

SECTION: CLASSIFIED EMPLOYEES

TITLE: UNLAWFUL HARASSMENT

ADOPTED: May 21, 2007

REVIEWED: November 14, 2016

SOUTHERN LEHIGH SCHOOL DISTRICT

<p>Replaces former policy 4300</p> <p>1. Purpose</p> <p>2. Authority Sec. 703 of Title VII of Civil Rights Act of 1964 Sec. 5(a) PHRC Act; Title IX of the 1972 Education Amendments</p> <p>3. Definitions OCR Guidelines on Sexual Harassment, Fed. Reg. Vol. 62, #49; PHRC Guidelines; PA Bulletin Vol. II, #5 Policy Memo OCR USDE March 1997</p>	<p style="text-align: center;">548. UNLAWFUL HARASSMENT</p> <p>It shall be the policy of the District to maintain an employment and school environment in which harassment in any form is not tolerated.</p> <p>The School Board prohibits all forms of unlawful harassment of employees by all district staff members, students, contracted individuals and vendors, and volunteers or visitors in the schools. The Board encourages employees and students who have been harassed to promptly report such incidents to the designated administrators.</p> <p>The Board directs that complaints of harassment shall be investigated promptly and corrective action taken when allegations are verified. Confidentiality of all parties shall be maintained, inasmuch as is possible, consistent with the district's legal and investigative obligations. Neither reprisals nor retaliation shall occur as a result of good faith charges of harassment.</p> <p>The term harassment includes but is not limited to repeated, unwelcome and offensive slurs, jokes, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, sex, sexual orientation, national origin, age or handicap/disability which create an intimidating, hostile and offensive working or school environment for employees and/or students.</p> <p>Ethnic harassment includes the repeated, unwelcome and offensive use of any derogatory word, phrase or action characterizing a given racial or ethnic group that creates an intimidating, hostile or offensive working or school environment for employees and/or students.</p> <p>Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when:</p> <p>1. 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 employee's continued employment and/or a student's status in school.</p> <p>OR</p>
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<p>4. Delegation of Responsibility</p> <p>5. Guidelines</p> <p>Child Abuse Recognition and</p>	<p>2. Submission to or rejection of such conduct is the basis for employment decisions affecting the employee and/or a student's status in school.</p> <p>OR</p> <p>3. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work or school environment.</p> <p>Sexual harassment may include opposite sex or same sex harassment.</p> <p>Sexual harassment, may include, but is not limited to the following:</p> <ol style="list-style-type: none">1. Written contact, such as sexually suggestive or obscene letters, notes, invitations.2. Verbal contact, such as sexual propositions, sexually suggestive or obscene comments, threats, slurs, and epithets, jokes about gender-specific traits, or demeaning remarks based upon gender.3. Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse.4. Visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters or magazines. <p>The district shall annually inform students, staff, independent contractors and volunteers that unlawful harassment of employees or students will not be tolerated.</p> <p>Each staff member shall be responsible to maintain a work and school environment free from all forms of unlawful harassment.</p> <p>All employees and students shall be responsible to respect the rights of other employees and students and to ensure an atmosphere free from all forms of unlawful harassment.</p> <p>Each building principal or supervisor shall be designated to receive harassment complaints. If the building principal or supervisor is the subject of the complaint, or if for other reasons the complainant so wishes, the complainant may report the complaint directly to the District's Title IX Officer, the Human Resources Administrator, or the Superintendent.</p> <p>These guidelines are intended to protect the rights and obligations of all employees and members of the Southern Lehigh School Board, and to outline the procedures to be followed should an employee or student of the district be subject to, or charged with, unlawful harassment.</p>
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<p>Reporting Training – 24 P.S. Sec. 1205.6</p>	<p><u>In any case involving harassment, the Superintendent shall be immediately informed in writing of all such complaints by the administrator or supervisor who received the complaint.</u></p>
<p>Professional Educator Discipline Act – 24 P.S. Sec. 2070.1a et seq.</p>	<p>The Southern Lehigh School District has developed the following system to address, investigate and resolve complaints involving unlawful harassment.</p>
<p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.</p>	<p><u>Initial Action</u></p> <p>Any employee or student who believes that s/he has been subject to harassment shall report the occurrence of all incidents of such conduct to the building principal, his/her supervisor, District Title IX Officer, Human Resources Administrator or Superintendent promptly. A written record of complaint shall be prepared. Each and every harassment complaint so lodged shall be promptly and thoroughly investigated.</p>
<p>Pol. 317.1, 417.1, 517, 517.1</p>	<p>The investigation may include an interview with each party and/or witnesses. It is the responsibility of the Superintendent or his/her designee to perform the investigation. The Superintendent or his/her designee may, in certain situations, attempt to remedy the situation by bringing the parties to mutual agreement. If so, there shall be a written record that a meeting took place, including the subject of the meeting, who was present, and the disposition of the matter.</p> <p><u>Subsequent Action</u></p> <p>If the actions of the accused have violated federal, state or local law or District policy, appropriate disciplinary action will be taken which may include disciplinary warning, suspension, transfer, demotion, discharge, filing child abuse charges, or other action in accordance with the state, local, or federal law.</p>
<p>Pol. 317.1, 417.1, 517, 517.1</p>	<p>If it is concluded that an employee or student has made false accusations, such employee or student shall be subject to disciplinary action, up to and including termination of employment or expulsion.</p>