

SEXUAL HARASSMENT AND SEXUAL VIOLENCE POLICY

I. General Statement of Policy

Sexual harassment is a form of sex discrimination which violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et. seq. Sexual violence is a physical act of aggression that includes a sexual act or sexual purpose.

It is the policy of the East Jasper School District to maintain a learning and working environment that is free from sexual harassment and sexual violence.

It shall be a violation of this policy for any student or employee of the East Jasper School District to harass a student or an employee through conduct or communication of a sexual nature as defined by this policy.

It shall be a violation of this policy for any student or employee of the East Jasper School District to be sexually violent to a student or an employee.

The East Jasper School District will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment or sexual violence and to discipline any student or employee who sexually harasses or is sexually violent to a student or employee of the East Jasper School District.

II. Sexual Harassment/Sexual Violence Defined

A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexual motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
2. Submission to or rejection of that conduct or communication by an individual is used as factor in decisions affecting that individual's employment or education; or
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment.

Any sexual harassment as defined when perpetrated on any student or employee by any student or employee will be treated as sexual harassment under this policy.

B. Sexual harassment may include but is not limited to:

1. Verbal harassment or abuse;
2. Subtle pressure for sexual activity;
3. Inappropriate patting or pinching;
4. Intentional brushing against a student's or an employee's body;
5. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status
6. Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
7. Any sexually motivated unwelcome touching; or
8. Sexual violence which is a physical act of aggression that includes a sexual act or sexual purpose.

III. Reporting Procedures

Any person who believes she or he has been the victim of sexual harassment or sexual violence by a student or an employee of the East Jasper School District, or any third person with knowledge or belief of conduct which may constitute sexual harassment or sexual violence should report the alleged acts immediately to an appropriate East Jasper School District official as designated by this policy. The East Jasper School District encourages the use of written reporting but the use of formal written reporting is not mandatory.

The district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the district's legal obligations and the necessity to investigate allegations of sexual harassment and sexual violence and take disciplinary action when the conduct has occurred.

IV. Investigation and Recommendation

By authority of the East Jasper School District, the Human Rights Officer (Title IX) upon receipt of a report or complaint alleging sexual harassment, or sexual violence shall immediately authorize an investigation. The investigating party shall provide a written report of the status of the investigation within 10 working days to the superintendent of the district.

V. School District Action

Upon receipt of a recommendation that the complaint is valid, the school district will take such action as appropriate based on the results of the investigation. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district. The report will document any disciplinary action taken as a result of the complaint.

The school district will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate discharge to end sexual harassment and sexual violence and prevent its recourse.

The district will discipline any individual who retaliates against any person who reports alleged sexual harassment or sexual violence or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment or sexual violence complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

**ACKNOWLEDGEMENT
SEXUAL HARASSMENT/SEXUAL VIOLENCE POLICY**

I agree to abide by the terms set forth in the East Jasper Sexual Harassment/Sexual Violence Policy as a condition of my employment with the East Jasper School District.

Signature

Date

NOTE: Each employee is to sign and date the Sexual Harassment/Sexual Violence Policy and return it to a respective principal's, supervisor's or superintendent's office within five (5) working days on or after the receipt of this memorandum. Signed memorandums shall be maintained by the school district superintendent.