

POLICY**Students****SUBJECT: SEXUAL HARASSMENT (STUDENTS)**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of law and stands in direct opposition to District Policy. Therefore, the Board prohibits all forms of sexual harassment by employees and students on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district. Generally, sexual harassment is defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission to sexually harassing behavior is a condition for the successful completion of any course of study or educational and extracurricular activity, including the acceptance into or rejection from such course or activity;
- b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature.
- c) Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment.

The Board acknowledges that in determining whether sexual harassment has occurred, the perspective of the victim as well as the offender's conduct and/or intention must be evaluated.

Any student who believes that he/she has been subjected to sexual harassment shall report all incidents of such conduct to the District's designated Title IX complaint officer through informal and/or formal complaint procedures developed by the District. In the event that the complaint officer is the offender, the complainant shall report his/her complaint to the next level of supervisory authority.

Upon receipt of an informal/formal complaint and within thirty (30) calendar days, the District will conduct a thorough investigation of the charges. Based upon the results of the District's investigation, immediate corrective action will be taken. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment in accordance with contractual and legal guidelines.

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Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension/expulsion.

The Board prohibits any retaliatory behavior directed against complainants and/or witnesses. Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victims and/or witnesses have not suffered retaliation.

Regulations will be developed for resolving sexual harassment complaints by students. The Superintendent/designee(s) shall affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct and explain the sanctions for harassment. A copy of this policy and its accompanying regulations shall be available upon request to all employees and students and may be posted at various locations in each school building.

Refer to **Personnel: Policy No. 6121** for additional information.

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.

Title IX of the Education Amendments of 1972,
20 United States Code (U.S.C.) Section 1681 et seq.

Adopted: December 16, 2008