

Harassment of any kind is unacceptable in the workplace.

Examples of harassment include but are not limited to:

- Unwelcome sexual advances, gestures, comments or contact
- Threats
- Offensive jokes
- Ridicule, slurs, derogatory action or remarks
- Basing academic decisions or practices on submission to harassment

Sexual Harassment

What is it? Simply put, sexual harassment is:

Severe, persistent and pervasive behavior or words of a sexual or gender-demeaning nature that are not welcome which pressure or intimidate you or make you feel uncomfortable at school or school activities and affect your education in a negative way.

Examples of sexual harassment include but are not limited to:

- Verbal harassment or abuse
- Sexual name calling
- Spreading rumors
- Offensive jokes or gestures
- Unwelcome touching
- Written harassment such as notes, graffiti, or sexually explicit pictures

Employees who experience this form of harassment should discuss their concern with the appropriate teacher, principal, counselor, supervisor or the affirmative action officer.

What You Can Do

In order to provide a method of prompt and equitable resolution of both student and employee complaints of gender, minority, and disability discrimination within the Westbrook School Department, these procedures have been adopted and followed. At any time this procedure may be bypassed and grievances may be directed to:

The Maine Human Rights Commission
State House Station #51
Augusta, ME 04333
(207) 624-6050

Grievance Procedure

Any employee having a grievance concerning gender or other unlawful minority discrimination may seek relief of said grievance through informal or formal grievance procedures with the Affirmative Action Officer who shall act within ten (10) business days of the initial discussion. The goal of this procedure is to resolve the alleged grievance at the lowest level.

Informal Procedure

- (1) If an employee feels he or she has a grievance, he or she may first discuss the matter with his or her principal, or the principal's designee, or another administrator in an effort to solve the problem informally.
- (2) If the employee is not satisfied with such disposition of the matter, he or she shall have the right to seek assistance in further efforts to resolve the problem informally with the principal, or the principal's designee, or other appropriate administrator.
- (3) If these parties are unable to resolve the problem, the aggrieved may choose to proceed with a formal affirmative action grievance procedure by contacting the Affirmative Action Officer.

Formal Procedure

Affirmative Action Officer

- (1) If the aggrieved person is not satisfied with the informal procedure or if he or she decides to forego the informal procedure, he or she may file a written grievance with the Affirmative Action Officer.
- (2) The Affirmative Action Officer shall, within ten (10) working days after receipt of the grievance, meet with the aggrieved person for the purpose of resolving the grievance.

- (3) The Affirmative Action Officer shall investigate thoroughly all claims of discrimination. Notification that a claim has been made and that an investigation will be underway will be given to the Superintendent and building principal within 24 hours. This investigation will be conducted with strict confidentiality and within reasonable time limits. Upon completion of an investigation of the complaint, the Affirmative Action Officer will produce a report of the findings with a recommended action. This report will be given to the Superintendent and building principal. Disciplinary action, when justified, will be the responsibility of the building principal or designee.
- (4) The Superintendent, building principal or designee shall within ten (10) working days after receiving the Affirmative Action Officer's report, enter his or her decision and the reason therefore to the extent permitted by law in writing to the aggrieved person.

Superintendent or Designee

- (1) If the aggrieved person is not satisfied with the disposition of his or her grievance under number four of the formal procedure, he or she may, within five (5) working days after the decision appeal to the Superintendent.
- (2) The Superintendent shall, within (10) working days after the receipt of the appeal, meet with the aggrieved person for the purpose of reviewing the grievance.
- (3) The Superintendent, within five (5) working days after such meeting will render a decision and the reasons therefore in writing to the aggrieved person.

School Committee or its Designee

- (1) If the aggrieved person is not satisfied with the disposition of his or her appeal, he or she may, within five (5) working days after the decision appeal to the School Committee.

- (2) The School Committee within ten (10) working days after the receipt of the appeal, meet with the aggrieved person for the purpose of reviewing the grievance.
- (3) The School Committee, within five (5) working days after such meeting, will render its decision and the reasons therefore in writing to the aggrieved person.

An employee covered by a union agreement which provides a grievance procedure must elect to proceed either pursuant to this section of the plan or under his or her employment contract.

**Westbrook Affirmative Action
Non-Discrimination Policy Statement**

The Westbrook School Committee recognizes the right of each employee and student to a working and learning atmosphere which is free of discrimination, intimidation, hostility, unwelcome sexual advances and offensiveness. In order to ensure such an atmosphere, employees and students are not to engage in harassment of any other person. Acts of harassment based upon race, color, sex, religion, age, national origin, sexual orientation or disability are not only a violation of this policy, but also constitute illegal discrimination under state and federal laws and City of Westbrook ordinance.

Discrimination against and harassment of school employees because of race, color, sex, religion, ancestry or national origin, sexual orientation, age, or disability are prohibited. Discrimination against and harassment of students because of race, color, sex, religion, ancestry or national origin, sexual orientation or disability are prohibited.

The School Committee directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students and individuals with disabilities having access rights to school premises and activities. The Westbrook School Department

Affirmative Action Plan will include designation of an Affirmative Action Officer who will be responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination. The Affirmative Action Officer will be a person with direct access to the Superintendent.

The School Committee directs the administration to provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

The School Department will require all persons, agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school unit to subscribe to all applicable federal and state laws pertaining to contract compliance.

Inquiries concerning the above statement should be directed to:

Jeremy Ray, Affirmative Action Officer
Westbrook School Department
102 Glenwood Avenue
Westbrook, Maine 04092
Telephone 854-0840
or
The Maine Human Rights Commission
State House Station #51
Augusta, Maine 04333
Telephone 624-6050

This Affirmative Action Plan is a continuing, positive, pro-active program within the system and will be reviewed annually.

References:
Westbrook School Department Policies:
ACAB, ACAB-R, ACAD & GBEEB
NEA Adult-Student Boundaries

Revised: August 2009

Westbrook School Department

Affirmative Action Employee Handbook



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