

# Tyrone Area School District

TITLE: SEXUAL HARASSMENT

ADOPTED: February 13, 1996

REVISED:

<p>1.Purpose Sec. 703 of Title VII of Civil Rights Act of 1964; Sec. 5(a) PHRC Act; Title IX of the 1972 Educ. Amendments</p> <p>2.Authority</p> <p>3.Definition EEOC Guidelines on Sexual Harassment, Fed. Reg. Vol. 45, #219; PHRC Guidelines; PA Bulletin Vol. II, #5</p> <p>Policy Memo Office of August 1981 Rights</p>	<p style="text-align: center;">548. SEXUAL HARASSMENT</p> <p>It is the policy of the Tyrone Area School District to maintain a learning and working environment that is free from sexual harassment.</p> <p>Sexual harassment is against the law and will not be tolerated by the Tyrone Area School District. It shall be a violation of this policy for any member of the district staff to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or any member of the district staff through conduct or communications of a sexual nature as defined below.</p> <p>Sexual harassment is defined as an action that is sexually directed, unwanted, and subjects the worker or student to adverse working/learning conditions. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member or when made by any student to another student when:</p> <p>1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when 2. Submission to or</p>
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<p>USDE Civil</p>	<p>rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when</p> <p>3. Such conduct interferes with an individual's academic or professional performance or creates an intimidating, hostile, or offensive employment or education environment.</p> <p>Sexual harassment, as defined above, may include, but is not limited to the following: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person, with sexual or demeaning implications; unwelcomed touching; suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job; graphic or suggestive comments about an individual's dress or body; unwanted sexual advances and propositions or other sexual comments; displays or publications of a sexual nature anywhere in the workplace or classroom (including nude photographs); and retaliatory action taken against an employee/student for discussing or making a sexual harassment complaint.</p>
<p>4.Guidelines  Pol. 219</p>	<p><u>Complaints</u></p> <p>Any person who alleges sexual harassment by any staff member or student in the district may use the district's complaint procedure or may complain directly to his/her immediate supervisor, building principal, guidance counselor, Superintendent or other individual designated to receive such complaints. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future employment, grades or work assignments.</p> <p>Allegations of sexual harassment should be reported as soon as possible but preferably within seven (7) days of the occurrence of the event that gave rise to the sexual harassment allegation.</p> <p>Complaints should be recorded on the Harassment Complaint Form (see attached), although anonymous complaints will be accepted. Reporting sexual harassment will not affect an individual's status, future employment, grades or work assignments.</p> <p><u>Investigation</u></p> <p>An investigation of all allegations made under this policy should be commenced no later than forty-eight (48) hours (two (2) days) after filing of the complaint.</p> <p>Investigations will be conducted by the Director of Attendance/Assistant Vice Principal, Principal, Assistant Superintendent, Superintendent, or other designated representative.</p>

<p>Pol. 317, 417, 517</p> <p>Pol. 218, 233</p>	<p>Every attempt will be made to conduct and complete the investigation as thoroughly and speedily as possible. At a minimum, every investigation will include an interview with both the individual alleging the harassment and the alleged harasser.</p> <p>When the complaint has come from a female student or employee, a female counselor should be present* at all discussions and meetings involving the case. When the complaint has come from a male student or employee, a male counselor should be present* at all discussions or meetings involving the case. (*Discretion of student or employee.)</p> <p>Upon completion of the investigation, a written response to the allegations, including any recommended remedial action, will be made to the individual alleging the harassment and the alleged harasser.</p> <p><u>Responsibilities of Employee/Student</u></p> <p>Upon experiencing or witnessing sexual harassment, file a complaint with the Director of Attendance/Assistant Principal, Principal, Assistant Superintendent or Superintendent.</p> <p><u>Responsibilities of Management</u></p> <p>Refrain from all forms of harassment.</p> <p>Attend training sessions on sexual harassment and implementation of the policy.</p> <p>If you observe harassment, ask offending party to stop and file a complaint with the Director of Attendance/Assistant Principal, Principal, Assistant Superintendent or Superintendent.</p> <p>The Director of Attendance/Assistant Principal, Principal, Assistant Superintendent or Superintendent will begin investigation within forty-eight (48) hours (two (2) days) and follow the procedures set forth in this policy.</p> <p><u>Sanctions</u></p> <p>A substantiated charge against a staff member in the district shall subject such staff member to disciplinary action, including discharge.</p> <p>A substantiated charge against a student in the school district shall subject that student to student disciplinary action including suspension or expulsion, consistent with the student discipline code.</p>
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Retaliation

Retaliation in any form against any person who has filed a complaint relating to sexual harassment is forbidden. If it occurs, it could be considered grounds for suspension or dismissal of staff personnel and/or removal from the educational setting for a student.

Communications

Notice of this policy will be distributed to all buildings and facilities within the Tyrone Area School District and this policy will be incorporated in all district policy manuals. Periodic training on sexual harassment will be provided to the Tyrone Area School District Management, staff and students to ensure compliance with this policy.

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Witnesses: \_\_\_\_\_

\_\_\_\_\_

Evidence of Harassment; i.e., letter, photos:

\_\_\_\_\_

Any other information: \_\_\_\_\_

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	<hr/> <hr/> <p>I agree that all the information on this form is accurate and true to the best of my knowledge. _____</p> <p>Date: _____</p> <p>NOTE: Reporting sexual harassment will have no detrimental impact upon the individual's status, future employment, grades or work assignments.</p> <p>According to Policy and Procedure, you may file this complaint with either the Director of Attendance/Assistant Principal, Assistant Superintendent or Superintendent.</p>
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