



# Maine Human Rights Commission

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## INVESTIGATOR'S REPORT

ED/PA E17-0208-A, -B, -C

November 14, 2018

**Robert Martin o/b/o minor child<sup>1</sup> (Poland)**

v.

**Poland Regional High School – RSU 16<sup>2</sup> (Poland)**

**Patrick Flynn (Poland)**

**Cari Medd (Poland)**

### Summary of Case:

Complainant, who was a student at Poland Regional High School, alleged that Respondents,<sup>3</sup> a public school district high school and two of its administrators, discriminated against her because of her race by perpetuating a hostile educational environment.<sup>4</sup> Respondent denied discrimination and stated that Complainant's reports of harassment were promptly investigated and appropriately addressed. The Investigator conducted a preliminary investigation, which included reviewing the documents submitted by the parties and holding a Fact Finding Conference ("FFC"). Based upon this information, the Investigator recommends a finding that there are no reasonable grounds to believe Complainant was discriminated against on the basis of race.

### Jurisdictional Data:

1) Dates of alleged discrimination: November 2017.<sup>5</sup>

<sup>1</sup> The complaint was filed by Robert Martin on his daughter's behalf, but "Complainant" here refers to the daughter.

<sup>2</sup> Complainant named "Poland Regional High School – RSU 16" in her complaint; Respondent provided that its legal name is "Regional School Unit No. 16." Complainant did not amend her complaint, so we will use the name she did.

<sup>3</sup> The school administrators (referred to herein as "Principal" (Medd) and "Assistant Principal" (Flynn)) acted solely within the scope of their employment, and did not engage in intentional individual conduct that interfered with Complainant's right to a discrimination-free place of education pursuant to 5 Maine Revised Statutes ("M.R.S.") § 4633(2). Accordingly, any potential liability rises and falls with that of the school district Respondent, and all three Respondents will be referred to collectively as a singular "Respondent".

<sup>4</sup> On her Commission complaint form, Complainant checked the box for "race" as the sole protected class. Further submissions reflect that the alleged harassment may also have been due to her ancestry and/or perceived national origin. For ease of reference, these protected classes will be referred to collectively as "race" throughout this report.

<sup>5</sup> Complainant's original complaint was limited to events that occurred up to 4/3/2017. In August 2018, she amended her