



Employee Protection - AR 2.6(c)(3)

Purpose

The intent of this regulation is to protect employees by:

1. Communicating the District commitment to providing all employees with a safe, enjoyable work environment that is personally and professionally rewarding, and free from harassment and retaliation.
2. Defining types of harassment
3. Establishing expectations on reporting and encouraging employees to not assume the District is aware of all circumstances.
4. Clarifying how to report and who should report incidents of harassment, retaliation, or discrimination.
5. Establishing the District's commitment that employees can expect to have dialogue and feedback from managers and supervisors as a component of coaching and counseling employees towards objectives.
6. Outlining the disciplinary process that the District will use so that all staff can be reassured of equitable and consistent treatment.

Nothing in this regulation is intended to expand the definitions or protections against harassment, discrimination, or retaliation beyond what is contained in Federal or State law.

No Harassment and No Discrimination

The District will not tolerate unlawful harassment against anyone, at any time, for any reason. It is not City Schools of Decatur's (the District) intent to regulate personal morality, but to ensure that all employees are free from unlawful harassment while they work. Specifically, City Schools of Decatur does not tolerate unlawful harassment or discrimination of any employee, applicant, vendor, or contractor because of age, race, creed, color, national origin, sex, gender, pregnancy, sexual orientation, marital status, religion, veteran status, gender identity, disability, or any other protected category by an administrator, supervisor, other employee, vendor, visitor, or other individual.

Types of Harassment

While it is not possible to define precisely what types of conduct could constitute harassment, examples of prohibited behavior include, but are not limited to, unwelcome advances or offensive touching, obscene gestures, bullying, offensive or disrespectful email or voicemail, and unwanted verbal or physical contact of a sexual nature such as requests for sexual favors, offering employment benefits in



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exchange for favors, or the displaying of sexually graphic posters, cartoons, magazines, or screensavers. This conduct also includes joking, vulgar or offensive conversation, conversations about your own or someone else's sex life, or other conduct which creates an unprofessional or hostile work environment.

No Retaliation

The district does not allow any form of retaliation against employees who in good faith report unwelcome conduct, report unethical behavior, report harassment, or who cooperate in the investigation of such reports by providing factual information.

Reporting and Duty to Report

Do not assume that City Schools of Decatur is aware of harassing conduct or discrimination that may be occurring in the workplace. It is the responsibility of all employees to bring matters of concern which they have witnessed to the attention of their supervisor, manager, Staff Support representative, or any member of the Superintendent's cabinet with whom they feel comfortable, so that the District can resolve the matter.

If an employee feels they have been subjected to conduct which is contrary to the District's regulations prohibiting harassment or retaliation, they should immediately report the matter to their supervisor, manager, Staff Support representative, or any member of the Superintendent's cabinet with whom they feel comfortable.

The Staff Support Department will promptly investigate all complaints of unlawful harassment as confidentially as possible in light of the need to take appropriate corrective action or to involve another Executive Director due to the nature of the complaint.

In some situations, employees may not have been subjected to conduct which is contrary to the District's regulations prohibiting harassment or retaliation, but they may have witnessed occurrences or actions by others or situations in the work environment which might lead to inappropriate conduct or behavior, unsafe situations, or impede the capability for an employee to perform their daily job duties. If an employee has witnessed such actions or behaviors, they have a duty to report such that the matter can be investigated and addressed by the District.

Reporting may be accomplished by providing notification to your immediate supervisor or by sending the concern to Staff Support. An email inbox, monitored by the Executive Director of Staff Support, is available for employees to securely report concerns that wish to be examined. Employees may send those concerns to



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staffconcern@csdecatur.net and should include a statement of the concern, specific examples of what is occurring or not occurring, and the potential impact on employees if corrective action is not taken

Please note: If you are an employee, have experienced any of the circumstances or situations described within this regulation, and feel that you have been impacted unfavorably, you may have a right to file a formal complaint and use the Employee Complaint process to seek resolution to your situation. Please see the Employee Complaint Regulation for full details on the processes and procedures.

What is expected of employees?

