

SECTION: LOCAL BOARD PROCEDURES

TITLE: UNLAWFUL HARASSMENT

ADOPTED: November 6, 2003

REVISED: April 19, 2012

# McGUFFEY SCHOOL DISTRICT

## 010. UNLAWFUL HARASSMENT

### Section 1. Purpose

The district believes that all Board members should enjoy a working environment free from all forms of discrimination. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.

### Section 2. Authority

The district prohibits all forms of unlawful harassment of Board members by all Board members, district students and staff members, contracted individuals and vendors, and volunteers in the schools.

The district encourages Board members who have been harassed to report promptly such incidents to the designated administrators.

The district directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the districts' legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Sec. 703 of Title VII of Civil Rights Act of 1964; Sec. 5(a) PHRC Act; Title IX of the 1972 Education Amendments

<p>OCR Guidelines on Sexual Harassment, Fed. Reg. Vol. 61 #49; PHRC Guidelines; PA Bulletin Vol. II, #5 Policy Memo Office of Civil Rights USDE March 1997</p>	<p>Section 3. <u>Definitions</u></p> <p>The term <b>harassment</b> includes but is not limited to slurs, jokes, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, sex, national origin, age or handicap/disability.</p> <p><b>Ethnic harassment</b> includes the use of any derogatory word, phrase or action characterizing a given racial or ethnic group that creates an offensive working environment.</p> <p><b>Sexual harassment</b> shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when:</p> <ul style="list-style-type: none"><li>a. Acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is a term or condition of an individual's continued employment.</li><li>b. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.</li><li>c. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.</li></ul> <p>Examples of <b>sexual harassment</b> include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes, pin-ups, calendars, objects, graffiti, vulgar statements, abusive language, innuendoes, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with an employee's ability to work or which creates an intimidating, hostile or offensive learning or working environment.</p>
--	--

Section 4. Responsibility

Each Board member shall be responsible to maintain a working environment free from all forms of unlawful harassment.

The Superintendent shall develop procedures outlining the chain of command through which incidents of unlawful harassment shall be reported.

Section 5. Guidelines

When a Board member believes that s/he is being harassed, the Board member should immediately inform the harasser that his/her behavior is unwelcome, offensive or inappropriate. If the unwelcome, offensive or inappropriate behavior continues, the Board member shall follow district procedures.

A substantiated charge against a district staff or Board member shall subject such staff or Board member to disciplinary action, including discharge.

A substantiated charge against a district student shall subject such student to disciplinary action, consistent with the student discipline code, and may include educational activities and/or counseling services related to unlawful harassment.

If it is concluded that a Board member has made false accusations, such Board members shall be subject to disciplinary action, including termination.