



Employee Sexual Harassment and Workplace Bullying

DEFINITIONS

We will define and address definitions in...

- Sexual harassment (Policy ACI)
- Workplace bullying (Policy ACH)

Conditions of behavior between and among staff

What is Sexual Harassment in the workplace?

Hostile Work Environment Sexual Harassment

Unwelcome sexual advances, or other visual, verbal, or physical conduct of a sexual nature and actions that create an intimidating, hostile, or offensive work environment.

Quid Pro Quo Sexual Harassment

Sexual-related asks or demands that are made in return for employment decisions, benefits, or promotions.

It can still be sexual harassment even if you didn't say "no." If you felt pressured to have sexual contact because you were embarrassed to say no, or afraid you would lose your job, or afraid you would be punished at work, then your sexual contact could have been a form of illegal harassment.

Some forms of sexual harassment may violate Title IX and even constitute as criminal conduct

What is Sexual Harassment?

Some behavior may not meet the definition of sexual harassment, but can still be unethical or inappropriate for the workplace and violate the MCPS employee code of conduct.

“Employees are expected to behave honestly; diligently fulfill their job responsibilities; adhere to all laws, MCPS rules, and ethical standards governing their work; and comply with laws and MCPS rules outside of work where failure to do so affects their fitness to perform their job.”

-MCPS Employee Code of Conduct

What is Workplace Bullying?

“Workplace bullying” is defined in *Policy ACH: Workplace Bullying* as:

Repeated, deliberate, hurtful mistreatment, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more employees against another employee or employees, and that is:

1. Motivated by an individual’s actual or perceived **personal characteristic**; or
2. Otherwise **threatening or intimidating**; and that occurs at the workplace and/or in the course of employment [either in-person or virtually]; and
3. Is sufficiently severe or pervasive so as to **alter the conditions** of the individual’s working environment.

Can be supervisor to subordinate, peer to peer, or subordinate to supervisor

Sexual Harassment and Workplace Bullying are **Prohibited**

Prevent

Train and inform employees annually on sexual harassment.

Employees are responsible for their conduct even if the conduct was not intended to be harassment

Follow the culture of respect

Authentically collaborate and communicate with staff

Report/Investigate

ACA-RA, Nondiscrimination, Equity, and Cultural Proficiency

Within 60 duty days, the human resources compliance officer will do the following: (1) Review the complaint to determine if it is reviewable under this regulation, and if so – (2) investigate the allegation, render a determination, and notify the parties-in-interest.

Correct

ACI-RA: Investigation of Title IX Sexual Harassment of MCPS Employees

Any employee who violates this policy will be subject to disciplinary action, which may include but is not limited to, a reprimand, reassignment, demotion, suspension, or termination

Employees are encouraged to complete MCPS Form 230-39 when making a complaint of sexual harassment or workplace bullying and email to the DCI drop box (DCI@mcpsmd.org).

Maryland's Largest School District
MONTGOMERY COUNTY PUBLIC SCHOOLS
MCP Form 230-39
October 2022
Page 1 of 2

Discrimination, Harassment, and Workplace Bully Complaint
Office of Human Resources and Development (OHRD)
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland 20850

INSTRUCTIONS
Employees are encouraged to use the electronic or PDF versions of this form when making a complaint of discrimination, harassment, or workplace bullying under MCPS Regulations ACA-RA: Nondiscrimination, Equity, and Cultural Proficiency and/or ACH-RA: Workplace Bullying. The electronic version of this form is found online: www.montgomeryschoolsmd.org/departments/forms/detail.aspx. Forms can be emailed to DCI@mcpsmd.org.
Employees should complete all sections of this form. Be specific as possible when discussing the incident(s). Include the date(s), description(s), the name(s) of the person(s) involved, and the name(s) of those who may have witnessed the incident(s). In addition to this form, you are permitted to attach additional materials, which may assist in the investigation process.
Questions about complaints of discrimination, harassment, or workplace bullying may be directed to the Department of Compliance and Investigations (DCI) at 240-740-2888.

EMPLOYEE INFORMATION
Name: Last _____ First _____ MI _____
Today's Date: ____/____/____ Employee ID# _____ Preferred Phone: ____-____-____
Work Location: _____ Email: _____
Complaint Type: Discrimination Harassment Workplace Bullying
Complaint of Discrimination/Harassment Only: Select basis.
 Age Gender Identity National Origin Religion
 Color Genetic Information Sex, Sexual Orientation, Pregnancy Retaliation
 Disability Marital Status Race Veteran Status
When did the incident(s) occur? (Include all dates if there are multiple instances)

Where did the incident(s) occur? (Include specific location information)

Describe what happened (events, impact, and outcome). (Attach any additional pages or documentation as needed.)

What remedy do you seek?

Options for Anonymously Reporting Staff-to-Staff Sexual Harassment or Workplace Bullying

LightHouse Hotline

MCPS employees are encouraged to speak freely with their supervisors, even with regard to concerns they may have about their workplace. In certain cases, however, they may feel it is not appropriate to discuss their concerns with their supervisor. Lighthouse Services provides a place where they can report concerns anonymously.

Employees can make a report anonymously 24 hours a day, 7 days a week. Reports can be received in more than 140 languages, including Spanish.

Toll free telephone number:

877-268-8620

Email address:

reports@lighthouse-services.com

The Montgomery County Office of the Inspector General

The Montgomery County Office of the Inspector General (OIG) is an independent office of county government that conducts investigations and proactive audits and evaluations to increase transparency and accountability in publicly funded programs and agencies including Montgomery County Public Schools and the Board of Education.

Anyone may contact the office to make a report or raise a concern. Under County law, it is illegal to retaliate against employees and contractors for making a report to the OIG.

Hotline phone number: 240-777-7644

Email address:

IG@montgomerycountymd.gov

Maryland Center for Safe Schools

Safe Schools Maryland is an ANONYMOUS and FREE reporting system available to students, teachers, school staff members, parents, and the general public to report any school or student safety concerns, including mental health concerns. Safe Schools Maryland is Maryland's only official anonymous reporting system. Safe Schools Maryland operates 24 hours a day, seven days a week, and 365 days a year.

Safe Schools Phone Line:

833-632-7233

Web: safeschoolsmd.org

Get to Know DCI and SWC

Department of Compliance and Investigations

James Koutsos, Acting Director

- Employee misconduct and Code of Conduct Violations
- Sexual Harassment
- Workplace Bullying
- Drug and Alcohol Testing
- Employee ADA accommodations
- HB486 and Fingerprint clearance
- CPS investigations involving staff
- EEOC Complaints

All sexual harassment complaints need to be reported to DCI for review and tracking.

SUPPORT SCHOOLS

Student Welfare and Compliance

Greg Edmundson, Director

- CPS reports involving staff and parents/guardians
- Student involved sexual harassment/Title IX and bullying
- Hate-Bias incidents
- LGBTQ+ initiatives/Gender identity guidelines
- Child Abuse and Neglect
- Gangs and weapons
- Serious Incident Protocols

All CPS reports need to be reported to SWC for review and tracking.