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**Non-Discrimination, and Harassment and Retaliation
Policy Series: 3000 Students**

Policy No. 3020

Purpose: Overview:

In Provo City School District's Strategic Plan, Priority Two emphasizes the need for Wellness and Safety. All students and employees need to feel safe to learn and work at their greatest capacity.

Provo City School District does not knowingly discriminate on the basis of race; color; religion; age; national origin; sexual orientation; gender expression or identity; disability, or any other classification protected by law, in admission or access to, treatment or employment in, or participation in its programs and activities, and provides equal access to the ~~Boy Scouts of America and other~~ designated youth groups, pursuant to federal and state laws, including but not limited to, Title VI and VII of the Civil Rights Act, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the individuals with Disabilities Education Improvement Act.

Inquiries or complaints regarding this non-discrimination and sexual harassment policy may be directed to a student or employee, principal or supervisor, and/or the designated District Compliance Officers. Grievance procedures have been established for students, parent(s)/ guardian(s), or employees who believe discrimination has been shown by the Provo City School District. District Compliance Officers are:

For student matters:

~~Doug Finch~~
[Jason Garrison](#)
~~Assistant Superintendent~~ [Director](#) of Student Services
Provo City School District
280 West 940 North
Provo, Utah 84604
jasong@provo.edu
(801) 374-4631-4814


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41 **For employee matters**
42 Jason Cox
43 Rebecca Rogers
44 Assistant Superintendent Director of Human Resources
45 Provo City School District
46 280 West 940 North
47 Provo, Utah 84604
48 rebeccar@provo.edu
49 (801) 374- 4822-4847
50

51 Nothing in policy or procedure prohibits a person from filing a discrimination and/or harassment
52 complaint with the Regional Office for Civil Rights: Department of Education, Region VIII,
53 Federal Office Building, 1244 Speer Blvd., Suite 300, Denver, CO 80204.
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55 The Superintendent is directed to create a procedure that clearly documents the grievance
56 process for this policy, a reporting form that may be used to document complaints of
57 discrimination and/or sexual harassment, a summary of this policy and procedure that shall be
58 posted in prominent places in each district facility, and a “short version” of this policy that may
59 be used on district mailings, newsletters, and other publications.
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62 **Definitions:**

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- 64 1. **Compliance Officer(s):** The person or persons designated to handle inquiries and
65 complaints regarding unlawful discrimination, harassment, and retaliation:
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 - 67 2. **Complaint:** A claim or report by an aggrieved party or witness that an individual has
68 engaged in prohibited discrimination, harassment, and/or retaliation.
69
 - 70 3. **Discrimination:** Conduct including words, gestures, and/or other actions, including
71 actions relating to hiring, promotion, discharge, discipline, assignments, demotion, or
72 termination, that unfairly disadvantages individuals based upon protected characteristics
73 such as age, color, disability, gender, gender identity, national origin, race, religion, sex,
74 sexual orientation, and/or any other classification protected by applicable law.
75
 - 76 4. **Reprisal:** An unlawful use of position to avenge or punish an individual for ~~their~~ his or
77 her refusal to consent/submit to an inappropriate request and/or demand. Acts of reprisal
78 may be overt or covert and may take many forms such as:
 - 79 a. Open hostility to the individual, witnesses, or others involved;
 - 80 b. Exclusion/ostracism of the individual, witnesses, or others involved;
 - 81 c. The creation, or continued existence of a hostile work environment;
 - 82 d. Individualized negative remarks that are repeated and malicious; or
 - 83 e. Special attention to, assignment of alternative duties that are less desirable work
84 assignments, or reductions in pay.

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5. **Complainant:** An individual who is alleged to have experienced discrimination, harassment, or retaliation prohibited by this policy, including a student, employee, or an individual who reports such conduct on behalf of another.
6. **Respondent:** The individual named in a complaint as having engaged in or being responsible for a discriminatory, harassing, or retaliatory act or omission.
7. **Investigator:** A District-designated, trained individual responsible for conducting a fair, prompt, and impartial investigation of complaints under this policy. The investigator gathers and evaluates evidence, interviews involved parties and witnesses, and prepares a written report of findings. The investigator must be free from conflicts of interest or bias for or against any party.
8. **Retaliation:** Any form of sanction or adverse treatment, including but not limited to intimidation, reprisal, or harassment of any individual because ~~they~~ ~~he or she~~:
 - a. ~~Has~~ **Have** asserted or assisted another individual to assert a complaint in either a formal or informal manner with the district or with any state or federal agency; or
 - b. ~~Has~~ **Have** testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to a complaint.
9. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, or other verbal or written communications or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, academic or professional pursuits, or participation in a district-sponsored program or activity;
 - b. Such conduct affects or has the purpose of unreasonably interfering with an individual's employment, education, or participation in a District-sponsored activity by creating an intimidating, hostile, or offensive working or learning environment; or
 - c. Such conduct amounts to a violation of state or federal criminal laws, including sexual assault, rape, etc.

