

SEXUAL HARASSMENT

It is the policy of the Holdenville Public School District to maintain a learning environment that promotes treating people with dignity and respect. Sexual harassment undermines that effort and is legally classified as discrimination on the basis of sex. Therefore, Holdenville Public Schools will not tolerate or condone any form of sexual harassment by employees, students, or third parties of the district. It is no defense to a claim of sexual harassment that the alleged harasser did not intend to harass.

1. DEFINITIONS

A. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, education, or participation in an educational program or activity; or
2. Submission or rejection of such conduct is used as the basis for evaluation, particularly in the making of employment, academic, or activity decisions affecting the individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individuals' education or activity, work performance, or creating an intimidating, hostile or offensive education or employment environment.

B. This policy applies to all students, to all district employees, and third parties of the district. Third parties of the district are defined as an individual who enters the school

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premises who is not a student or an employee. This includes visitors, parents, contractors, consultants and vendors.

2. Sexual Harassment can occur staff-to-student, student-to-student, staff-to-staff (male-to-female, male-to-male, female-to-female, and female-to-male). Sexually harassing behaviors, as defined above, may include, but are not limited to:

- A. Verbal harassment or abuse: derogatory comments, slurs, jokes, epithets, and sexually suggestive slang.
- B. Pressure for sexual activity: continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attracting between peers is not considered sexual harassment.)
- C. Unwelcome touching or sexually suggestive pranks: bra-snapping, skirt “flip ups”, pulling down someone’s pants/shirt and pinching.
- D. Unwelcome non-verbal activities: leers, stares, gestures, blocking movement, display of sexually suggestive objects, pictures or cartoons.
- E. Suggesting or demanding sexual involvement as a means to control, influence, or affect the career, salary and/or work environment of another employee or to affect the educational opportunities, grades, honors, programs or activities available to students at or through the school.

3. REPORTING, INVESTIGATION, AND SANCTIONS

A. It is the policy of Holdenville Public Schools to encourage anyone who believes that they have been subjected to sexual harassment to come forward with such claims. To report alleged acts of sexual harassment:

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- 1.** Students who feel they have been subjected to sexual harassment are encouraged to report the incident(s) to an appropriate teacher or school administrator. If the student's immediate teacher or administrator is the alleged offender, the report will be made to the next level of supervision or administration.
 - 2.** School district employees who feel they have been subjected to sexual harassment are encouraged to report the incident(s) to the site administrator or to the superintendent if the site administrator is the harasser.
 - 3.** School district employees and third parties are responsible for reporting alleged violations of this policy in accordance with the District's sexual harassment complaint procedures.
- B.** In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated in resolving complaints of sexual harassment. The superintendent may designate others to assist in the investigative process.
- C.** Any employee found to have engaged in sexual harassment of students shall be subject to sanctions, including, but not limited to, verbal warning, written reprimand, mandatory harassment training, transfer, suspension, demotion, or termination of employment subject to applicable procedural and due process requirements. A substantiated repeat offense by an employee will result in immediate dismissal with cause.
- D.** Any student found to have engaged in sexual harassment while involved in a school activity shall be subject to

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disciplinary action which may include, but not be limited to, verbal and/or written warning or reprimand, counseling, mandatory harassment training, community service or suspension, consistent with the student discipline code. If substantiated, remedial counseling and training will be scheduled and, depending upon the severity of the incident, punishment may include, suspension up to 10 days. Any documented repeat offense by a student may result in long term suspension or expulsion from school.

4. COVERAGE

- A. This policy applies to all students, to all district employees, and third parties of the district. Third parties of the district are defined as an individual who enters the school premises who is not a student or employee. This includes visitors, parents, contractors, consultants and vendors.

- B. This policy applies to students and employees in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school whether they take place in the facilities of the school, on a school bus, at a class or training sponsored by the school at another location, or elsewhere.

5. RETALIATION PROHIBITED

The district will discipline any covered individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who assists in an investigation or proceeding related to a sexual harassment complaint.

REFERENCE: Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972