4002
Harassment and Violence Prohibition: Protected Classes

Policy 4002

Original Adoption: 12/18/1990 Effective Date: 09/15/2010
Revision Dates: 11/09/1993, 10/26/2004, 03/25/2008, 9/14/2010

I. PURPOSE

The purpose of this policy is to establish the District prohibition of harassment or violence based on the victim's status as a member of a protected class, perpetrated by employees, other personnel of the District or students.

II. GENERAL STATEMENT OF POLICY

A. It is the policy of the Minneapolis Public Schools to maintain a learning and working environment free of harassment and violence.

B. In general, Minneapolis Public Schools prohibits harassment or violence when the behavior is based upon any of the following characteristics:
   1. gender
   2. race or ethnicity
   3. religion or religious practice
   4. disability
   5. gender identity
   6. sexual orientation or affectional preference

C. Harassment based upon these characteristics are forms of discrimination which violate any of the federal Civil Rights Act of 1964, as amended, the federal Civil Rights Act of 1991, the Minnesota Human Rights Act and the City of Minneapolis Civil Rights Ordinance. Violence based on these same characteristics is also a violation of those laws and may also represent violation of criminal law.

D. It shall be a violation of this policy for any student, employee or other personnel of the of the District to harass, or to inflict, threaten to inflict, or attempt to inflict violence upon any student, employee or other personnel of the District relating to any of the characteristics identified in Paragraph II. B, above.

E. The District will investigate all complaints, formal or informal, verbal or written, of actions or statements which may constitute improper harassment or violence.

F. The District will discipline or take appropriate action against any student, employee, or personnel of the District who harasses or is violent toward any student, employee or other personnel of the District. The District also reserves the right to discipline any student, employee or other personnel of the District for derogatory statements or conduct based on the characteristics identified in Paragraph II. B, above, which do not constitute illegal harassment or violence but nonetheless are inappropriate.

G. It shall be a violation of this policy in the case of any alleged harassment or violence based on the characteristics identified in Paragraph II. B., above, to retaliate against any person who:
   1. reports alleged harassment,
   2. acts as a witness in any investigation,
   3. testifies, assists or participates in any
      (a) fact-finding or investigation,
      (b) hearing, or
      (c) proceeding.

H. Submission of a good faith complaint of harassment or violence based on characteristics identified in Paragraph II.B., above, will not affect the complainant's future employment, grades, course credit acquisition, or work assignments.

I. Any student or employee who supplies information in a complaint or related to a fact-finding process that is determined to have been falsely and maliciously supplied shall be subject to discipline.

III. RESPONSIBILITY

A. It is the responsibility of every student, employee and other personnel of the District to comply with this policy.

B. The Superintendent is authorized to promulgate such regulations as are necessary to fully implement this policy.

C. The Superintendent is directed to provide training to students and employees related to this policy and to identification, prevention, fact finding procedures and discipline related to harassment and violence based on the characteristics in Paragraph II.B above.

D. The Superintendent is directed to provide notice of this policy to students and parents, employees and other personnel of the District, in accordance with law.

E. The Superintendent shall designate a Responsible Authority to receive complaints of harassment or violence prohibited under this policy.

Legal References:
42 U.S.C. § 2000e, et seq., (Section 703 of Title VII of the Civil Rights Act of 1964, as amended; Civil Rights Act of 1991)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
City of Minneapolis Ordinance Title VII, Ch. 139 (Civil Rights)

Cross References:
MPS Policy 4000 (Equal Employment Opportunity)
MPS Policy 4001 (Disability Non-Discrimination)
MPS Policy 5000 (Equal Education Opportunity)
MPS Policy 5200 (Citywide Discipline)
MPS Policy 5201 (Bullying and Hazing Prohibition)
MPS Policy 5750 (Disability and Nondiscrimination)