Examples of sexual harassment include but are not limited to:

1. Subtly or overtly pressuring another for sexual activity, engaging in sexually motivated physical conduct, including unwelcome touching, pinching, blocking, or brushing against another's body;
2. Using obscene or sexually explicit language or making sexually explicit gestures;
3. Displaying, viewing, printing or transmitting sexually offensive images, objects, or other materials;

- 129 4. Using sexually offensive language or slurs, teasing, joking, or making innuendoes about
130 gender-specific traits or characteristics;
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132 5. Engaging in demeaning or derisive conduct based substantially on a person's gender,
133 gender identity, or sexual orientation; or
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135 6. Engaging in any behavior of a romantic or sexual nature between a student and district
136 employee.
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139 **Prohibited Conduct**
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141 The district prohibits unlawful discrimination, harassment, and retaliation that creates a hostile
142 work or learning environment for other employees or students of the District. Discrimination,
143 harassment, and retaliation are prohibited in all aspects of employment with the District, and by
144 all District students and employees while on all District premises, during District-sponsored
145 activities, using District property.
146

147 Sexual conduct between employees and students is expressly prohibited and is considered an
148 especially serious violation of this policy. An employee who engages in sexual activity with a
149 student will face disciplinary action, up to and including termination, and may be subject to civil
150 or criminal penalties.
151

152 Any student who engages in prohibited discrimination, harassment, or retaliation, may be
153 subject to discipline up to and including alternative placement. Any employee who engages in
154 prohibited discrimination, harassment, or retaliation may be subject to discipline up to and
155 including termination.
156

157 Supervisors are responsible for taking prompt necessary steps, including appropriate
158 disciplinary action, to ensure and maintain a working and educational environment free of
159 intimidation, coercion, discrimination, harassment, and retaliation.
160

161 The district will investigate all complaints of discrimination, harassment, and/or retaliation, and
162 will take appropriate action to stop violations, prevent recurrence, and remedy any effect of
163 violations.
164

165 All district employees are required to cooperate in all proceedings conducted pursuant to these
166 procedures. Failure or refusal to cooperate in, or interference with any such investigation or
167 proceeding will result in disciplinary action, up to and including termination.
168

169 The following grievance procedures are available to those who believe they have witnessed or
170 are victims of unlawful discrimination, harassment, or retaliation.
171

172 At any point in the process, the Complainant, the Respondent, or any witness may request
173 assistance in order to ensure their due process rights are being protected. Examples of such
174 requests include, but are not limited to: assistance filling out a complaint form or other
175 necessary paperwork, and provision of translation or interpreter services. Assistance with what
176 claims to assert, what defenses should be raised, what testimony to give, or other content
177 issues will not be provided.

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180 **Grievance Procedures** - (Put lines 166-437 in a procedure)

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182 *Duty to Report*

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184 ~~It is the duty of every student and/or employee to report any violations of these procedures or~~
185 ~~the accompanying board policy.~~

186

187 *Confidentiality*

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189 ~~1. Every effort will be made to protect the confidentiality of all participants in complaint~~
190 ~~proceedings and investigations; however, absolute confidentiality cannot be guaranteed.~~
191 ~~In some instances the district's legal obligations, including the need to investigate~~
192 ~~allegations and take appropriate corrective action, will require the disclosure of certain~~
193 ~~information.~~

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195 ~~2. All individuals involved in a complaint or investigation shall refrain from discussing the~~
196 ~~matter, except with those who have a legal need to know.~~

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199 *Submitting an Initial Complaint*

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201 ~~1. At the school level, the principal is the individual responsible for receiving all complaints~~
202 ~~of discrimination, sexual harassment, or retaliation.~~

