)
-  [8. 42 U.S.C. 1981 et seq](#)
-  [9. 42 U.S.C. 2000e et seq](#)
-  [10. 42 U.S.C. 2000ff et seq](#)
-  [11. 42 U.S.C. 12101 et seq](#)
-  [12. 29 CFR Part 1636](#)
-  [13. U.S. Const. Amend. XIV, Equal Protection Clause](#)
-  [14. 34 CFR 106.2](#)
-  [15. 29 CFR 1636.3](#)
-  [16. 16 PA Code 41.204](#)
-  [17. 34 CFR 106.71](#)
-  [18. 16 PA Code 41.205](#)

-  [19. 16 PA Code 41.207](#)
-  [20. 16 PA Code 41.206](#)
-  [21. 34 CFR 106.10](#)
-  [22. 34 CFR 106.31](#)
-  [23. 34 U.S.C. 12291](#)
-  [24. 20 U.S.C. 1092](#)
-  [25. 34 CFR 106.11](#)
-  [26. 34 CFR 106.44](#)
-  [27. 34 CFR 106.45](#)
-  [28. 34 CFR 106.8](#)
-  [29. 34 CFR 106.41](#)
-  30. Pol. 317
-  31. Pol. 317.1
-  [32. 29 CFR 1630.1 et seq](#)
-  [33. 29 CFR 1636.4](#)
-  34. Pol. 335
-  35. Pol. 336
-  36. Pol. 339
-  [37. 20 U.S.C. 1232g](#)
-  [38. 34 CFR Part 99](#)
-  39. Pol. 216
-  40. Pol. 324
-  41. Pol. 103
-  42. Pol. 113.4
-  [43. 29 CFR 1636.5](#)
-  44. Pol. 806
-  45. Pol. 824
-  46. Pol. 800
-  47. Pol. 801
-  [18 Pa. C.S.A. 2709](#)
-  [16 PA Code 41.201 et seq](#)


 [28 CFR 35.140](#)


 [28 CFR Part 41](#)

 [29 CFR Parts 1600-1691](#)


 [U.S. Equal Employment Opportunity Commission — Questions and Answers on Religious Discrimination in the Workplace](#)


 [U.S. Equal Employment Opportunity Commission \(EEOC\) Enforcement Guidance on Harassment in the Workplace \(2024\)](#)


 Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

 [Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 \(1998\)](#)

 [Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 \(2020\)](#)

 [Groff v. DeJoy, 600 U.S. 447 \(2023\)](#)

 [Pol. 320](#)

 [Pol. 815](#)

[104 Report Form.pdf \(322 KB\)](#)

[104-Discrimination Complaint Procedures.docx \(49 KB\)](#)

[104-2024 Grievance Procedures attachment \(1\).pdf \(749 KB\)](#)