

FAIRFIELD AREA SCHOOL DISTRICT

SEXUAL HARASSMENT

4380

4380.1 It is the policy of the Fairfield Area School District to maintain a learning and working environment that is free from sexual harassment.

4380.2 It shall be a violation of this policy for any student or employee to harass any other student or employee. All formal and informal, verbal and written complaints of sexual harassment will be investigated. Any student or employee who is found to have sexually harassed any other student or employee will be disciplined.

4380.3 Definition

Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, or when made by any student to another student or when made by any student to a staff member when:

4380.3a Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when

4380.3b Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when

4380.3c Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

4380.4 Examples

Sexual harassment, as defined in 4380.3 above, may include, but is not limited to the following: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person, with sexual or demeaning implications; unwelcomed touching; suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

4380.5 Complaints

Any person who alleges sexual harassment by any staff member or student in the District may complain directly to his/her immediate

supervisor, teacher, guidance counselor, nurse, building principal, or the District Title IX Coordinator.

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- 4380.6 Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future employment, grades or work assignments.
- 4380.7 The Title IX Coordinator will develop and publicize procedures that insure all allegations of sexual harassment are investigated and reviewed.
- 4380.8 Right to Confidentiality
The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the District's legal obligations, and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
- 4380.9 A substantiated charge against a staff member in the District shall subject such staff member to disciplinary action which may include warnings, reprimands, transfers, demotion, suspension or dismissal.
- 4380.10 A substantiated charge against a student in the School District shall subject that student to student disciplinary action including suspension or expulsion, consistent with the student discipline code.
- 4380.11 Students or staff who have falsely accused a person of sexual harassment shall be subject to appropriate discipline.

Legal Reference

Sec. 703 of Title VII of Civil Rights Act of 1964;
Sec. 5(a) PHRC Act; Title IX of the 1972 Educational Amendments
EEOC Guidelines on Sexual Harassment,
Fed. Reg. Vol. 45, #219

Adopted December 4, 1995