203 ~~a. Any complaint involving students must be immediately referred to the school~~
204 ~~principal.~~

205 ~~i. Any district employee who receives a complaint of sexual harassment~~
206 ~~from a student shall inform the student of the employee's obligation to~~
207 ~~report the complaint to principal, and then shall immediately notify the~~
208 ~~principal. Such behavior will also warrant reporting to the appropriate~~
209 ~~licensing or law enforcement authority.~~

210 ~~ii. Pursuant to state law, when a complaint involves allegations of child~~
211 ~~abuse, the complaint must immediately be reported to either the Division~~
212 ~~of Child and Family Services (DCFS) or local law enforcement authority,~~
213 ~~and the anonymity of both the Complainant and school official(s) involved~~
214 ~~in the investigation will be strictly protected.~~

215 iii. ~~If the complaint involves the principal or another school employee, the~~
216 ~~Complainant may contact the district's Human Resources Department~~
217 ~~(HR) at 801-374-4938, 280 West 940 North, Provo, Utah 84604~~

218
219 2. ~~District employees who are non-school based should report violations involving other~~
220 ~~employees to their supervisor or Human Resources.~~

221
222 3. ~~When the Respondent is the Complainant's immediate supervisor, the Complainant~~
223 ~~should contact the Respondent's supervisor.~~

224
225 4. ~~When the Respondent is a third party such as a vendor, visiting speaker, patron,~~
226 ~~volunteer, etc., the Complainant should contact the principal or Human Resources.~~

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229 *The Initial Complaint*

230 1. ~~The initial complaint may be submitted either orally or in writing.~~
231 a. ~~A complaint should be made as soon as possible, but preferably not later than~~
232 ~~thirty (30) days after the incident(s) in order to be effectively investigated and~~
233 ~~resolved.~~

234 b. ~~The circumstances which the individual believes support the allegation(s) of~~
235 ~~unlawful behavior, the names of the individual(s) against whom the claim is~~
236 ~~made, and any remedies that are being sought should be set forth in plain~~
237 ~~language.~~

238 c. ~~Individuals should provide as much information as possible, including any~~
239 ~~conversation(s) with the Respondent, noting the time, date, and place, what was~~
240 ~~said or done, and any other relevant circumstances surrounding the event(s).~~

241
242 2. ~~Complaint forms may also be used and are available online and in each district building.~~

243
244 3. ~~Good faith submission of a complaint will not adversely affect the Complainant's future~~
245 ~~employment, grades, work assignments, or participation in district-sponsored programs~~
246 ~~or activities.~~

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248 4. ~~A student or employee who knowingly files a false report may be subject to civil and/or~~
249 ~~legal actions, as well as district disciplinary action.~~

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252 *Responsibilities and Protocol for Resolving a Complaint*


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254 1. ~~Any principal or supervisor receiving a complaint will first document the complaint in~~
255 ~~writing.~~

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- 257 2. ~~The principal or supervisor must immediately forward a copy of the written complaint to~~
258 ~~the District's compliance officers as defined above, and then proceed with the following~~
259 ~~appropriate protocol:~~
- 260 a. ~~Any complaint alleging a district employee violation against a student or other~~
261 ~~employee(s) shall be reported immediately to Human Resources. Human~~
262 ~~Resources will then be responsible for investigating the complaint.~~
 - 263 b. ~~If a complaint surrounds a student to student issue, the Complainant may contact~~
264 ~~the Assistant Superintendent Director of Student Services at 801-374-4815.~~
 - 265 i. ~~Any complaint alleging a third party violation against an employee or~~
266 ~~student shall be investigated by the principal or supervisor.~~
 - 267 ii. ~~Any complaint alleging a student violation against another student shall~~
268 ~~be investigated by the principal.~~
 - 269 iii. ~~Any complaint clearly alleging criminal conduct will be forwarded to local~~
270 ~~law enforcement for investigation.~~
 - 271 iv. ~~Any complaint that happens away from school property but has the~~
272 ~~potential to disrupt the educational environment of one or more schools~~
273 ~~will be investigated by the school principal.~~
- 274 3. ~~A principal or supervisor who does not immediately follow the protocol as indicated~~
275 ~~above, may be subject to disciplinary action.~~
- 276
- 277 4. ~~HR or the designated principal or supervisor ("Investigator") shall be responsible for~~
278 ~~investigating the complaint as outlined in these procedures. Failure to properly~~
279 ~~investigate a complaint may result in discipline.~~

