



The Helena Public Schools educate, engage, and empower each student to maximize his or her individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner.

Board of Trustees – Policy Committee

Tuesday September 1, 2020 – 12:00pm

This meeting will occur at the May Butler Center and via Microsoft Teams. Maximum capacity at the in-person meeting is six participants - including committee members

To participate remotely, please use this link:

<https://helenaschools.org/event/board-of-trustees-policy-committee-meeting-2/>

AGENDA

- I. CALL TO ORDER / INTRODUCTIONS**
- II. REVIEW OF AGENDA**
- III. GENERAL PUBLIC COMMENT:** *This is the time for comment on public matters that are not on the agenda. Public matters do not include any pending legal matters, private personnel issues or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order. The Board cannot enter into a discussion during General Public Comment.*
- IV. REVIEW OF THE AUGUST 4, 2020, POLICY COMMITTEE MEETING MINUTES**
- V. BACKGROUND INFORMATION ON THE U. S. DEPARTMENT OF EDUCATION CHANGES RELATED TO SEXUAL HARASSMENT**
- VI. PRESENTATION OF POLICIES FOR FIRST REVIEW**
 - A. Policy 3000: Equal Educational Opportunities
 - B. Policy 3005: Bullying, Intimidation, Harassment, Hazing Prevention, and Reporting
 - C. Policy 5000: Equal Employment Opportunity and Non-Discrimination
 - D. Policy 5005: Sexual Harassment
- VII. SUPERINTENDENT’S REPORT / BOARD COMMENTS**
- VIII. ADJOURNMENT**

NEXT MEETING
Tuesday, October 6, 2020
May Butler Center
12:00pm



The Helena Public Schools educate, engage, and empower each student to maximize his or her individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner.

Board of Trustees – Policy Committee Meeting

Tuesday, August 4, 2020

MINUTES

Attendees

Committee: Others:

Libby Goldes, Committee Chair	Tyler Ream, Superintendent
John McEwen, Committee Member	Josh McKay, Assistant Superintendent
Jennifer McKee, Committee Member	Barb Ridgway, Chief of Staff
	Stacy Collette, Human Resources Director
	Kalli Kind, Facilities Director
	Joslyn Davidson, Curriculum & Instruction Administrator
	Tim McMahon, Activities Administrator
	Janelle Mickelson, Business Services Administrator
	Elizabeth Kaleva, Attorney

I. CALL TO ORDER / INTRODUCTIONS

The meeting was called to order at 12:01 pm by Committee Chair, Libby Goldes.

II. REVIEW OF AGENDA

There were no requested changes to the agenda.

III. GENERAL PUBLIC COMMENT

There was no public comment.

IV. REVIEW OF 05.05.2020 POLICY COMMITTEE MINUTES

There were no requested changes to the previous meeting's minutes.

V. PRESENTATION OF POLICIES FOR SECOND READING

A. Policy 9035: Property, Plant and Equipment Records

Ms. Ridgway described a capital asset as tangible in nature, having an estimated useful life of two years, being significant in value, and useful in conducting the business of the district. Ms. Mickelson added capital assets included land, building improvements, and new buildings valued at or over \$25,000 which were 80 years or newer per recommendations by OPI and based on federal standards.

Ms. Goldes asked for clarification that OPI recommendations implied if the asset was not conducive to district purposes and over 80 years old, it should be destroyed. Ms. Mickelson confirmed that was what the recommendations implied.

Ms. Goldes asked who assigned value to the inventory. Ms. Mickelson answered the value was based on purchase price.

Mr. McEwen requested clarification that building improvements included maintenance projects like reroofing. Ms. Mickelson answered it must increase the lifetime of the asset to be classified as a capital asset.

Ms. Goldes recommended forwarding this policy to the full board for a second reading. The committee agreed.

B. Policy 9050: School Closure

Ms. Ridgway told the committee Policy 9050 was adopted as a result of the lawsuit following the closure of Ray Bjork Learning Center as a school. The agreement was that the district would adopt a policy outlining a clear process for closing a school that allowed the public to have a voice,

Mr. McEwen asked if the policy applied to the 7th Avenue Gym or the old building at Warren Elementary School. Ms. Kaleva answered the policy applied specifically to an operating school. If a building were not an operating school, the policy wouldn't need to be followed.