While it is not possible to define an all-inclusive list of expectations, the employee handbook, job descriptions, and the District's administrative regulations are all sources that provide information relative to the expectations of employees. Additionally, performance expectations are established in the evaluation process. All employees are expected to follow the guidance that has been published and communicated by the District. Employees are expected to follow the instruction of their supervisor and others in positions of authority. If an employee feels they are being asked to participate in something that is unethical, illegal, or potentially harmful to students they are to immediately report such to the Executive Director of Staff Support, the Equity Director, or the office of the Superintendent. It is the responsibility of all employees to familiarize themselves with all sources of information provided by the District. If the employee is unable to locate a resource, find an answer to their questions, or if the employee's understanding of any established protocol, process, or regulation is not clear, they are to reach out to their supervisor, principal, or assigned administrator for clarity.

The District's commitment to staff regarding progressive discipline

The District believes in a progressive discipline approach in circumstances wherein it becomes necessary for the District to take disciplinary action toward an employee.

Failure to follow established protocols, processes, or regulations, the occurrence of ethical violations on the part of employees, failure to follow the guidance of a supervisor or assigned administrator, failure to meet performance expectations, excessive absences or tardiness, or any other behavior which represents a departure from normally accepted professional standards, State and Federal laws and regulation, Board policies and regulations, and/or Administrative Regulations may result in disciplinary action up to and including release from employment



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(subject to required hearings and appeals as established by state or federal law or the District).

The District does not predetermine consequences for disciplinary actions and it is not possible for the District to state what disciplinary action may result from any particular conduct, violation, behavior, or performance issue. If corrective action is necessary, the steps are typically verbal warning, written warning, suspension with or without pay, and release from employment. Intermediate steps may include, but are not required, a performance improvement plan or administrative leave pending an investigation.

The District reserves the right to depart from the above-mentioned steps if warranted by the facts and circumstances. Ultimately, the kind of disciplinary action that can result from any particular conduct, violation, behavior, or performance issue will depend on many factors, for example: the nature and severity of the conduct, the potential impact or risk to students or other employees, the employee's past work record, the type of behavior, job performance, and whether or not the employee has received counseling for the same or similar situations and the incident in question represents recurrence.

Discipline Process

Supervisors, principals, and assigned administrators are expected to have ongoing dialogue with their employees such that performance, conduct, or behavior concerns may be identified as early as possible and goals can be established to correct the concerns before counseling or discipline becomes necessary.

If a supervisor, principal, or assigned administrator feels that disciplinary action beyond coaching or supervisor-to-employee conversations is needed, they should reach out to their assigned Executive Director to discuss the matter and review the steps that have been taken to date. If the matter is such that discipline beyond a verbal documented warning is required, they shall provide Staff Support with the supporting documentation and shall work with Staff Support to obtain other supporting documentation pertinent to the situation at hand. Supporting documentation may include, but is not limited to: evidence of prior discussions with the employee, evidence that the employee was aware of the protocol, policy, or regulation in question, evidence of coaching efforts, evidence of performance goals, statements from witnesses, parent complaint information, student complaint information, time and attendance records, video evidence, e-mail or other electronic communications conducted on City Schools of Decatur networks or devices, etc.



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Verbal counseling should be documented when appropriate in the event that the conduct or behavior is not corrected so that there is a record of the District's concerted effort to resolve the matter through other corrective coaching and counseling measures.

Beyond verbal counseling, City Schools Decatur expressly reserves the right to escalate disciplinary procedures, up to and including separation of employment at any time based upon the specific situation. If suspension or release from employment is the course of action, the Executive Director of Staff Support will involve the assigned departmental Executive Director in the discussions. Suspension or dismissal will not occur without the approval of the Superintendent and adherence to other steps required by Board policies and regulations, state laws or regulations, and federal laws or regulations, where applicable.

In the event of dismissal, the employee is entitled to any appellate process (see the Employee Complaint regulation 2.6(c)4 for additional information) established by D regulations, state laws or regulations, and federal laws or regulations, where applicable.

Questions about this regulation should be directed to the Executive Director of Staff Support.

Related Board Policy: [2.6(c)4]