282 *First Level Investigation and Response*

284 1. ~~Initial investigation~~

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- 285 a. ~~The district may take steps to protect the Complainant, students, and other~~
286 ~~employees during an investigation.~~
 - 287 b. ~~An investigation may consist of personal interviews with the Complainant,~~
288 ~~Respondent, and others who have knowledge of the alleged incident or~~
289 ~~circumstances giving rise to the complaint.~~
 - 290 c. ~~The investigation may also consist of any other methods and/or documents~~
291 ~~deemed pertinent by the Investigator.~~
 - 292 d. ~~The extent of the investigation will be determined based on the nature of the~~
293 ~~allegations, the context and circumstances surrounding the alleged violation, the~~
294 ~~relationship between the parties, and the history of the parties involved.~~
 - 295 e. ~~At the beginning of the investigation the Investigator shall disclose his or her their~~
296 ~~neutrality as opposed to being an advocate for any party.~~
 - 297 f. ~~At a minimum, the Investigator will immediately:~~
 - 298 i. ~~notify the Complainant of his or her right to have someone translate or~~
299 ~~interpret during the interview;~~

- 300 ii. ~~notify the Complainant of his or her **their** right to have someone of the~~
- 301 ~~same gender conduct or be present during the interview;~~
- 302 iii. ~~interview the Complainant and document the conversation;~~
- 303 iv. ~~instruct the Complainant to have no contact or communication regarding~~
- 304 ~~the complaint with the Respondent;~~
- 305 v. ~~ask the Complainant specifically what action **they** want taken in order to~~
- 306 ~~resolve the complaint;~~
- 307 vi. ~~inform the Respondent that a complaint has been filed against him or her;~~
- 308 vii. ~~inform the Respondent that if the objectionable conduct has occurred, it~~
- 309 ~~must cease immediately;~~
- 310 viii. ~~provide the Respondent with a copy of these procedures;~~
- 311 ix. ~~inform the Respondent of his or her **their** rights and responsibilities during~~
- 312 ~~the investigation;~~
- 313 x. ~~notify the Respondent that **they** will be afforded a full and complete~~
- 314 ~~opportunity to respond to the allegations;~~
- 315 xi. ~~instruct the Respondent to have no contact or communication regarding~~
- 316 ~~the complaint with Complainant, and to not take any retaliatory action~~
- 317 ~~against the Complainant; and~~
- 318 xii. ~~document the conversation with the Respondent.~~

319 g. ~~The Respondent shall submit a written answer to the Investigator.~~

- 320 i. ~~The answer shall include:~~
- 321 ~~1. an admission or denial of each allegation in the complaint;~~
- 322 ~~2. a statement as to the extent to which the complaint has merit;~~
- 323 ~~3. an acceptance or rejection of the relief or action requested in the~~
- 324 ~~complaint, if any; and~~
- 325 ~~4. any other information the Respondent deems relevant.~~
- 326 ii. ~~If the Respondent admits all or part of the allegation in the complaint,~~
- 327 ~~appropriate disciplinary action will be coordinated by the Investigator and~~
- 328 ~~the appropriate district administrator, the Assistant Superintendent of~~
- 329 ~~Human Resources, and/or the Assistant Superintendent of Student~~
- 330 ~~Services to include:~~
- 331 ~~1. at a minimum, for an employee, a written reprimand shall be~~
- 332 ~~issued to the Respondent and a copy placed in the Respondent's~~
- 333 ~~file.~~
- 334 iii. ~~If the Respondent denies the allegations, the Investigator shall meet with~~
- 335 ~~the Complainant to discuss whether the investigation should proceed~~
- 336 ~~informally or formally with:~~
- 337 ~~1. consideration being given to the Complainant's requests regarding~~
- 338 ~~the investigation process; however, the Investigator reserves the~~
- 339 ~~right to override the Complainant's preference in handling a~~
- 340 ~~complaint.~~

341 h. ~~A request for the matter to be resolved through a formal process may be made at~~