Ms. Goldes recommended forwarding this policy to the full board for a second reading. The committee agreed.

VI. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 7060: School Safety

Ms. Ridgway said that although this policy had been adopted in 2014, it needed significant updates to include emergencies like COVID-19.

Ms. Goldes asked if there was a set timeline for reviewing and updating this policy – every six years, every three years, etc. Ms. Ridgway answered the law said “periodically.”

Ms. Ridgway recommended removing the last line under school closure since it was stated above that the board would periodically review the policy. The committee agreed.

Ms. Ridgway asked for clarification from Ms. Kaleva on whether the eight required disaster drills - civil defense, tornado, earthquake, and fire - were per ARM. Ms. Kaleva confirmed though the eight disaster drills were statutory, they need not be listed in detail in the policy.

Mr. McKay provided the committee with an overview of the district's Safety Committee, which meets monthly and is comprised of teachers and administrators who review the crisis manual, safety issues, recommendations from buildings, issues from our insurance provider and worker's compensation. They also plan how to be safe initiatives. Ms. Goldes asked if the committee interacted with the contractor of the new schools. Ms. Kind answered contractors have OSHA and other requirements with which they must comply.

Ms. Ridgway confirmed she would revise the policy to read "at least eight disaster drills." Mr. McKay added the schools already practice more drills than just for fire. The district keeps a record of all the drills in which each school participates.

Mr. McEwen asked if the district was liable if someone got sick on property. Ms. Kaleva answered the district would not be liable if it were following restrictions; the district would only be responsible if it were negligent in some way.

Ms. Ridgway said the only other changes to the policy were citations.

Ms. Goldes recommended forwarding this policy to the full board for a first reading. The committee agreed.

VII. SUPERINTENDENT'S REPORT / BOARD COMMENTS

There was no Superintendent's Report nor additional board comments.

VIII. ADJOURNMENT

Committee Chair, Ms. Goldes, adjourned the meeting at 12:35pm.

Next Meeting: September 1, 2020

2
3 STUDENTS

4
5 Equal Educational Opportunities

6
7 Equal educational and extracurricular opportunities shall be available for all students without regard to race,
8 color, national origin, sex, religious beliefs, physical and mental handicap or disability, or actual or potential
9 marital or parental status. The District will not knowingly enter into agreements with any entity or any
10 individual that discriminates against students on the basis of sex or any other protected status. Any student
11 may file a ~~discrimination grievance~~ **complaint** by using the ~~Title IX and~~ Section 504 **[and ADA]** Grievance
12 Procedures for claims relating to sex or disability discrimination, **the Title IX Sexual Harassment**
13 **Grievance Procedures for claims of sexual harassment**, or the Uniform Grievance Procedure for all other
14 claims.

15
16 No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or
17 be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and
18 extracurricular programs and activities **pursuant to Title IX and its regulations**. Any student may file a
19 sex equity complaint by using the District’s ~~Title IX~~ **Uniform** Grievance Procedures.

20
21 Inquiries regarding discrimination of any kind should be directed to the building administrator or District’s
22 Title IX Coordinator, who shall provide information and, if necessary, direct the individual to the
23 appropriate grievance procedures. Inquiries regarding sex discrimination **or sexual harassment** may also
24 be directed to the District’s Title IX Coordinator, **the Assistant Secretary for the U.S. Department of**
25 **Education, or both**. The District will annually publish notice of these rights to students and parents.

26	27 Legal References:	§ 49-2-307, MCA	Discrimination in education
28		§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
29		20 USC 1681 et seq	Title IX
30		42 USC § 12111 et seq.	Americans with Disabilities Act
31		29 USC § 791 et seq.	Rehabilitation Act of 1973
32		28 CFR 35.107	Nondiscrimination on the Basis of Disability in State and Local Government Services
33		34 CFR 104.7	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
34		<u>34 CFR Part 106</u>	<u>Nondiscrimination on the Basis of Sex in Education</u>
35		10.55.701, ARM	Board of Trustees

36
37
38
39
40 Cross References:

41
42 Policy History:

43 Adopted on: 2.10.2015

44 Revised on:

45

2
3 **STUDENTS**

4
5 **Bullying, Intimidation, Harassment & Hazing Prevention and Reporting Policy**

6
7 The Board is committed to providing students with a safe and civil school environment free from
8 harassment, intimidation and bullying. The Board and District will not tolerate harassment,
9 intimidation or bullying in any form at school, school-related events (including off campus
10 events), school sponsored activities, school buses or any event related to school business.
11 Bullying, harassment, intimidation or hazing by students, staff, or third parties, is strictly
12 prohibited and shall not be tolerated. Inciting, aiding, encouraging, coercing or directing others
13 to commit acts of harassment, intimidation or bullying is prohibited under this policy.

