

**LOGAN CITY SCHOOL DISTRICT  
POLICY ON DISCRIMINATION AND HARASSMENT  
FOR EMPLOYEES AND STUDENTS**

**POLICY STATEMENT**

**Logan City School District is committed to providing an environment free from illegal harassment and other forms of discrimination based upon sex, race, color, ethnic background, national origin, religion, creed, age, marital and veteran's status, citizenship, sexual preference, and/or disability. It is the belief of the Logan City School District that an environment free of discrimination and harassment is a necessary part of a healthy learning and working atmosphere.**

**Discrimination, harassment and retaliation are prohibited by Titles IV, VI, and VII of the 1964 Civil Rights Act and Title IX of the Education Amendments of 1972. Employment discrimination is also prohibited by the Utah Anti-Discrimination Act, UCA 34a-45.**

**Logan City School District is committed to eliminate illegal discrimination through education and administrative support and will take steps to proactively prevent future instances of any type of harassment.**

**POLICY**

**A. No student or employee of the Logan City School District may illegally discriminate on the basis of sex, race, color, ethnic background, national origin, sexual preference, religion, creed, age, marital and veteran's status, citizenship, and/or disability when assigning work or education related benefits and burdens. The Equal Employment Opportunity Commission (EEOC) has identified tangible job actions to include, but not limited to:**

- \*hiring and firing**
- \*promotion and failure to promote**
- \*disciplinary action including suspension and demotion**
- \*undesirable reassignment**
- \*a decision causing a significant change in benefits**
- \*compensation decisions, and**
- \*work assignments**

**B. No student or employee of the Logan City School District may engage in illegally harassing conduct which creates a hostile work or learning environment for other students or employees of the School District.**

**DEFINITIONS**

**A. Clearly Offensive Conduct:** That conduct, be it verbal or nonverbal, which when perceived in its overall context would be taken by a reasonable person, similarly situated, to be strongly objectionable and distasteful.

**B. Complainant:** A person who files a written or oral complaint about illegal harassment.

**C. Complaint Officer:** Person or persons designated by the Superintendent to receive and process complaints of discrimination.

**D. Confront:** To have a face to face discussion and/or contact regarding specific matters.

**E. Demeaning or Derisive Behavior:** Behavior which substantially lowers the status, dignity or standing of another individual, or which insults or otherwise belittles or shows contempt for another individual.

**F. Disability:** An individual's physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

**G. Discrimination:** Conduct, including words or gestures and other actions, which illegally disadvantages persons based upon their immutable characteristics such as race, ethnicity, religion, sex, creed, national origin, ancestry, age, or disability.

**H. Harassment:** Unwelcome conduct that is demeaning or derisive or occurs substantially because of the race, color, ethnic background, national origin, religion, creed, age, citizenship, or disability, and which creates a hostile learning or work environment. Harassment shall include one or more of the three levels described below. If conduct is "clearly offensive" only one incident may be necessary to establish harassment.

**1. Level One: Generalized Harassment**

Includes intentional behavior directed at an entire group which is based on demeaning or derisive stereotypes, and is so severe or pervasive that it creates a hostile learning or work environment.

Examples include comments or jokes, physical gestures or visual displays such as posters, etc.

**2. Level Two: Individually Targeted Harassment**

Includes intentional, non-criminal behavior, (which can be verbal, physical, or visual) and targets an individual, or particular members of a group that is so severe or pervasive that it adversely affects the work or learning environment.

Examples include negative or offensive comments, jokes, suggestions or gestures directed to an individual's or group's race, ethnicity, or national origin.

3. **Level Three: Criminal Harassment**  
Harassing behavior which violates state or federal criminal statutes.

Examples include criminal harassment, criminal assault, sexual assault, rape, criminal mischief, stalking, arson, and trespassing.

**I. RESPONDENT:** A person named in a criminal complaint as having engaged or being responsible for a discriminatory act or omission.

**J. RETALIATION:** Any form of sanction or adverse treatment against a person because that person has asserted, or has assisted another person to assert, a discrimination complaint in either a formal or informal manner with the school district, or with any state or federal agency, or because that person has testified, assisted or participated in any manner in an investigation, proceeding, or hearing related to a discrimination complaint.

