 **No. 314A**

**SECTION: EMPLOYEES**

**TITLE: HARASSMENT/DISCRIMINATION GRIEVANCE PROCEDURE**

**MEDICAL ACADEMY ADOPTED: 10/8/13**

**CHARTER SCHOOL REVISED:**

314A. HARASSMENT/DISCRIMINATION GRIEVANCE PROCEDURE

The Medical Academy Charter School will neither tolerate nor condone an environment in which unlawful harassment/discrimination is present. The school goes to great lengths to prevent harassment/discrimination and to correct any effects that may result from these behaviors.

The school's grievance procedures are outlined in student handbooks, staff handbooks, and in Board policy. Board policy is available on the Medical Academy Charter School website.

I. Any individual who believes he or she has been subject to unlawful harassment or

discrimination in violation of the Board’s Non-Discrimination policies or its Anti-

Harassment Policy is encouraged to promptly report the harassment by utilizing the

grievance procedure set forth below.

II. Grievances Reporting Procedure

A. *Reporting a Grievance*: Any student or employee, or any individual or group acting on

behalf of a student or employee, may file a grievance alleging violation of the Equal

Opportunity Policy by the school, its employees or students.

Grievances alleging sexual harassment of or sex discrimination against students should

be filed with the Title IX Coordinator. Grievances alleging unlawful harassment or any

other violation of this policy should be filed with the Equal Opportunity Coordinator. If

the Title IX/Equal Opportunity Coordinator is involved directly in the alleged violation,

the grievant has the option to file the grievance with another administrator, who shall

take on the role of the Title IX/Equal Opportunity Coordinator with respect to the

grievance proceedings. Grievances may be filed in writing and should provide the

following information: name and address of the grievant(s); nature of alleged violation;

names of persons responsible for the alleged violation (where known); requested relief

or corrective action (specification of desired relief shall be at the option of the grievant),

and any background information the grievant believes to be relevant (e.g., names or

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groups of other persons affected by the violation, witnesses, etc.).

A copy of this entire policy shall be provided to every grievant and to any employee or

student who asks for a copy of the policy.

III. Definitions

A. *Grievance*: Grievance means a complaint alleging any act(s), policy, procedure, or

practice by the school, its employees or students that unlawfully harasses or discriminates

against any student or employee.

B. *Employee*: for purposes of this policy, the term “employee” shall include any individual

who is currently employed by the school or who has been employed by the school within

the last 300 days, and any individual who renders services for the school on a voluntary

or contract basis, including substitute teachers, student teachers, teacher aides and

temporary employees.

C. *Title IX*: Title IX means Title IX of the Education Amendments of 1972, the 1975

implementing regulation, and any memoranda, directive, guidelines, or subsequent

legislation that may be issued or enacted. Title IX of the Education Amendments of 1972

prohibits discrimination on the basis of sex in educational institutions.

D. *Grievant*: Grievant means a student or employee of the Medical Academy Charter School

who submits a grievance alleging unlawful harassment or discrimination by the school,

its employees or students or an individual or group submitting a grievance on behalf of a

student(s) or employee(s).

E. *Medical Academy Charter School*: Any reference to Medical Academy Charter School

means any school, department, subunit or program operated by Medical Academy

Charter School.

F. *Title IX Coordinator*: Title IX Coordinator means the employee(s) designated to

coordinate Medical Academy Charter School's efforts to comply with and carry out its

responsibilities under the Title IX regulation. The Principal/CEO, Medical Academy

Charter School, 330 Howertown Rd, Catasauqua, PA 18032; Phone 610-403-1150 shall

serve as the Title IX/Equal Opportunity Coordinator.

G. *Equal Opportunity Coordinator*: Equal Opportunity Coordinator means the employee(s)

designated to coordinate Medical Academy Charter School's efforts to comply with and

carry out its responsibilities under all laws prohibiting discrimination. The Equal

Opportunity Coordinator shall also serve as the school's "Coordinator" for purposes of the

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Americans With Disabilities Act and Section 504 of the Rehabilitative Act of 1973.

The Principal/CEO, Medical Academy Charter School, 330 Howertown Rd, Catasauqua,

PA 18032; Phone 610-403-1150 shall serve as the Title IX/Equal Opportunity

Coordinator.

H. *Respondent*: Respondent means a person alleged to be responsible or who may be

responsible for the violation alleged in the grievance. The term may be used to designate

persons with direct responsibility for a particular action or those persons with supervisory

responsibility for procedures and policies in those areas covered in the grievance.

*I. Corrective Action*: Corrective action means action which is taken by Medical Academy

Charter School to prevent recurrence of any discrimination or unlawful harassment to the

grievant and others (if appropriate) and to eliminate or modify any policy, procedure, or

practice found to be in violation of law or to provide redress to any grievant injured by

the identified violation.

IV. Investigation

A. *Prompt and Reasonable Investigation*: After receiving a grievance under this policy, the

Title IX/Equal Opportunity Coordinator shall promptly conduct an investigation that is

reasonable under the circumstances, in light of the information provided and the

grievant’s desire to maintain confidentiality of the grievance to the extent it is reasonably

possible to do so. The grievant shall be given the opportunity to present his/her side of

the matter including the opportunity to identify witnesses to be interviewed.

B. *Time Frame*: Every effort shall be made to complete the investigation within 15 days of

receiving the grievance. In the event that the investigation cannot be completed within

15 days of receipt of the grievance, the grievant shall be notified of the status of the

investigation and the anticipated completion date.

C. *Interim Resolution*: The Title IX/Equal Opportunity Coordinator shall, whenever

appropriate, have the authority to implement an interim resolution to a grievance pending

the outcome of the investigation. An interim resolution must be authorized by the

Principal/CEO or his/her designee prior to implementation.

D. *Confidentiality of Grievance Handling*: For the protection of the grievant and all others

involved in the investigation, confidentiality will be maintained during the investigation

and processing of the grievance to the extent it is reasonably possible to do so.

V. Corrective Action

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Upon completion of the investigation, the Title IX/Equal Opportunity Coordinator shall

review the information collected and shall reach a conclusion as to whether unlawful

harassment has occurred.

If unlawful harassment has occurred, the Title IX/Equal Opportunity Coordinator shall

recommend appropriate corrective action to redress any injury suffered by the grievant and to

prevent the recurrence of the unlawful harassment. If no corrective action is required, the

EEOC Officer shall so state.

The Title IX/Equal Opportunity Coordinator recommended corrective action must be

approved by the Principal/CEO.

After the Principal/CEO approves the recommended corrective action, the Title IX

Coordinator shall inform the grievant and the respondent of the resolution.

VI. Appeal From Corrective Action

If either the grievant or the respondent disagree with the corrective action, if any, taken by

MACS, either may appeal the matter to the Principal/CEO who upon such appeal shall

reconsider the matter and may either confirm, reverse, or modify the corrective action at his

or her discretion.

VII. No Retaliation:

There shall be no retaliation against any person who has, in good faith, filed a grievance

under this policy, assisted in the filing of such a grievance, or served as a witness with

respect to such a grievance, rejected harassment or discrimination by others, or who has

taken reasonable action to stop unlawful harassment or discrimination. Any individual who

believes he or she has been subject to retaliation must report the matter to the Title IX/Equal

Opportunity Coordinator.