14
15 The District expressly prohibits any form of intimidation, hazing, bullying or harassment
16 including but not limited to the following: any gesture or written, verbal or physical act that is
17 reasonably perceived as being motivated either by any actual or perceived characteristic, such as
18 race, color, religion, ancestry, creed, national origin, gender, sexual orientation, gender identity,
19 age, culture, social origin or condition, marital status, political affiliation or a mental, physical or
20 sensory handicap, or by any other distinguishing characteristic.

21
22 Intimidation, bullying and harassment include acts that a reasonable person knew or should have
23 known, under the circumstances the gesture or written or physical act (a) will have the effect of
24 harming a student or damaging the student’s property; or (b) will place a student in reasonable
25 fear of harm to the student’s person or damage to the student’s property; or (3) has the effect of
26 insulting or demeaning any student or group of students in such a way as to disrupt or interfere
27 with the school’s educational mission or the education of any student.

28
29 ***Definitions:***

30
31 1. “Third parties” include but are not limited to coaches, school volunteers, parents,
32 school visitors, service contractors or others engaged in District business, such as
33 employees of businesses or organizations participating in cooperative work program with
34 the District, and others not directly subject to District control at inter-district and intra-
35 District athletic competitions or other school events.

36
37 2. “Hazing” includes but is not limited to any act that recklessly or intentionally
38 endangers the mental or physical health or safety of a student for the purpose of initiation
39 or as a condition or precondition of attaining membership in or affiliation with any
40 District sponsored activity or grade-level attainment, including but not limited to forced
41 consumption of any drink, alcoholic beverage, drug, or controlled substance, forced
42 exposure to the elements, forced prolonged exclusion from social contact, sleep
43 deprivation, or any other forced activity that could adversely affect the mental or physical
44 health or safety of a student; requires, encourages, authorizes or permits another to be
45 subject to wearing or carrying any obscene or physically burdensome article, assignment
46 of pranks to be performed, or other such activities intended to degrade or humiliate.

47 3. “Bullying” means any harassment, intimidation, hazing, or threatening, insulting, or
48 demeaning gesture or physical contact, including any intentional written, verbal, or
49 electronic communication (cyberbullying) or threat directed against a student that is
50 persistent, severe, or repeated, and that substantially interferes with a student’s
51 educational benefits, opportunities, or performance, that take place on or immediately
52 adjacent to school grounds, at any school-sponsored activity, on school-provided
53 transportation, at any official school bus stop, or anywhere conduct may be reasonable be
54 considered to be a threat or an attempted intimidation of a student or staff member or an
55 interference with school purposes or an educational function, that has the effect of:
56 a. Physically harming a student or damaging a student’s property;
57 b. Knowingly placing a student in reasonable fear of physical harm to the student
58 or damage to the student’s property;
59 c. Creating a hostile educational environment, or;
60 d. Substantially and materially disrupts the orderly operation of a school.

61
62 4. “Electronic communication device” means any mode of electronic communication,
63 including but not limited to computers, cell phones, PDAs, or the internet.

