

Affirmative Action Staff Training

Denville Township Schools
Valleyview, Lakeview, Riverview
Denville, NJ 07834



Who does affirmative action protect?

- Teachers
- Administrators
- Secretaries
- Custodians
- Support Staff
- Students

Everyone is protected!



Affirmative Action Officer

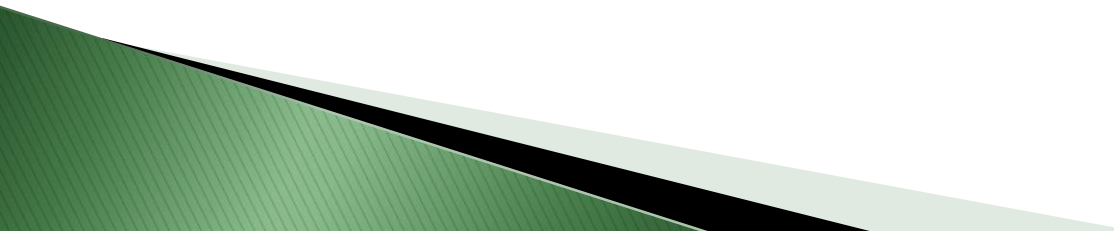
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What is affirmative action?

- Affirmative action is a belief, a conviction that all staff and students have a right to be treated with equal fairness to have the maximum opportunity to reach their full potential.

What is the function of the affirmative action officer?

- Oversee the district affirmative action plan
 - Provide annual training for all staff
 - Distribute information about affirmative action and grievance procedures
 - Monitor compliance to the laws
 - Investigate grievances and provide solutions
 - Maintain records and reports
 - Attend conferences and training
 - Has full knowledge of the districts grievance procedures and employment practices
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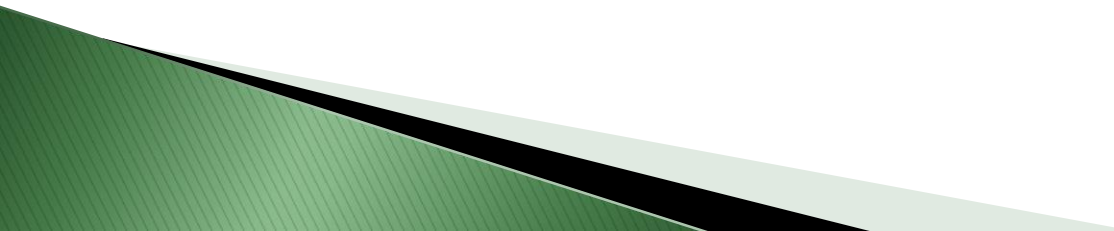
The History of Affirmative Action

In June 1972, Congress passed Title IX of the Education Amendments, a law that prohibits discrimination on the basis of sex for every educational institution that receives federal funding.

The State of New Jersey, in 1975, passed Title VI, Equality in Educational Programs, which expanded on Title IX, thereby banning discrimination on the basis of sex, affectional or sexual orientation (real or perceived), race, color, creed, religion, ancestry, national origin, or social or economic status.

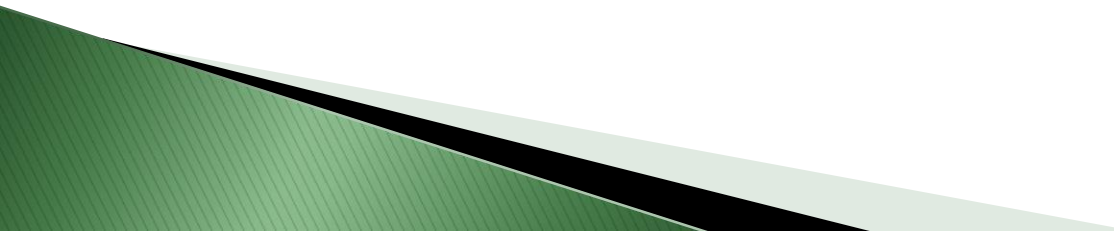
What does affirmative action cover?