342 ~~any time.~~

343 2. ~~Informal process~~

- 344 a. ~~The complaint may be handled informally if the Complainant seeks to resolve the~~
345 ~~issues directly with the individual(s) involved or through appropriate district~~
346 ~~employees.~~
347 b. ~~The appropriate Investigator will use their his or her best efforts to resolve the~~
348 ~~complaint through mediation and negotiation with all parties.~~
349 c. ~~If satisfactory resolution is reached informally, no further action will be taken and~~
350 ~~the matter will be considered closed.~~
351 i. ~~The Investigator shall inform the district's compliance officer, in writing,~~
352 ~~that the matter has been resolved informally, and include any relevant~~
353 ~~information regarding the resolution.~~
354 d. ~~If, however, the behavior warrants any sanction above a verbal warning, the~~
355 ~~Assistant Superintendent Director of HR must be involved in determining~~
356 ~~appropriate discipline and reviewing any gathered documentation.~~
357 i. ~~If the Complainant is not satisfied with the outcome of the informal~~
358 ~~process, the Complainant may request that the complaint be handled~~
359 ~~formally.~~

360 3. ~~Formal process~~

- 361 a. ~~The investigation in a formal process will also include interviews with any other~~
362 ~~individual believed to have pertinent information.~~
363 b. ~~The Investigator will interview the Respondent regarding the complaint, their his~~
364 ~~or her answer, witness statements, and other gathered information. All witnesses~~
365 ~~will have the opportunity to review, edit, and acknowledge by signature the~~
366 ~~accuracy of their own written statements or accountings of their interviews.~~
367 c. ~~The Investigator should attempt to keep the parties and district compliance officer~~
368 ~~informed of the progress of the investigation.~~
369 d. ~~Within Fifteen (15) working days of receipt of the complaint, unless a longer~~
370 ~~period of time is deemed necessary, the Investigator shall complete their his or~~
371 ~~her investigation and coordinate a response with the appropriate district~~
372 ~~administrator as outlined below.~~
373 i. ~~In incidents involving student violations against another student, the~~
374 ~~complaint, along with the written documentation of the investigation, shall~~
375 ~~be forwarded to the Assistant Superintendent of Student Services.~~
376 ii. ~~In all other circumstances, the complaint, along with the written~~
377 ~~documentation of the investigation, shall be forwarded to the Assistant~~
378 ~~Superintendent of HR.~~
379 e. ~~Within five (5) working days of receiving documentation from an Investigator, the~~
380 ~~appropriate assistant superintendent will review the documentation and meet~~
381 ~~with the Investigator to determine and initiate an action based on the~~
382 ~~investigative results.~~
383 f. ~~Within fifteen (15) working days of the conclusion of the investigation, unless a~~
384 ~~longer period of time is deemed necessary, the appropriate assistant~~
385 ~~superintendent will provide a written Complaint Summary to the Complainant and~~
386 ~~Respondent. The Complaint Summary will summarize the complaint, response,~~
387 ~~evidence adduced from the investigations, and the findings. The findings will~~

- 388 include a concluding judgment as to whether or not a violation of board policy or
389 these procedures has occurred.
- 390 g. ~~If an allegation is found to be substantiated in whole or in part, the appropriate~~
391 ~~assistant superintendent will determine and implement corrective discipline and~~
392 ~~remedial steps necessary to eliminate the effects of the discrimination,~~
393 ~~harassment, or retaliation.~~
- 394 h. ~~The appropriate director will then inform the Complainant:~~
- 395 i. ~~Whether or not appropriate action will be or has been taken; and~~
- 396 ii. ~~That they he or she should immediately report any further objectionable~~
397 ~~behavior or retaliatory actions.~~
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400 *Second Level Review*