64
65 ***Sexual Harassment Prohibited***

66
67 Sexual harassment of students is prohibited. Sexual harassment means conduct on the basis of sex
68 that satisfies one or more of the following:

- 69
70 (1) An employee of the District conditioning the provision of an aid, benefit, or service of the
71 District on an individual’s participation in unwelcome sexual conduct;
72
73 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and
74 objectively offensive that it effectively denies a person equal access to the District’s
75 education program or activity; or
76
77 (3) “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in
78 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or
79 “stalking” as defined in 34 U.S.C. § 12291(a)(30).
80

81 ***Reporting***

82
83 ~~All complaints about behavior that may violate this policy shall be promptly investigated. Any~~
84 ~~student, employee, or third party who has knowledge of conduct in violation of this policy or~~
85 ~~feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this~~
86 ~~policy is encouraged to immediately report his/her concerns to the building principal or the~~
87 ~~District Administrator, who have overall responsibility for such investigations. A student may~~
88 ~~also report concerns to a teacher or counselor, who will be responsible for notifying the~~
89 ~~appropriate District official.~~

90
91 ~~Students who have concerns about bullying or harassment from staff members are encouraged to~~
92 ~~report their concerns to the building principal. Complaints against the building principal shall be~~

93 filed with the Superintendent. Complaints against the Superintendent or District Administrator
94 shall be filed with the Board.

95
96 Students who believe they are victims of sexual harassment are encouraged to discuss the matter,
97 including the formal complaint process, with the Title IX Coordinator. ~~or Students who~~
98 believe they are victims of harassment based upon a disability or have witnessed sexual harassment
99 or harassment based upon a disability are encouraged to report the matter to the Title IX
100 Coordinator/Section 504 Coordinator or Principal. Students may choose to report to a person of the
101 student's same sex if alleging a violation of Title IX. Complaints will be kept confidential to the
102 extent possible given the need to investigate.

103
104 Any adult school employee, adult volunteer, district contractor or agent who witnesses, overhears or
105 receives a report, formal or informal, written or oral, of bullying, harassment, or intimidation shall
106 report it in accordance with procedures developed under this policy. Any adult school employee
107 who has notice of sexual harassment or allegations of sexual harassment shall make a report to
108 the District's Title IX Coordinator.

109
110 Formal complaints alleging sexual discrimination or harassment shall be addressed through the
111 District's Title IX Grievance Procedures. Complaints alleging disability discrimination or
112 harassment shall be addressed through the District's Section 504 [and ADA if applicable] Grievance
113 Procedures. All other complaints alleging bullying, discrimination, or harassment shall be addressed
114 through the District's Uniform Grievance Procedure.

115
116 The Title IX Coordinator, Section 504 [and ADA if applicable], and/or administrator are responsible
117 for taking the following actions in conformance with the applicable grievance procedure:

- 118
119 1. Taking prompt action to investigate/report complaints of harassment, intimidation and
120 bullying.
121 2. Promptly notifying the alleged victims complainants and alleged perpetrators respondents
122 and their parents/guardians regarding the outcome;
123 3. Taking supportive or remedial measures to ensure continued access to the District's
124 programs or activities while the grievance process is pending; and
125 4. Taking disciplinary action as appropriate and any other actions appropriate to address the
126 harassment, intimidation, and bullying.

127
128 In the event that a staff member or administrator knows or reasonably believes that the alleged
129 behavior constitutes criminal activity or child abuse or neglect, the staff member or administrator
130 shall report such activity to law enforcement and/or the Department of Public Health and Human
131 Services. Nothing herein prohibits other individuals from reporting complaints to law enforcement.
132 If it is determined that the alleged harassment, intimidation, or bullying did not occur at school or
133 school-related activity or does not materially or substantially disrupt the orderly operation of the
134 District, an administrator shall refer the matter, as appropriate, to other persons or entities with
135 appropriate jurisdiction, including but not limited to law enforcement or the Department of Public
136 Health and Human Services.

139 All staff are obligated to address bullying, harassment, hazing and intimidation as described in
140 Board Policy 5015, administrative procedures and / or staff and student handbooks.

141

142 ***Exhaustion of Administrative Remedies***

143

144 A person alleging violation of any form of harassment, intimidation, hazing, or threatening,
145 insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or
146 electronic communication, as stated above, may seek redress under any available law, either civil
147 or criminal, after exhausting all administrative remedies.

148

149 ***Responsibilities***

150

151 The District Administration shall be responsible for ensuring that notice of this policy is
152 provided to staff and third parties and for the development of administrative regulations,
153 including reporting and investigative procedures, as needed. Consequences Students whose
154 behavior is found to be in violation of this policy will be subject to discipline up to and including
155 expulsion. Staff whose behavior is found to be in violation of this policy will be subject to
156 discipline up to and including dismissal. Third parties whose behavior is found to be in violation of
157 this policy shall be subject to appropriate sanctions as determined and imposed by the District
158 Administrator or the Board. Individuals may also be referred to law enforcement officials.

