

### ***Limited Confidentiality***

The Department will take appropriate steps to protect the confidentiality of discrimination, harassment, and retaliation complaints; investigations; and reports, whether substantiated or unsubstantiated. However, once the Department has notice of alleged prohibited behavior, the Department is obligated to take appropriate action and cannot guarantee complete confidentiality.

### ***How will the investigation results be communicated?***

Notification of the investigation's conclusion should be given to both the complainant and the respondent. A final investigation report will be provided to the Complex Area Superintendent, Principal, Director, and/or Superintendent.

### ***What happens after the investigation?***

If there is a violation of policy, procedure, and/or misconduct, the employee's supervisor will render or recommend any disciplinary action.

### ***How can a complaint be filed?***

To file a complaint, you may complete a complaint form found on the CRCB webpage located at [http://bit.ly/HIDOE\\_CRCB](http://bit.ly/HIDOE_CRCB)

## ***Contact Information***

**Department of Education • Civil Rights Compliance Branch • P.O. Box 2360 • Honolulu, HI 96804**

**Phone: (808) 784-6325 or via relay • FAX: (808) 586-3331 • Email: [crcb@k12.hi.us](mailto:crcb@k12.hi.us)**

Beth Schimmelfennig - Director • Rhonda Wong - Compliance Specialist

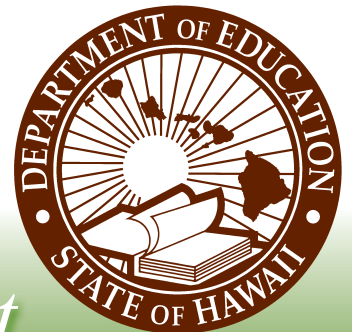
### **Civil Rights Equity Specialists:**

Nicole Isa-Iijima - Title IX • Toby Yamashiro - Title VII • Aaron Oandasan - Title VI • Krysti Sukita - ADA/504

### **Complex Area Equity Specialists:**

Lindsay Kukona Pakele - Farrington-Kaiser-Kalani • Marie Neilson - Kaimuki-McKinley-Roosevelt • Christina Simpson - Aiea-Moanalua-Radford • Michael Murakami - Leilehua-Mililani-Waiialua • Nara Sitachitta - Campbell-Kapolei • Shari Dela Cuadra - Pearl City-Waipahu • Lance Larsen - Nanakuli-Waianae • Anna Tsang - Castle-Kahuku • Colette Honda - Kailua-Kalaheo • Dee Sugihara - Hilo-Waiakea • Moana Hokoana - Kau-Keaau-Paho • Glenn Gray - Honokaa-Kealakehe-Kohala-Konawaena • Venus Lee - Baldwin-Kekaulike-Kulanihakoi-Maui • Megan Moniz - Hana-Lahainaluna-Lanai-Molokai • David Dooley - Kapaa-Kauai-Waimea

# **DEPARTMENT OF EDUCATION STATE OF HAWAII**



## ***Employee and Applicant Non-Discrimination Policy***

# *To All Department of Education Employees and Applicants for Employment*

This brochure was created to provide you with information concerning the Hawaii State Department of Education's (Department) Non-Discrimination Policy, also known as Board of Education (BOE) Policy #900-1. Information contained in this brochure will assist you with understanding your civil rights and responsibilities.

The Department is an equal opportunity employer committed to a workplace that practices respect, celebrates diversity, and is free of any form of illegal discrimination.

Should you have any questions concerning this topic, or for further assistance, please contact the Department's Civil Rights Compliance Branch (CRCB) who will be able to provide you with additional information.

## *Policy*

The Department strictly prohibits any form of discrimination, including harassment, based on a person's membership in a protected class. Protected classes covered by this policy include:

- Race • Color • Sex, including gender identity or expression • Religion • National Origin • Ancestry • Pregnancy
- Age • Physical or Mental Disability • Genetic Information • Sexual Orientation • Marital Status • Arrest & Court Record • Income Assignment for Child Support • National Guard Absence • Uniformed Service • Veteran Status
- Breastfeeding or expressing milk • Citizenship Status • Credit History or Credit Report • Domestic or Sexual Violence Victim Status

The Department expressly prohibits retaliation. Retaliation is any adverse action against anyone because they engaged in protected activity. Protected activity is defined as anyone who files a complaint of discrimination, participates in complaint proceedings dealing with discrimination, inquires about their rights under discrimination laws, or otherwise opposes acts of discrimination. An adverse action is any action that would dissuade a reasonable person from making or supporting a complaint under BOE Policy #900-1.

## *Responsibilities*

Administrators, managers, and supervisors are responsible for maintaining a workplace free of harassment and discrimination, shall take immediate and appropriate action reasonably calculated to end the harassment upon witnessing or receiving report(s) of harassment, and should immediately consult with the CRCB for appropriate action once they know about a potential discriminatory situation.

Employees and volunteers have a responsibility to refrain from engaging in any behavior that violates this policy while at work and during work-related functions. Employees who experience or observe any job-related harassment or believe they have been treated in a discriminatory manner are expected to report the incident(s) to any administrator, manager, supervisor or CRCB personnel in order to correct and prevent harassment.

## *Procedures*

### ***Who may file a complaint?***

Any employee or applicant who believes that he/she is or was subjected to harassment based on a protected class is encouraged to immediately inform any administrator, manager, supervisor or CRCB personnel of the alleged discrimination. Co-workers may also file a complaint of discrimination based upon the incidents they may have witnessed.

### ***Who will conduct the investigation?***

Management shall forward any and all complaints of discrimination directly to the CRCB. The CRCB will be responsible for conducting investigations into possible allegations of discrimination involving applicants and employees.