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- 402 1. ~~Complainants who are not satisfied with the outcome of the first level investigation and~~
403 ~~response may file a request for review with the compliance officer, or if the complaint is~~
404 ~~against the compliance officer, with the assistant superintendent (referred to collectively~~
405 ~~hereafter as "second level reviewer").~~
- 406 2. ~~Requests filed with the second level reviewer shall be in writing and contain the following~~
407 ~~information:~~
- 408 a. ~~Complainant's name, home address, telephone number, and school or work~~
409 ~~location;~~
- 410 b. ~~A brief description of the alleged discrimination, harassment, or civil rights~~
411 ~~violation, including the date, place, and time;~~
- 412 c. ~~Name of Respondent(s), if known;~~
- 413 d. ~~A brief description of the actions/efforts that have already occurred to address~~
414 ~~the issue; and~~
- 415 e. ~~Any other relevant information\~~
- 416 3. ~~The Complainant may also include a statement of requested relief or corrective action.~~
- 417 4. ~~Alternate methods of filing a request will be made available to individuals with disabilities~~
418 ~~unable to file written requests.~~
- 419 5. ~~The request shall be made as soon as possible, but preferably not later than sixty (60)~~
420 ~~days after the incident(s) in order to be effectively investigated and resolved.~~
- 421 6. ~~Review processing:~~
- 422 a. ~~Within ten (10) working days after receipt of the request, the second level~~
423 ~~reviewer, or his or her designee will meet with the Complainant to discuss the~~
424 ~~request and possible resolutions.~~
- 425 b. ~~The second level reviewer will review the appropriateness of any first level~~
426 ~~investigation, response, Complaint Summary, and corrective action taken, if any.~~
- 427 i. ~~The second level reviewer may take any additional steps he or she~~
428 ~~deems necessary in order to resolve the request, such as re-interviewing~~
429 ~~other pertinent individuals.~~
- 430 c. ~~Within fifteen (15) business days after the initial meeting with the second level~~
431 ~~reviewer, the decision may be appealed to the designated appeals officer.~~

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Final Review

- ~~1. If the Complainant is not satisfied with the decision of the second level reviewer, the decision may be appealed to the superintendent. The superintendent may choose to designate a hearing officer to consider this appeal in his or her stead.~~
- ~~2. The appeal to the superintendent or designee must be made in writing, and mailed or delivered in person to the superintendent within ten (10) work days from the date of the second level reviewer's written decision. The superintendent or designee will review the matter, and may, in his or her sole discretion, request additional information or documentation.~~
- ~~3. The superintendent or designee will render a decision on the appeal within fifteen (15) days of receipt of the appeal, unless a longer period of time is deemed necessary.~~
- ~~4. This decision shall serve as final administrative action in the matter.~~

Responsibility for Dissemination of Policy

1. Principals and supervisors will take appropriate actions to reinforce this policy and these procedures by:
 - a. providing annual employee in-service, with documentation and employee signatures;
 - b. including a summary of this policy in employee handbooks;
 - c. ensuring that by October 1 of each year every student receives an age-appropriate explanation of the policy and is given the opportunity to discuss the policy in a classroom setting; and
 - d. notifying parents and guardians of this policy by October 1 of each year either by including it in the student handbook or by sending a notice to students' homes.
2. A summary of these procedures and related materials shall be posted in a prominent place in each district facility.

Records

1. Records of discrimination or harassment complaints shall be maintained by the compliance officer, or **their** ~~his or her~~ designee. The records will be kept in a separate and confidential file as required by the Governmental Records and Access Management Act.

- 474 2. The release of information regarding the specific disciplinary action imposed on a
475 student or employee must meet the requirements of the applicable state and federal
476 laws.
477
478 3. Information gathered, developed, and documented in the investigation will be regarded
479 as a protected record.
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481 4. If the Complainant is an employee, no record of the complaint shall be kept in the
482 Complainant's personnel file.
483
484 5. If there appears to be no foundation to the allegation(s); **made against an employee**, no
485 record will be placed in the Respondent's personnel file.
486
487 6. Records of initial complaints and investigations shall be retained for at least one year.
488
489 7. Records of district level investigations shall be retained for at least three years.

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491 **District Equity Office**

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493 All questions related to discrimination, harassment, and retaliation should be directed to the
494 compliance officers, **Jason Garrison** ~~Doug Finch~~ **for students**, 801-374-4814 or ~~Jason Cox~~
495 **Rebecca Rogers for employees** 801-374-4938.

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497 1. The compliance officers serve as a resource to the district to provide information,
498 counseling, training, and advice regarding discrimination, harassment, and retaliation.
499 Individuals are encouraged to discuss their concerns or complaints with the district's
500 compliance officers in order to clarify whether discrimination may be occurring and to
501 determine ~~his or her~~ their options, including the pursuit of more formal action.

502

503 2. The compliance officers can also provide information relating to any external remedies
504 which may be available to the Complainant.

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507 **Outside Reporting Procedures**

508 **Right to File Complaints with External Agencies**

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510 1. Nothing in this policy shall prohibit an individual from filing a discrimination or
511 harassment claim with the Utah Anti-Discrimination and Labor Division (UALD), 160 East
512 300 South, 3rd Floor, P.O. Box 146600, Salt Lake City, Utah 84114-6600. An employee
513 has a maximum of one-hundred eighty (180) calendar days from the alleged date of
514 discrimination to file a claim with the UALD.

