

Policy 6.010. Student Sexual Harassment

It is the policy of the C.E.S. Representative Council to create and maintain a learning environment that is free from unlawful sexual harassment and discrimination on the basis of sex. Sexual harassment is prohibited whether on school grounds, school buses or at school-sponsored activities, programs and events. Sexual harassment can occur adult to student, student to student, between members of the opposite sex, or between members of the same sex.

The C.E.S. Representative Council encourages all victims of sexual harassment and persons with knowledge of sexual harassment to report the harassment immediately. All complaints have the right to be free from retaliation of any kind. Complaints of sexual harassment will be promptly investigated.

Sexual harassment is defined as unwelcome conduct of a sexual nature, whether physical, verbal or non-verbal, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:

- Submission to the conduct is made explicitly or implicitly a term or condition of a student's participation in school-sponsored activities, or any other aspect of the student's education.
- Submission to or rejection of the conduct is used as the basis for decisions affecting a student's academic performance, participation in school-sponsored activities, or any other aspect of a student's education.
- The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive educational environment.

While an exhaustive list is not possible, the following are examples of specific behaviors that could constitute sexual harassment:

- Unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extra-circular activities, assignments, homework, etc.;
- Any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling,

catcalls, and whistles; sexually graphic computer files, messages or games, etc.;

- Unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating;
- Any other unwelcome gender-based behavior that is offensive, degrading, intimidating or demeaning.

ADOPTED: June 1, 2000

Policy 6.010A. Complaint Procedure – Student Sexual Harassment

Step 1-Informal Level

A student who feels he or she has been the victim of sexual harassment may request a meeting to discuss the matter with the building principal of his/her school in an effort to resolve it informally. In the event the student is uncomfortable, for any reason, with discussing the matter with the building principal he or she may request a meeting with the superintendent of schools (**or any other Administrator or the Personnel Director, etc.**) regarding the alleged harassment. The principal or the school administrator shall schedule a meeting promptly with the complainant to discuss the complaint, but in no event shall the meeting be held later than fourteen (14) days from the receipt of the meeting request.

Step 2-Formal Level

If the complainant is not satisfied with the disposition of his or her complaint at the informal level, he or she may file a formal complaint with the (**building principal, superintendent, personnel department or Title IX compliance officer**). A student need not have brought an informal complaint before filing a formal written complaint. Complaint forms may be obtained from the office of the Superintendent of Schools, as well as from the office of the building principal. In addition, a student complaint may be filed in writing with a teacher or guidance counselor. A student may request assistance of school district personnel in preparing a written complaint. Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the principal (**and or the Title IX Compliance Officer, etc.**).

The written complaint shall be dated and shall state the name of the complainant, the date(s) of the alleged harassment, the name or names of the alleged harasser or harassers, the name or names of any witnesses, and a statement of the circumstances in which the alleged harassment occurred. All formal complaints must be filed within sixty (60) days from the alleged violation. Upon the filing of a written complaint, the complainant shall be provided with a copy of this regulation.

The (**compliance officer/ superintendent/ personnel director/ principal**) shall schedule a meeting promptly with the complainant to discuss the complaint but in no event shall the meeting be held later than fourteen (14) days from receipt of the formal complaint. School officials will, consistent with the need for a thorough investigation of the complaint and principles of fairness; endeavor to protect privacy interests. Whenever a sexual harassment complaint is made, district

personnel will investigate the complaint or refer the complaint for investigation even if the complainant requests that no action be taken or withdraws the complaint. Upon completion of the investigation but in no even later than fourteen (14) days after meeting with the complainant, the investigator shall render a written decision to the complainant as to the disposition of the complaint. The time for rendering a decision may be extended as required for a thorough investigation and fair resolution of the complaint.

If the decision is that sexual harassment has occurred, appropriate action shall be taken to ensure that the harassment ceases and will not reoccur. No adverse action will be taken against a student for filing a complaint of sexual harassment or against any student or other person for cooperating in the investigation of the complaint.

A copy of this policy, regulation and complaint procedure will be distributed to students and parents annually. The administration of each building shall maintain a record of such distribution. In addition, a copy of the policy, regulation and complaint procedure will be posted in each building, and contained in the student handbook.