

<b>POLICY</b>	<b>BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND</b>
<b>DISCRIMINATION AND HARASSMENT – EMPLOYEES / APPLICANTS / COMMUNITY MEMBERS</b>	<b>POLICY 309</b>

**Purpose**

To provide a safe, welcoming and inclusive environment that is free from discrimination and harassment based on a person’s membership in a protected class.

**Definitions**

Discrimination - any act or omission due to an individual’s status or perceived status in a protected class that creates an intimidating, hostile, or offensive working environment or educational environment, or substantially interferes with an individual’s ability to work, learn, or access programs while on Frederick County Public Schools (FCPS) property or at a school activity or event.

Harassment – is defined as intentional, negative actions that offend, ridicule, or demean another based on a protected class.

Racism - is defined as prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group.

**Policy Statement**

The Board of Education of Frederick County (Board) is committed to providing students, staff and community members with a safe and supportive environment that is welcoming and inclusive. Members of the school community are expected to treat each other with mutual respect and to accept the rich diversity that makes up the community. Disrespect among members of the school community is unacceptable behavior and disrupts the learning and work environment.

Except where the employment of a certain gender may be reasonably necessary as a bona fide occupational qualification, the Board prohibits discrimination based on the following protected classes under Maryland and federal law: race which may include allegations of racism, religion, color, ancestry, national origin, age, marital status, disability, pregnancy, sexual orientation, gender identity, sex, or genetic information. The Board is committed to maintaining an environment that is free from such conduct on and off school premises, including all events and extracurricular activities under the auspices of the Board.

**Reporting Complaints**

To file a complaint of discrimination or harassment:

- A. FCPS employees, applicants or community members may use the form provided to file a complaint of discrimination or harassment based on race, religion, color, ancestry, national origin, age, marital status, disability, pregnancy, sexual orientation, gender identity, sex, or genetic information. The form is attached to this Policy and also linked on the FCPS website: <https://www.fcps.org/non-discrimination>

- B. FCPS students may file a complaint of discrimination or harassment using the form linked within FCPS Regulation 400-48 *Bullying – Harassment – Intimidation Complaint Process for Students*, as well as linked on the FCPS website in fillable format:

<https://education.fcps.org/publicforms/Bullyingform>  
<https://www.fcps.org/student-services/questions-or-concerns>

- C. The following ~~individuals~~ have been designated to respond to inquiries regarding nondiscrimination policies and procedures for reporting:

1) Employee/Applicant/Community Member: \*

Director of Human Resources / Title IX Coordinator  
 Frederick County Public Schools  
 191 South East Street  
 Frederick, MD 21701  
 301-644-5081

Note: An outside investigator trained in discrimination investigations may be selected to investigate when deemed appropriate by the Superintendent.

2) Student Matters:

Principal of the school where the student attends as outlined in Section B above  
 (see FCPS Regulation 400-48)

\* Based on an individual being engaged in an FCPS program or activity

<b>Legal Reference</b>	Annotated Code of Maryland, State Government, § 20-602 "State Policy"		
	Title VII of the Civil Rights Act of 1964, 1991		
	Age Discrimination in Employment Act of 1967, as amended (ADEA), Title 29, United States Code, Chapter 14, § 631		
	Title I of the Americans with Disabilities Act of 1990, as amended (ADA), Title 42, United States Code, Chapter 126, § 12112		
<b>Policy History</b>	<b>Reviewed</b> 2015, 2018, 2019, 2020, 2021	<b>Adopted</b> 10/26/05	<b>Revised</b> 2/23/22

**FREDERICK COUNTY PUBLIC SCHOOLS**

**Discrimination/Harassment Complaint Form**

Check one:     Employee                       Applicant                       Community Member

**SECTION 1: COMPLAINANT CONTACT/PERSONAL INFORMATION**

1) Name (last, first, middle initial)

\_\_\_\_\_

2) Best Contact Number

\_\_\_\_\_

3) E-mail Address

\_\_\_\_\_

4) Preferred Method of Contact

\_\_\_\_\_

5) Best Time to Reach You

\_\_\_\_\_

**SECTION 2: REPRESENTATIVE INFORMATION**

6) Do you have a representative? (i.e. legal counsel or union representative, if applicable)

Yes                       No

7) Representative's Name

\_\_\_\_\_

8) Representative's Address

\_\_\_\_\_

9) Representative's Phone Number

\_\_\_\_\_

10) Representative's E-mail Address

\_\_\_\_\_

**SECTION 3: COMPLAINT INFORMATION**

11) You are alleging discrimination/harassment or prejudicial behavior as an individual or on behalf of a group based on the following: (check all that apply)

- Race       Racism       Religion       Color       Ancestry       National Origin
- Age       Marital Status       Disability       Pregnancy       Sexual Orientation
- Gender Identity       Gender Expression       Sex       Genetic Information
- Retaliation <sup>1</sup>      Other \_\_\_\_\_

12) Please explain what happened to you (may use additional pages if necessary). Attach any supporting documents to your complaint.

---

---

---

---

---

---

---

---

13) Date on which behavior occurred: \_\_\_\_\_

14) Location where behavior occurred: \_\_\_\_\_

15) Name of the individual who committed the discrimination/harassment or prejudicial behavior:

---

16) Were there witnesses to the incident?     Yes \*     No

\* Witnesses Names/Contact Information \_\_\_\_\_

---

<sup>1</sup> Title VII of the Civil Rights Act prohibits retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices.

17) Please explain how you would like to see this complaint resolved (may use additional pages if necessary).

---

---

---

---

---

---

---

---

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Please be aware that the information you provide is considered confidential and will be shared only with those persons who are considered essential to the investigation and disposition of this complaint or have a legitimate right to the information to ensure due process rights. It is the expectation of the Board of Education of Frederick County that those who file a complaint will cooperate in the investigation process.*

**RETURN COMPLETED FORM TO:**

Director of Human Resources/Title IX Coordinator  
Frederick County Public Schools  
191 South East Street  
Frederick, MD 21701  
301-644-5081  
Email: [EEO-TitleIX@fcps.org](mailto:EEO-TitleIX@fcps.org)

Revised 2.23.22