

MODEL SCHOOL POLICY FOR STUDENT SEXUAL HARASSMENT

***** School is committed to providing a school environment free from sexual harassment for all students. Incidents of harassment should be reported in accordance with those procedures so school authorities may take appropriate action. Students who sexually harass others are subject to discipline up to and including dismissal. Employees who engage in sexual harassment are subject to termination.

Definition: Sexual harassment is unwelcome sexual advances or requests and other conduct of a sexual nature which is offensive. It can be spoken, written, or physical behavior. It includes offensive pictures, graffiti and jokes, and gestures.

If submission to sexual conduct is made a condition of academic status, progress, benefits, honors, or activities it is prohibited sexual harassment. Sexual harassment also occurs when the offensive behavior or material creates a hostile school environment.

Reporting Procedures: Students who have experienced sexual harassment shall report the incident to school authorities as soon as possible. If the harassment is between students, the student shall report the incident to the classroom teacher in grades K-8 or to any teacher in grades 9-12. The student may also report to the principal, vice-principal, or counselor.

If the harassment comes from an adult, the student should report directly to the principal or another responsible adult.

GUIDELINES FOR RESPONDING TO STUDENT SEXUAL HARASSMENT COMPLAINTS

Several principles should guide the school in appropriately responding to a sexual harassment complaint.

1. Take the complaint seriously. Investigate privately and keep notes.
2. The investigation and response should be appropriate.
3. Discipline should fit the behavior and the age of the offender. Progressive discipline should be used unless the first offense is of a serious nature
4. Educating students regarding sexual harassment is the cornerstone of protection.

Sexual harassment is sometimes categorized legally into two categories, *quid pro quo* and hostile environment. Of the two, *quid pro quo* is where sexual favors are requested or demanded in return for benefit. A typical example would be where a teacher gives an "A" to a student in exchange for sexual favors. Hostile environment is where jokes, pictures, comments, gestures, or stares create a school environment that is hostile and offensive to the victim. A school example of this is where classmates tease a girl who is less developed.

Complaints of sexual harassment should be investigated promptly and confidentially. Corroborating evidence is helpful in determining the truthfulness of the complaint. False accusations occur and are themselves a form of sexual harassment.

Appropriate discipline can range from education and teacher counseling to expulsion. Often it is well to get the perspective of the same sex as the victim when evaluating the seriousness of the event. The response should fit the behavior and be age appropriate. For instance, a joking remark that is an isolated event could be handled by a teacher talking to the offending student, explaining the significance of the remark and asking the student not to repeat the remark. On the other hand, offensive touching is much more serious and in some cases is a criminal offense reportable as child abuse. Suspension and possibly expulsion may be the appropriate response. Adult to student sexual harassment is more serious and calls for a stronger response. Sometimes retaliation, open or subtle, is used against the victim. The offender should be warned that this will not be tolerated.

At times no clear explanation can be made as to the truthfulness of accusations. In those cases if the reported behavior is not extremely serious, the suspected offender should be told such behavior, if it occurred, is offensive and will not be permitted.

After the investigation and response, the victim should be informed that appropriate corrective action has been taken and the victim encouraged to report any further events.