

SEXUAL HARASSMENT IN THE WORKPLACE

The School District of Independence does not tolerate sexual harassment in any form and will take all necessary and appropriate action to eliminate it, up to and including discipline of offenders. It is the policy of the School District to maintain and insure a working environment free of any form of sexual harassment or intimidation toward and between students, employees, School Board members, volunteers, and applicants. All employees and regular volunteers of the District are required to be familiar with and comply with the policy of the District prohibiting sexual harassment. This policy prohibits any District employee, School Board member, Volunteer or applicant, male or female, from sexually harassing another employee, School Board member, volunteer or applicant.

It is the policy of the District that a sexual relationship between staff and students is not permissible in any form or under any circumstances, in that it interferes with the educational process and involves elements of coercion by reason of the relative status of a staff member to a student.

Sexual relationships between staff members, where one staff member has supervisory responsibilities over the other, are discouraged as a matter of policy. Such relationships have an inherent possibility of being construed as sexual harassment because the consensual aspect of the relationship may be a result of implicit or explicit duress caused by the uncertainty regarding the consequences of non-compliance.

Sexual harassment is defined to include unwelcome sexual advances, physical contact of a sexual nature or verbal or physical conduct of a sexual nature when:

- a) submission to or acquiescence in such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's status:
- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, compensation, etc., affecting such individual, or grading, evaluating or promotion decisions affecting such student:
- c) such conduct has the purpose or effect of substantially interfering with an individual's work, including school work, performance or creating an intimidating, hostile or offensive working or academic environment, even if it leads to no tangible employment or academic consequences;
- d) such conduct has the effect of causing harm to the professional atmosphere of the school or violates community standards or ethics.

Sexual harassment may include, but is not limited to, deliberate and repeated displays of sexually explicit gestures, verbal comments or graphic or written materials.

Employees who engage in sexual harassment are subject to disciplinary action, up to and including termination. Board members who engage in sexual harassment are subject to Board action. Volunteers who engage in sexual harassment will be removed from volunteering. Any applicant who engages in sexual harassment will be disqualified from employment.

Any employee, Board member, volunteer or applicant who believe they are victims of sexual harassment should report their concerns to the District Administrator and another administrator as identified in the complaint procedure. It is the intent of the District to create an atmosphere where complaints and alleged complaints will be treated fairly and quickly.

The District Administrator shall establish a written procedure for responding to complaints. Said procedure shall include a means for the individual to appeal decisions to the District Administrator and to the School Board.

This policy and the complaint procedure will be made available to all employees on not less than an annual basis. The District Administrator shall cause to be posted in each workplace information advising employees of this policy and the complaint procedures.

First Reading July 26, 1993

Approved by Board Action August 23, 1993

Reaffirmed annually January 24, 1994 through January 4, 2012

Revised October 4, 2017