

RACIAL DISCRIMINATION AND HARASSMENT

The District is committed to having a school environment free from discrimination and harassment on the basis of race, color and national origin. Harassment of a student, staff member, or school visitor is contrary to the District's pledge to provide a physically and psychologically safe environment in which to work and learn. The District prohibits race, color and national origin discrimination and harassment in the work and school environment, including the school bus or other school-related vehicle, all academic, extracurricular and school sponsored activities or events whether or not held on school premises. Retaliation and making false accusations and statements in connection with the reporting or investigation of racial discrimination and harassment is also prohibited by this policy.

Racial Harassment Defined

Racial harassment is a form of racial discrimination and is a physical, oral, or written act which is based on a person's race, ethnic background, nationality, language or cultural background and is unwanted and offensive/ humiliating to the person.

Racial harassment may also have the effect of creating a hostile environment if such harassing conduct is sufficiently severe, persistent or pervasive as to interfere or limit the ability of an individual to participate in the educational or employment environment.

Examples of racial harassment include, but are not limited to:

Physical: Intimidating gestures, physical violence, assault or threats of injury because of a person's race or ethnicity.

Oral: Derogatory remarks about a person's skin color or appearance based on race, ethnic background, nationality, language or cultural background; unwelcome remarks about a person's cultural observances, racist jokes and comments.

Written or graphic material: Including graffiti, defacing notices or posters, cartoons, caricatures, written threats and derogatory statements of a racial nature.

The examples of racial harassing conduct apply to any complainant, including staff-to-student and peer-to-peer incidents. Racial harassment may also have the purpose or effect of subjecting a student to disciplinary action and/or academic penalty.

Reporting / Investigation Procedures

The District will investigate formal and informal reports/complaints of 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 racial harassment can initially request that the matter be addressed under this provision regarding Informal Adjustment. Allegations of racial harassment should be

brought to the attention of the Principal, Assistant Superintendent of Special Education & Student Services, or the Civil Rights Coordinator (**Please see contact information below**) or his/her designee who shall investigate and attempt to resolve the matter informally within fifteen work days after receiving complaint.

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 in this Policy 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 Procedures.

Formal Procedures

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

Rosetta Mullen, Assistant Superintendent
Human Resources/Legal Affairs
44001 Garfield Road
Clinton Township, MI 48038-1100
(586) 228-3309
rmullen@misd.net

Additional contacts:

Beth Alberti, Assistant Superintendent
Special Education & Student Services:
44001 Garfield Road
Clinton Township, MI 48038-1100
(586) 228-3510
balberti@misd.net

Michael Croy, Principal
Neil Reid High School
37701 Harper
Clinton Township, MI 48036-3087
(586) 469-1590
mcroy@misd.net

Students are encouraged to immediately report incidents of racial harassment. Any staff member who receives a report, verbally or in writing, from a student regarding racial harassment 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 any incident of alleged harassment of any form, whether such incident is actually witnessed by the staff member or reported. Administrative staff receiving reports of harassment will promptly notify the Civil Rights Coordinator.

- Step 2 Verbal reports of racial 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 harassment to the individual who is the harasser. For example; 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 racial harassment complaints. Each complaint of racial 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 racial 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 in writing 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 racial 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's file. The filing of a complaint or reporting racial harassment will not reflect upon the individual's status nor will it affect future employment, grades or work assignments.
- Step 7 District administrators will take immediate action to stop discriminatory behavior upon determining that racial 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

Racial Harassment Consequences

Any student who engages in the racial 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 racial harassment of a student or another adult shall be subject to disciplinary action up to and including dismissal. Further, any staff member who receives a report of harassment or witnessed 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. 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 racial harassment, opposed racial 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/investigation process established for racial harassment. Further, any individual found to have engaged in such retaliatory behavior will be subject to disciplinary action consistent with racial harassment violations.