POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

Definitions

Sex discrimination occurs when a person, because of his or her gender, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: While it is difficult to define sexual harassment precisely, it includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to or rejection of such conduct by an individual is used and/or threatened to be used as a basis for making any educational decision affecting a student; or

2. such conduct is sufficiently severe, persistent, or pervasive to limit a student’s ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment.

Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Statements or other conduct indicating that a student’s submission to, or rejection of, sexual overtures or advances will affect the student’s grades and/or other academic progress.

2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.

3. Display of sexually suggestive objects, or use of sexually suggestive or obscene comments, invitations, letters, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
Procedure

It is the express policy of the board of education to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The district will investigate such complaints promptly and will take corrective action where appropriate. The district will maintain confidentiality to the extent possible. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

Legal References:

- United Stated Constitution, Article XIV
- Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.
- Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
REPORT FORM FOR COMPLAINTS OF DISCRIMINATION/HARASSMENT

Complainant:_____________________________________________________________
Home Address:___________________________________________________________
Home Phone:____________________________________________________________
School building:_________________________________________________________
Date of Alleged Incident(s):_________________________________________________

Alleged harassment/discrimination was based on: (Check all that apply.)

☐ Race       ☐ Color       ☐ National Origin       ☐ Sexual Harassment
☐ Gender     ☐ Disability   ☐ Religion       ☐ Sexual Discrimination
☐ Ancestry   ☐ Age          ☐ Sexual Orientation

Name of person you believe violated the District’s nondiscrimination/harassment policy:
________________________________________________________________________

If the alleged discrimination/harassment was directed against another person, identify the
other person:
_______________________________________________________________________

Describe the incident as clearly as possible, including any verbal statements (i.e., threats,
derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages
if necessary:
_____________________________________________________________
_____________________________________________________________
_____________________________________________________________
_____________________________________________________________

When and where incident occurred: ________________________________________

List any witnesses who were present:________________________________________
________________________________________________________________________

This complaint is based on my honest belief that harassed/discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

_____________________________________________________________  _____________
Complainant’s Signature      Date

_____________________________________________________________  ______________
Received By        Date
COMPLAINT FORM REGARDING SEX DISCRIMINATION
AND SEXUAL HARASSMENT (STUDENTS)

Name of the complainant ________________________________________________

Date of the complaint ______________________________________________________

Date of the alleged discrimination/harassment ______________________________

Name or names of the discriminator(s) or harasser(s) ________________________
________________________________________________________________________

Location where such discrimination/harassment occurred ______________________
________________________________________________________________________

Name(s) of any witness(es) to the discrimination/harassment. ______________________
________________________________________________________________________

Detailed statement of the circumstances constituting the alleged discrimination or
harassment ________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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