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516 2. If concerns cannot be resolved at the school or district level, discrimination complaints
517 may be filed with the Office of Civil Rights, Region VIII, U.S. Department of Education,
518 Federal Building, Suite 310, 1244 Speer Boulevard, Denver, Colorado, 80204-3582.

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521 **Training**

522 1. All new employees shall receive information about these procedures and the related
523 policy at an employee orientation. All other employees shall be provided information on a
524 regular basis regarding these procedures, and the district's commitment to providing a
525 learning and working environment free from discrimination, harassment, and retaliation.

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527

2. Principals in each school are responsible for informing students and training staff on
528 these procedures. [Staff members are trained as part of their Safe Schools Training](#)
529 [annually, and students are trained in how to report these instances using the SafeUT](#)
530 [App.](#)

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532

533 **Legal References**

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535

Board Approved: August 11, 2015

536

Revised:

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539 PROVO CITY SCHOOL DISTRICT STUDENT DISCRIMINATION AND SEXUAL
540 HARASSMENT REPORT FORM Provo City School District maintains a firm policy prohibiting all
541 forms of discrimination and/or harassment based on race, color, religion, age, national origin,
542 sexual orientation, gender expression or identity, disability, or any other classification protected
543 by law. All persons are to be treated with respect and dignity. Forms of discrimination and/or
544 sexual harassment by any person, male or female, which creates an intimidating, hostile, or
545 offensive environment will not be tolerated under any circumstances. This form is to be used by
546 students when they feel that discrimination and/or harassment has occurred that warrants
547 investigation. Student Complainant _____ Gender M / F / X /

548 Non-binary School _____ Grade _____

549 _____ Home Address _____

550 _____ Home Phone _____

551 _____ Cell Phone _____ Date of _____

552 alleged incident(s) _____ Name
553 of person(s) you believe discriminated against you or another person

554 _____

555 _____

556 _____

557 _____ Where did the incident(s) occur

558 _____
559 _____

560 _____
561 Name(s) of potential witness(es)

562 _____
563 _____

564 _____
565 Type of Discrimination, check all that apply Age: _____ Color: _____ Disability: _____

566 Gender: _____ Gender Identity: _____ Race: _____ National Origin: _____ Religion: _____
567 Retaliation: _____ Sexual Harassment: _____ Sexual Orientation _____ Other (please describe)

568 _____ Describe the incident(s)
569 as clearly as possible, including such things as: what force, if any, was used; any verbal
570 statements (i.e., threats, requests, demands, etc.); what, if any physical contact, was involved;
571 harm it caused you; etc. (Attach additional pages if necessary)

572 _____
573 _____

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581 _____

582 _____
583 _____

584 _____
585 Remedy Being Sought:

586 _____
587 _____

588 _____
589 _____

590 _____
591 This complaint is filed based on my honest belief that _____ has

592 discriminated against or harassed me or another person. I hereby certify that the information I
593 have provided in this complaint is true, correct, and complete to the best of my knowledge and
594 belief. Please submit this form to your school administrator for investigation and response.

595 _____ Complainant

596 Signature Date _____ Complainant Name (Please Print)

597 _____ School Administrator

598 Date _____ School Administrator Name (Please Print)

599 The following district level administrators have been designated to provide information and
600 guidance concerning issues related to discrimination and sexual harassment: For employee,
601 volunteer-to-student violation: Jason Cox Assistant Superintendent of Human Resources 280

602 West 940 North Provo, UT 84604 801-374-4822 jasonc@provo.edu For student-to-student
603 violations: Doug Finch Assistant Superintendent of Student Services 280 West 940 North Provo,
604 UT 84604 801-374-4631 douglasf@provo.edu Adopted August 10, 2015

605
606
607

608 NON-DISCRIMINATION SHORT FORM

609 ~~3214 F2 Doug Finch Assistant Superintendent of Student Services 801-374-4631 Provo City~~
610 School District does not knowingly discriminate on the basis of race; color; religion; age;
611 national origin; sexual orientation, gender expression or identity; disability, or any other
612 classification protected by law. “ See Provo City School District Policy 3240 at www.provo.edu”
613

614 Originally: August 11, 2015

DRAFT