
DESCRIPTOR TERM:

District 370 Policy
File Code: 8.80

Students

Sexual Harassment

1994 2-14-94

1. Purpose

It is the policy of the Homedale School District to maintain a learning environment that is free from sexual harassment. Each student has the right to work in an atmosphere that promotes equal opportunities, free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive.

2. Authority

It shall be a violation of this policy for any employee of the District to harass a student through conduct or communication of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students through conduct or communications of a sexual nature.

3. Definition of Sexual Harassment

Sexual harassment is a form of misconduct that undermines a student's relationship with educators and with other students. No student, male or female, should be subject to unasked for and unwelcome sexual overtures or conduct, either in written, verbal, or physical expression. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to sexual overtures or conduct that are not welcome, that are personally offensive, that affect morale, and that, therefore, interfere with a student's ability to socialize, study, or participate in school activities.

4. Reporting Procedures

Students who believe they are being harassed should report the situation to any of the following persons immediately:

- A. Guidance Counselor
- B. Teacher
- C. Building Principal.

Any employee receiving a report of harassment from a student shall report the matter to the building principal immediately. In the event the complaint involves the principal, the matter shall be reported to the District Superintendent.

In addition, any employee who becomes aware of a sexual harassment situation involving a student has an affirmative obligation to report the situation to the building principal or superintendent immediately. Any student who becomes aware that a fellow student is being subjected to sexual harassment should report the incident to a counselor, a teacher or building principal.

5. Investigation

When a report of sexual harassment is made, the principal or superintendent shall take immediate steps to:

- A. Obtain a written statement from the complainant regarding the allegations.
- B. Obtain a written statement from the accused.
- C. Obtain written statements from witnesses, if any.
- D. Prepare a written report detailing the investigation.

The principal or superintendent may appoint an investigator to conduct the investigation, or may conduct the investigation himself/herself. The investigation normally should be completed within ten (10) working days.

If the allegation of sexual harassment involves a teacher or other school employee, the principal shall submit the report of his/her investigation to the superintendent. If there is sufficient evidence to support the allegations, disciplinary action, up to and including dismissal, shall be taken against the offender. If the allegation of sexual harassment involves a student and there is sufficient evidence to support the allegations, disciplinary action, up to and including expulsion, shall be taken against the offender.

If there is insufficient evidence to support the allegations, no record will be made of the allegation in the complaining student's permanent record. Likewise, no report of the allegation shall be placed in an accused employee's personnel record or in an accused student's permanent record. In the event, however, that the investigation discloses that the complaining student has falsely accused another of sexual harassment knowingly or in a malicious manner, the complaining student may be subject to disciplinary action, up to and including dismissal.

The administration shall involve local law enforcement agencies when the sexual harassment appears to violate state or federal laws.

6. Confidentiality

Because of the sensitive nature of complaints of sexual harassment, any investigation shall be conducted, to the maximum extent possible, to protect the privacy of both the complainant and the accused.

HARASSMENT COMPLAINT FORM

Name of Complainant: _____

Position of Complainant: _____

Date of Complaint: _____

Name of Alleged Harasser: _____

Date and Place of
Incident or Incidents: _____

Description of Misconduct: _____

Names of Witnesses: _____

Evidence of Harassment,
i.e., letters, photos: _____

Any other information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/
Interview: _____

Description of
Instance Witnessed: _____

Any Other
Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____