

SEXUAL HARASSMENT OF EMPLOYEES

The Board of Education is committed to safeguarding the right of all employees within the school district to work in an environment that is free from all forms of sexual harassment. Conduct is deemed to be sexual harassment when the recipient perceives the behavior as unwelcome. It is irrelevant that the harasser had no intention to sexually harass the person.

The Equal Employment Opportunity Commission's (EEOC) definition of sexual harassment will be applied, by the Board, to the educational environment, as follows:

Sexual harassment consists of unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made whether explicitly or implicitly a term or condition of an employee's employment,
2. submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee, or
3. such conduct has the purpose or effect of unreasonably interfering with an employee's performance or creating an intimidating, hostile, or offensive working environment.

The Board recognizes that sexual harassment of employees can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as administrators, board members, students, or any individual who might come into contact with employees on school grounds. When it is alleged that a sexual harassment incident has occurred, an investigation shall be undertaken of that incident. If the investigation determines that the incident was sexual harassment, appropriate corrective action shall be taken.

The Board condemns all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The Board also condemns any retaliatory behavior against complainants or any witnesses. The Board also condemns false accusations.

Any employee who believes that he/she has been subjected to sexual harassment is encouraged to report the alleged misconduct, so that appropriate action may be taken. In the absence of a complaint, the Board, its designee, or staff member, upon learning of, or having reason to suspect, the occurrence of sexual harassment, will report the incident to a compliance officer who will ensure that an investigation is promptly commenced.

Policy 9110.2

The Superintendent of Schools shall implement specific procedures on reporting, investigating and remedying allegations of sexual harassment. Such procedures are to be consistent with Federal and State laws and any applicable provisions contained in the District's collective bargaining agreements. Activities will be established for employees and students to raise awareness of the issues surrounding sexual harassment to help reduce incidents of sexual harassment.

A copy of this policy and its accompanying regulation are to be distributed to all staff, and posted in each building.

Adopted: May 11, 1992
Amended: February 25, 1997
Revised: February 24, 1998
Adopted: April 20, 1999

July 1999