

Sexual Harassment Procedures

Policy 6.21 – Student Sexual Harassment

The use of a sexual harassment code in INOW requires certain documentation and very specific procedures. This code should be used sparingly and only when an offense meets the criteria to be classed as sexual harassment. Sexual harassment can be in four areas (student on student, student on teacher, teacher on student, and teacher on teacher). Any complaint involving any board employee must be immediately reported, in writing, to the superintendent or his designee.

Definition (Policy 6.2.1)

Administrators must be familiar with the policy definition of sexual harassment. Some of the key terms in the definition are as follows:

Unwelcome sexual advances (this implies that there is evidence that the offended person has tried to stop the actions).

The conduct must have the purpose or effect of unreasonably interfering with a student's academic performance or participation in school activities.

While maybe not an absolute requirement, if the harassment activity is repeated, as opposed to a single event, it certainly strengthens the case.

Sections 6.21.2 and 6.21.3 address how a complaint is reported.

If the complaint in any way involves a board employee, the complaint should be put in writing either by the person making the complaint, or by the person receiving the complaint and it should immediately be reported to the school principal. The principal will inform the superintendent who will order an immediate and thorough investigation. In a case where any of the people who would receive the complaint are actually the subject of the complaint, the policy offers direction regarding who should receive the complaint and order the investigation.

In the case of student on student harassment, the complaint should once again be submitted in writing by the person making the complaint, an adult who has witnessed the act, or the adult taking an oral complaint statement.

If an offense is determined to meet the criteria of sexual harassment, the first offense may be handled at the school level. The investigation into the matter can be conducted by the principal or designee, appropriate discipline given, and a record of the infraction placed in INOW. The principal must contact the parent or guardian of the child being accused and inform them of the findings of the investigation. At that time they should inform the parent that a second

offense would result in the matter being reported to the superintendent, who would conduct his own investigation into the matter.

The final portions of the policy address the issues of confidentiality, retaliation and the need to share the policy information with the public, which we do in the form of the handbook.

The Ozark City Board of Education strictly prohibits sexual harassment in any form that is directed toward students or employees. The full range of discipline options are available to administrators when the findings of a sexual harassment investigation find the complaint to be true. In certain situations the policy suggests that appropriate action also includes a report to law enforcement and/or DHR for further investigation.

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