

SEXUAL HARASSMENT REGULATIONS

I. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature which made an employment condition so that submission to such conduct is a term or condition of employment; an employment consequence, so that submission to or rejection of such conduct is used as a basis for employment decisions affecting an individual employee; or an offensive job interference, so that such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include, but is not limited to, verbal harassment including epithets, derogatory comments or slurs, physical harassment, physical interference with movement or work, or visual harassment such as derogatory cartoons, drawings or posters.

Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

II. PROHIBITED SUPERVISORY BEHAVIOR

- A. No supervisor may condition any employment, employee benefit or continued employment in this school system on an applicant's or employee's acquiescence to any of the sexual behavior defined above.
- B. No supervisor may retaliate against any applicant or employee because that applicant or employee has opposed a practice prohibited by Title VII of the Civil Rights Act of 1965 and the new Civil Rights Act of 1991, or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing conducted by an authorized investigative agency.
- C. No supervisor or manager shall destroy evidence relevant to an investigation of sexual discrimination.

III. BEHAVIOR PROHIBITED BY ALL EMPLOYEES

- A. No supervisor or any other employee of this school system shall create a hostile or offensive work environment for any other employee by engaging in any sexual harassment or by tolerating it on the part of any supervisor.
- B. No supervisor or any other employee in the school system shall assist any individual in doing any act which constitutes sexual discrimination against any employee of the school system.

IV. OBLIGATIONS OF SUPERVISORS

A. Preventive Action

- 1. A copy of this policy shall be distributed to all employees.
- 2. A copy of this policy shall be given to any new employee within one week of their employment.

B. Investigative/Corrective Action

- 1. All supervisors shall immediately report any evidence of sexual harassment or complaints regarding sexual harassment made to them to the Director of Schools or Director of Human Resources.
- 2. All supervisors shall, within five working days, investigate any incident of alleged sexual harassment reported to them.
- 3. All supervisors shall immediately report in writing the results of any investigation of sexual harassment, including corrective or disciplinary action taken to the appropriate director and to the complaining applicant/employee.
- 4. All supervisors shall immediately report to the appropriate director, any instances of sexual harassment which they have directly observed whether or not reported by the employee who is the object of the harassment.
- 5. Under no circumstances shall an employee of the Board who believes that he or she has been the victim of sexual harassment be required to first report that harassment to a supervisor if the supervisor is the

individual who has done the harassing. An employee who has a claim of sexual harassment to file against an immediate supervisor shall contact the Director of Schools or the Director of Human Resources.

6. Under no circumstances shall a supervisor retaliate in any way against an employee who has provided information as a witness to an incident of sexual harassment.
7. All supervisors are required to maintain confidentiality in investigating any claims of alleged harassment.
8. All supervisors shall follow up within one month and again in three months of any reported incident of sexual harassment to determine whether the victim has been subject to any further forbidden conduct.

V. CONSEQUENCES FOR VIOLATION OF POLICY

Any employee who violates this policy shall be subject to disciplinary action, in accordance with Board policy, up to and including discharge.

Code of Federal Regulations 29 CFR Chapter XIV 1604.11

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