159

160 ***Retaliation and Reprisal***

161

162 Retaliation is prohibited against any person who reports or is thought to have reported a
163 violation, files a complaint, or otherwise participates in an investigation or inquiry. Such
164 retaliation shall be considered a serious violation of Board policy, whether or not a complaint is
165 substantiated. False charges shall also be regarded as a serious offense and will result in
166 disciplinary action or other appropriate sanctions.

167

168 Cross Reference: 5015 PERSONNEL: Harassment / Intimidation / Bullying

169

170 Legal Reference: 34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education

171

172 § 20-5-207, MCA “Bully-Free Montana Act”

173

174 § 20-5-208, MCA Definition

175

176 § 20-5-209, MCA Bullying of student prohibited

177

178 § 20-5-210, MCA Enforcement – exhaustion of administrative remedies

179

180 § 49-2-307, MCA Discrimination in education

181

182 § 49-3-101 et seq. Governmental Code of Fair Practices

183

184 10.55.701(2)(f), ARM Board of Trustees

185

186 10.55.719, ARM Student Protection Procedures

187

188 10.55.801(1)(d), ARM School Climate

189

190 Policy History:

191

192 Adopted on:

193

194 Revised on: 12.11.1990, 6.10.2003, 2.12.2019

195

2
3 PERSONNEL

4
5 Equal Employment Opportunity and Non-Discrimination

6
7 **As required by federal law, including but not limited to the Civil Rights Act of 1964, Title**
8 **IX, and Section 504 and the Americans with Disabilities Act and their regulations** The
9 District ~~shall~~ will provide equal employment opportunities **and will not discriminate in its**
10 **educational programs or activities, including in the area of employment, with respect** to all
11 persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, marital
12 status, military status, citizenship status, use of lawful products while not at work, physical or
13 mental handicap or disability, if otherwise able to perform essential functions of a job with
14 reasonable accommodations, and other legally protected categories. **For purposes of this**
15 **policy, “sex” includes sexual orientation and gender identity and expression.**

16
17 The District shall not retaliate against any employee for complaining about not receiving equal
18 employment opportunities or other unlawful discriminatory practices, participating in a
19 proceeding regarding the denial of equal employment opportunities, or otherwise opposing
20 discrimination.

21
22 The District will make reasonable accommodation for an individual with a disability known to
23 the District, if the individual is otherwise qualified for the position, unless the accommodation
24 would impose undue hardship on the District.

25
26 Persons who believe they have not received equal employment opportunities or have been
27 retaliated against should report their claims ~~to the Superintendent through the Uniform Grievance~~
28 ~~Procedure.~~ to the building principal. **Inquiries regarding sex discrimination or sexual**
29 **harassment may also be directed to the District’s Title IX Coordinator, the Assistant**
30 **Secretary for the U.S. Department of Education, or both. Claims of sexual harassment or**
31 ~~disability discrimination~~ will be handled through the District’s Title IX and Section 504 and
32 ~~ADA~~ **Sexual Harassment** Grievance Procedures. **Claims of disability discrimination will be**
33 **handled through the District’s Section 504 and ADA Grievance Procedure. All other claims**
34 will be handled through the Uniform Complaint Procedure.

35
36 No employee or applicant will be discriminated against because he or she initiated a complaint,
37 was a witness, supplied information or otherwise participated in an investigation or proceeding
38 involving an alleged violation of this policy or State or federal laws. The District reserves the
39 right to take action against any individual who knowingly makes false accusations or knowingly
40 provides false information.

41
42 Retaliation against an employee who has filed a discrimination complaint, testified or
43 participated in any manner in a discrimination investigation or proceeding is prohibited.

