

RACIAL, SEXUAL, RELIGIOUS/ETHNIC HARASSMENT OR VIOLENCE

The Tyler County Board of Education shall maintain a working and learning environment that is free from racial, sexual, religious/ethnic harassment or violence for all employees and for all students. Therefore, any type of harassment or violence on Board-owned property or at any school-sanctioned event is prohibited. No employee shall be permitted to harass another employee or student. Similarly, no student shall be permitted to harass another student or any employee.

Sexual harassment constitutes a form of sex discrimination. Sexual harassment for employees is governed by Title VII of the US Civil Rights Act of 1964, 42 USC Sect. 2000e-2(a); EEOC Guidelines, 29 CFR Sect. 1604.11 (a) (1) (2) (3); and West Virginia Code 5-11-9, West Virginia Human Rights Act. Sexual harassment against students on the part of education agencies and/or their agents is prohibited under Title IX of the Education Amendments of 1972, USC 1681 et seq.

Amorous relationships between staff members and students are prohibited. Employees found to have violated this prohibition shall be subject to disciplinary action.

Definitions of sexual, racial, and religious/ethnic harassment, and reporting procedures can be found in the Administrative Procedures Manual.

The Tyler County School System will take prompt action to investigate all complaints, either formal or informal, verbal or written, of harassment or violence and to take appropriate disciplinary action against any employee or student who violates this policy. Coordination of investigations shall be the responsibility of the Superintendent, as the Board's designated Human Rights Officer.

A range of disciplinary actions taken pursuant to this policy may include a written reprimand, suspension, expulsion (for a student), or dismissal. Other measures which may be recommended in an effort to prevent a recurrence could include education, training, and/or counseling about harassment.

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

Any employee or student who believes he or she has been the victim of harassment or violence by a student, an employee of the school board, or a non-employee on school grounds, has a responsibility to report the alleged act(s) immediately to the student's /employee's immediate supervisor. At the school level, the principal is designated as the immediate supervisor. When the student's /employee's alleged complaint is against the individual's immediate supervisor, the alleged victim would file his/her complaint with the immediate supervisor's supervisor. If the Superintendent is the subject of the complaint, the report shall be made to the President of the Board.

All parties involved are encouraged to resolve alleged concerns at the lowest possible level on an informal basis. However, alleged victims may report complaints on forms available from the principal at each school or from the Board of Education Office.

Submission of an alleged complaint or report of harassment or violence will not affect the future employment, grades, or work assignments of the person who submits the complaint or report. The Tyler County Board of Education will respect confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the Board's legal obligations and the necessity to investigate allegations of harassment or violence and take disciplinary action when the conduct has occurred.

Specific Reporting and Investigative Procedures, along with examples of inappropriate behavior, and Falsification of Reporting can be found in the Administrative Procedures Manual.

REFERENCE: Title VII of the Civil Rights Act of 1964; EEDC Guidelines, 29 CFR Sect. 16044.11; School Laws of West Virginia 5-11-99; Title IX of the Education Amendments, 1972; Tyler County Policy GI: Falsification of Reporting; State Board Policy 2421 - Racial, Sexual, Religious/Ethnic Harassment And Violence Policy

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