Sexual Harassment

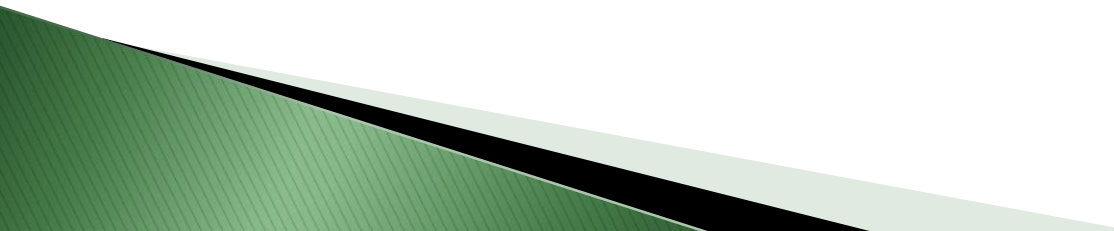
- Unwelcome sexual attention. This has nothing to do with mutual attraction or friendship... sexual harassment has to do with humiliation or offense to the victim.
 - It can include any of the following: physical touching, suggestive comments or jokes, requests for sex, or displays of clearly sexual material and or photos
 - Sexual Harassment does not have to be repeated or ongoing to be against the law.
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What does affirmative action cover?

Harassment

- To disturb persistently, torment, pester, or persecute
 - To trouble by repeated attacks
 - To irritate or torment persistently
 - Humiliating or abusive behavior that gives a victim torment. This can be verbal comments, actions or gestures
 - Hate speech -comments that are provably false that are targeted towards a particular person or group.
 - Harassment is based on the person receiving the harassment's point of view.
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Harassment, Continued

- Employee on Student
 - Student on Employee
 - Employee on Employee
 - Employee on Parent
 - Parent on Employee
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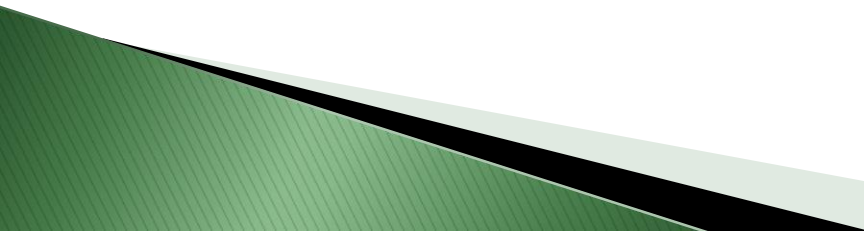
What does affirmative action cover?

Intolerance

- Unwillingness or refusal to tolerate or respect contrary opinions or beliefs of different races or backgrounds.
- This can be with religions, groups, races, ethnic backgrounds.

What does affirmative action cover?

Bullying

- Repeated and systematic harassment and attacks on others.
 - Bullying can be perpetrated by individuals or groups.
 - Bullying takes place in many areas and can include many forms and can include many different behaviors.
 - Bullying includes physical or verbal and non-verbal attacks (isolation).
 - The bully intends harm.
 - There is an imbalance of power.
 - Bullies are not remorseful.
 - Behavior is repeated over time.
 - Bullying can be via a text message, IM message, web posting, email.
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Behaviors that are considered harassment

- Quid-pro-quo: you do this for me and you will advance or receive a better grade
- Hostile Environment- can be created by; inappropriate language of a sexual, racial or demeaning nature. Or it may be cartoons, sexual jokes, or graffiti.
- Favoritism- offering advancement or better grades to a person based on being the favorite.

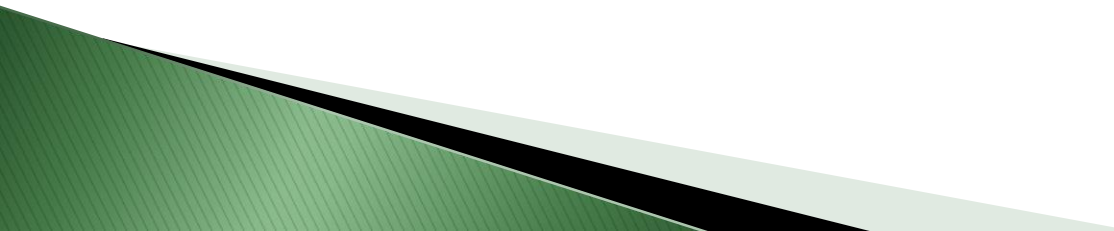
Remember: harassment is based on the person being harassed.



Unwelcome behaviors that may constitute harassment include:

- Malicious gossip and/or rumors
- Invading personal space
- Making repeated indecent/racial comments
- Posting indecent photos on:
 - Locker/wall/desk
 - A computer
 - Cell phone other electronic devices

Some penalties levied against NJ school employees in recent cases of harassment

- Dismissal
 - Loss of wages
 - Withholding of salary increments
 - Suspension
 - Loss of pension
 - Professional certificates revoked
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Did you know?

It is illegal in the State of New Jersey to have a sexual/romantic relationship with any students regardless if they are eighteen or more years old.

Did you know?

