

## SEXUAL HARASSMENT

The Board of Education recognizes that harassment of students and staff on the basis of sex or sexual orientation is abusive and illegal behavior that may harm victims and may negatively impact the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying sexual harassment in schools is necessary for a healthy, nondiscriminatory environment in which students may learn and employees may work productively.

The Board is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district.

Because sexual harassment can occur staff to student, staff to staff, student to student, male to female, female to male, male to male or female to female, it shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student or employee.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all individuals who believe they have been subject to sexual harassment and persons with knowledge of alleged sexual harassment report the alleged harassment immediately. The district will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.

If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, district policy and federal and state law.

All complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help prevent incidents of sexual harassment.

This policy shall be posted in a prominent place in each district facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

A committee of administrators, teachers, parents, students and the school attorney shall be convened annually to review this policy's effectiveness and compliance with applicable state and federal law and to recommend revisions to Board.

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*  
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*  
*Davis v. Monroe County Board of Education*, \_\_ U.S. \_\_; 119 S.Ct.1661 (1999)  
*Gebser v. Lago Vista Independent School District*, 524 U.S, 274 (1998)  
*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998)  
*Burlington Industries v. Ellerth*, 524 U.S. 742 (1998)  
*Oncala v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998)  
*Franklin v. Gwent County Public Schools*, 503 U.S. 60 (1992)  
*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986)

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