



Colorado Military Academy

File AC-R-2

Harassment and Discrimination Investigation Procedures for Employees, Applicants for Employment, and Members of the Public

Colorado Military Academy (CMA) is dedicated to maintaining a work environment that is free from harassment and discrimination for all employees, applicants for employment, and members of the public. These procedures outline how harassment or discrimination complaints will be handled, ensuring a fair, timely, and thorough investigation process in compliance with federal and state laws.

Filing a Complaint

Any employee, job applicant, or member of the public who believes they have been subjected to harassment or discrimination based on race, color, sex, sexual orientation, gender identity, religion, national origin, age, disability, or any other protected characteristic should report the incident promptly. Complaints can be filed by contacting any CMA administrator, supervisor, or directly to the **Title IX Coordinator** or **Human Resources Director**:

Michelle Pottorff
Director of Human Resources
PO Box 10,000, Montrose, CO 81402
Phone: 970-249-7726
Email: Michelle.pottorff@mcsd.org

Complaint Process

1. **Initial Report:** Upon receiving a complaint, the administrator or HR Director will provide the complainant with an overview of the investigation process and inform them of their rights under CMA policy and applicable law. The complaint will be documented, and the complainant will be asked to provide a detailed written statement of the incident(s).
2. **Preliminary Review:** The HR Director will review the complaint to determine if it falls within the scope of CMA's harassment and discrimination policies. If so, an investigation will be initiated.
3. **Investigation:**
 - o **Investigator Assignment:** An impartial investigator, usually the HR Director or a designated official, will be assigned to conduct the investigation.
 - o **Interviews and Evidence:** The investigator will gather information by interviewing the complainant, the accused, and any witnesses. The investigator may also review relevant documents, emails, or other evidence.
 - o **Confidentiality:** To the extent possible, all parties involved in the investigation will be required to maintain confidentiality to protect the privacy of those involved and the integrity of the investigation.

4. **Findings and Conclusion:**
 - o After the investigation is complete, the investigator will summarize their findings and determine whether the evidence supports the claim of harassment or discrimination.
 - o The findings will be presented in a written report, including conclusions based on the facts and recommendations for corrective action, if necessary.
5. **Corrective Action:** If the investigation concludes that harassment or discrimination occurred, CMA will take appropriate action. This could include disciplinary measures such as counseling, reprimand, suspension, or termination for employees, as well as other corrective actions to prevent further occurrences.
6. **Notification:** Both the complainant and the accused will be informed of the outcome of the investigation and any actions to be taken, while maintaining confidentiality as required by law.

Retaliation Prohibited

CMA prohibits any form of retaliation against individuals who report harassment or discrimination or participate in an investigation. Any retaliatory behavior will result in disciplinary action, up to and including termination.

Appeal Process

If the complainant or accused is dissatisfied with the outcome of the investigation, they may file an appeal in writing to the **Superintendent** within 10 business days of receiving the final decision. The appeal must specify the reasons for disagreement with the findings or corrective actions. The Superintendent will review the case and issue a final decision within 30 days.

Training and Communication

To ensure a respectful and safe work environment, all employees will receive **annual training** on harassment and discrimination prevention. CMA's harassment and discrimination policies will be communicated in employee handbooks and made available electronically and in print.

Legal References

- **Title VII of the Civil Rights Act of 1964** (prohibits employment discrimination based on race, color, religion, sex, or national origin)
- **Title IX of the Education Amendments of 1972** (prohibits sex-based discrimination in educational programs)
- **Americans with Disabilities Act (ADA)** (prohibits discrimination against individuals with disabilities)
- **Colorado Revised Statutes (C.R.S.) 24-34-402** (Colorado Anti-Discrimination Act)

CMA is committed to upholding these procedures to maintain an environment of equality, respect, and integrity for all employees, job applicants, and members of the public.