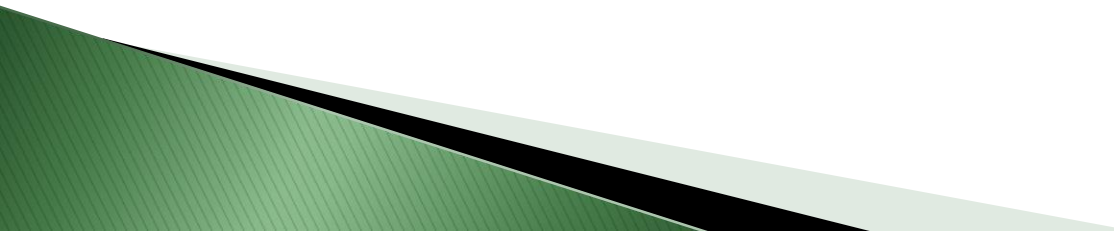
Approximately 160,000 children avoid going to school each day out of fear of intimidation or attack by peers daily.

Fact

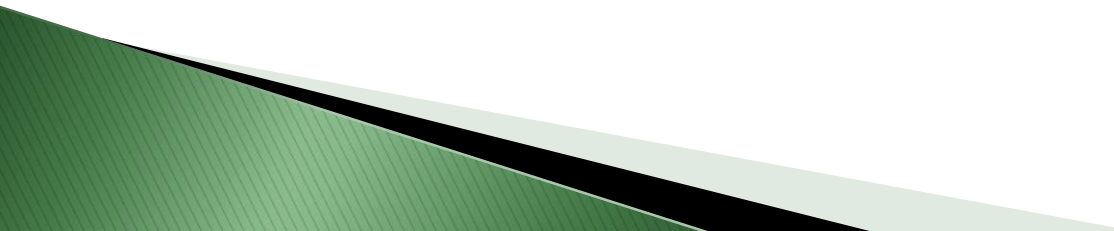
School employees are required by NJ law to report any reasonable suspicion of a suspected missing, abused or neglected child to the NJ Department of Child Protection and Permanency (DCPP).

DCPP: 1-877-652-2873



- Please refer to the district website for all policies/ regulations regarding harassment and affirmative action.
 - Remember - think about the other person's feeling before acting and any electronic posting can always be discovered.
 - NJ State Law requires that all communications are discoverable in a suit. These include school business and personal communications.
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Possible consequences of bullying/ harassment

- Damage to self-confidence and self-esteem
 - Subsequent anger, discontent and violence
 - Reduced academic success
 - Drop out
 - Suicide
 - Lawsuits and criminal prosecution
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Fact

A recent survey suggests that approximately 20% of school age children reported being sexually harassed by a teacher or other school personnel.

Grievance Procedure

- This procedure is in place to provide students, employees and parents with a procedure by which they can seek a remedy for alleged violations related to discrimination on the basis of race, color, creed, religion, affectional or sexual orientation, sex, ancestry, national origin or socioeconomic status. This also includes sexual harassment & harassment between staff, administration and staff, student to student, and bullying.

Steps of the Grievance Procedure

➤ Grievance

- Must use forms found on the district website. Only grievances in writing will be considered.

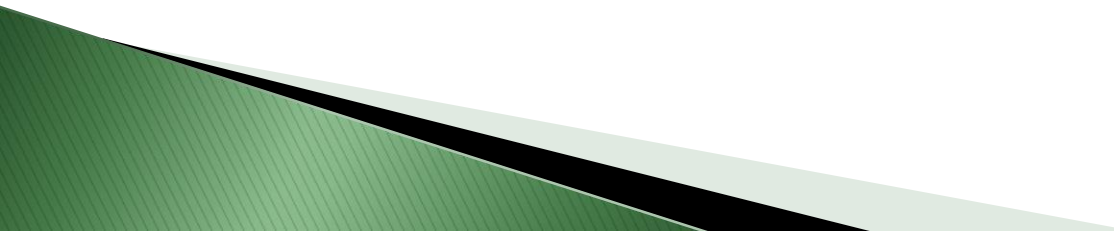
➤ Grievant

- Can be a student, any employee, and or parent.

➤ Affirmative Action Officer

- Will begin an investigation upon receiving the complaint.

Denville BOE Affirmative Action

- Please log onto www.denville.org and follow to the tab for Affirmative Action.
 - All forms, policies and regulations that apply to Affirmative Action are posted for your use.
 - Please contact me or a representative if you have any questions or concerns.
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Conscientious Employee Act

Conscientious Employee Protection Act "Whistleblower Act"

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

The following contact person has been designated to answer your questions or provide information regarding your rights and responsibilities under this act (N.J.S.A. 34:19-4):

Primary Contact: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.