44
45 Cross Reference: 1085 Uniform Complaint Procedure
46 Title IX **Sexual Harassment Grievance Procedure**

47 Section 504 and ADA Grievance Procedure
48
49 Legal Reference: 29 U.S.C. §§ 621, *et seq.* Age Discrimination in Employment Act
50 42 U.S.C. §§ 12111, *et seq.* Americans with Disabilities Act, Title I
51 29 U.S.C. § 206(d) Equal Pay Act
52 8 U.S.C. §§ 1324(a), *et seq.* Immigration Reform and Control Act
53 29 U.S.C. §§ 791, *et seq.* Rehabilitation Act of 1973
54 20 U.S.C. §§ 1681, *et seq.*; Title IX of the Education Amendments
55 **34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in**
56 **Education,**
57 Montana Constitution, Art. X, § 1 - Educational goals and duties
58
59 § 49-2-101, *et seq.* MCA Human Rights Act
60 § 49-2-301, MCA Retaliation Prohibited
61 § 49-1-102, MCA Freedom from discrimination
62 § 49-2-303, MCA Discrimination in employment
63 § 49-3-201, MCA *et seq.* Governmental Code of Fair Practices
64
65 § 49-2-101, *et seq.*, MCA Human Rights Act
66 *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020)
67
68 Policy History:
69 Adopted on: 8.13.2013
70 Revised on:
71
72
73

2
3 PERSONNEL

4
5 Sexual Harassment

6
7 The District shall provide employees an employment environment free of ~~unwelcome sexual~~
8 ~~advances, requests for sexual favors, and other verbal or physical conduct, or communications~~
9 ~~constituting~~ sexual harassment as defined and otherwise prohibited by State and federal law
10 including Title IX and its implementing regulations, in the educational programs and activities
11 it offers, including the area of employment.

12
13 Sexual harassment means conduct on the basis of sex that satisfies one or more of the
14 following:

- 15 (1) An employee of the District conditioning the provision of an aid, benefit, or service of
16 the District on an individual’s participation in unwelcome sexual conduct;
- 17 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and
18 objectively offensive that it effectively denies a person equal access to the District’s
19 education program or activity; or
- 20 (3) “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined
21 in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8),
22 or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

23
24 ~~District employees shall not make unwelcome sexual advances or request sexual favors or~~
25 ~~engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is~~
26 ~~made either explicitly or implicitly a term or condition of an individual’s employment; (2)~~
27 ~~submission to or rejection of such conduct by an individual is used as the basis for employment~~
28 ~~decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially~~
29 ~~interfering with an individual’s work performance or creating an intimidating, hostile, or~~
30 ~~offensive working environment. Sexual harassment prohibited by this policy includes verbal or~~
31 ~~physical conduct. The terms intimidating, hostile, or offensive include, but are not limited to,~~
32 ~~conduct which has the effect of humiliation, embarrassment or discomfort. Sexual harassment~~
33 ~~will be evaluated in light of all the circumstances. A violation of this policy may result in~~
34 ~~discipline, up to and including termination. Any person making a knowingly false accusation~~
35 ~~regarding sexual harassment will likewise be subject to disciplinary action, up to and including~~
36 ~~discharge.~~

37
38 Reporting

39
40 ~~Employees who believe they are being subjected to sexual harassment by anyone connected with~~
41 ~~their work should report the matter promptly to their immediate supervisor or to the first level~~
42 ~~supervisor who is not involved in the alleged harassment or to the Helena Public School's Title~~
43 ~~IX/EEO officer.~~

44
45 Employees should report claims of sexual harassment to the District’s Title IX Coordinator and/or
46 use the District’s Title IX Sexual Harassment Grievance Procedures. All formal complaints about

47 behavior that may violate this policy shall be addressed through the District’s Title IX Sexual
48 Harassment Grievance Procedures.

49
50 Initiating a complaint of sexual harassment shall not adversely affect the complainant's employment,
51 compensation, or work assignments

52
53

54 Legal References:	42 USC § 2000(e) et seq.	Title VII of Civil Rights Act
	<u>20 USC 1681 et seq</u>	<u>Title IX</u>
	<u>34 C.F.R. Part 106</u>	<u>Nondiscrimination on the Basis of Sex in</u>
		<u>Education</u>
	§ 49-2-101, et seq. MCA	Human Rights Act
59	§ 49-1-102, MCA	Freedom from discrimination
60	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices

61
62

63 Cross References: Title IX Sexual Harassment Grievance Procedures

64
65

66
67

68 Policy History:
Adopted on: 8.13.2020

69 Revised on:

70