**K. SEXUAL HARASSMENT:** Any unwelcome treatment that is sexual in nature or occurs substantially because of the gender of the victim, which creates a hostile work or learning environment. There are two types of sexual harassment:

- A. **Hostile Work Environment.** The three levels of hostile work environment are the same as those listed for other workplace harassment, e.g., generalized harassment, individually targeted harassment, and criminal harassment.
- B. **Harassment that culminates in a tangible job or academic action which alters the conditions of employment or education (previously called quid pro quo).** An example would be when a supervisor or person in authority creates the reasonable perception that granting or withholding tangible academic or job benefits shall be based on the granting of sexual favors.

#### DISCIPLINE/CONSEQUENCES

1. **Any form of illegal harassment shall not be tolerated. Violators shall be subject to disciplinary action, which may include suspension, expulsion, termination, and/or referral to legal authorities for prosecution.**
2. **Students, educators, and staff within the school community have a responsibility to model and advocate appropriate behavior and interactions. Administrators or supervisors who become aware of harassment or who receive a harassment complaint shall take immediate action to properly investigate and resolve each case. Failure to do so shall subject the administrator or supervisor to disciplinary action.**
3. **Persons who file frivolous, unfounded, retaliatory or malicious sexual harassment complaints shall subject themselves to disciplinary action.**

4. If an investigation reveals that the accusations are frivolous, unfounded, retaliatory, or malicious in nature, this information shall be documented, all parties notified, and the investigation shall be terminated.

**Reporting Procedures:** Persons who believe they have been the victims of illegal harassment by a student or an employee of the School District, or any third person with knowledge or belief of conduct which may constitute illegal harassment should submit an oral or written report of the alleged actions immediately to an appropriate school district official as designated by this policy. The District requires the reporting party or complainant to use the report form available from the principal of each building or available from the school district office.

1. The building principal is the person responsible for receiving oral or written reports of illegal harassment at the building level. Upon receipt of a written report, the principal must notify the District Personnel Director or Student Services Director immediately. To the extent feasible and practical, investigations are handled by a local supervisor or administrator at the school or location involved. All complaints of illegal harassment are investigated and promptly resolved in a punctual fashion. If the complaint is against the principal, the person may so direct it to the District Personnel Director or Superintendent.
2. Upon receipt of a written allegation of harassment the principal/district designee initiates an adequate, reliable, and impartial investigation into the complaint within two (2) working days.
3. Each complaint of harassment shall be promptly 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. Same-sex investigators are provided upon request.
4. If an investigation reveals evidence of criminal conduct, the matter is referred to local law enforcement regardless of the complainant's choice of action. In the case of alleged child abuse, the complaint is forwarded to the Utah State Division of Child and Family Services or law enforcement. The District's actions are in full compliance with child abuse reporting procedures. The District continues with its own investigation.
5. All investigations are treated with discretion to protect the privacy of those involved. All efforts are made to treat the information as confidential; however, absolute confidentiality of all information obtained through an investigation cannot be guaranteed.
6. Complainants may be encouraged, but shall not be required, to address the issue with respondents.
7. The accused may not contact the alleged victim during an investigation without intervention by the District or the permission of the complainant.

8. **Complaints regarding civil rights concerns in school meals programs will be recorded with the Utah State Office of Education, Child Nutrition Programs.**

### NOTIFICATIONS

**A copy of this harassment policy shall:**

1. **Be displayed in a prominent location at each school site.**
2. **Appear in any school or district publication that sets forth the school or district's comprehensive rules, regulations, procedures, and standards of conduct.**

### RETALIATION

**Retaliation against any person who opposes a practice which is forbidden by this policy, or has filed a complaint, testified, assisted or participated in any manner in an investigative proceeding or hearing under this policy is prohibited. Individuals found guilty of retaliation may face disciplinary action, up to and including termination or expulsion.**

### TRAINING

**The District recognizes the importance of educating its students and employees regarding the prevention of discrimination and harassment, the promotion of cultural diversity, and the observance of high ethical standards. To these ends, the District provides ongoing training and education in this area.**

### RECORDS

**Records of all discrimination or harassment complaints shall be maintained by the building principal or the human resource office or other designee as required by law and regulation. The records are kept in a separate and confidential file as required by GRAMA and FERPA. Information gathered, developed and documented in this investigation is regarded as a "protected" record.**

### LEGAL REDRESS

**Under certain circumstances, harassment constitutes unlawful discrimination for which the victim may seek legal redress under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Some types of sexual harassment may also constitute actionable conduct under state civil tort law and/or criminal conduct under the state criminal justice code.**

**Complainants have the right to register harassment complaints with the US. Department of Education's Office for Civil Rights or the Utah Anti-Discrimination Labor Division (UALD).**

Approved: June 19, 2001

Revised: May 24, 2005,  
October 28, 2014