

SEXUAL HARASSMENT - STUDENTS

It is the policy of the board of education of the Choctaw-Nicoma Park School District to provide an education environment free of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct or communications constituting sexual harassment, as defined by or otherwise prohibited by state and federal statutes.

In keeping with the above, the Choctaw-Nicoma Park School District shall establish practices and procedures to prohibit the sexual harassment of students. Sexual harassment generally refers to acts of physical, verbal, visual, or psychological harassment which are pervasive and create an intimidating, hostile, or offensive learning atmosphere. Additionally, sexual harassment refers to behavior that is not welcome, that is personally offensive, that lowers morale and therefore interferes with academic effectiveness.

The objective of this policy is to prohibit all verbal, physical, visual, and psychological sexual harassment, including uninvited sexual advances. Every student has the right to be free from harassment from adults and/or from other students.

The superintendent is directed to establish procedures to implement and support this policy.

**SEXUAL HARASSMENT - STUDENTS
(REGULATION)****I. Definitions**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
- Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile or offensive educational or work environment.
- Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school.

Other types of conduct which are prohibited in the district and which may constitute sexual harassment include:

- Unwelcome leering, sexual flirtations or propositions.
- Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
- Graphic verbal comments about an individual's body, or overly personal conversation.
- Sexual jokes, stories, drawings, pictures or gestures.
- Spreading sexual rumors.
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class.
- Touching an individual's body or clothes in a sexual way.
- Purposefully limiting a student's access to educational tools.
- Cornering or blocking of normal movements.
- Displaying sexually suggestive objects in the educational environment.
- Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

II. Student Complaints
Informal Resolution

**SEXUAL HARASSMENT - STUDENTS
(REGULATION) (Cont.)**

Students are encouraged, but not required, to inform the adult or student offender directly that his/her conduct is unwelcome or offensive and must stop.

Verbal or Written Complaints

If a student is unwilling or unable to tell the adult or student offender that his/her conduct is unwelcome or offensive and must stop or if such communication(s) from the student has not brought a stop to the offensive conduct, the student should initiate a complaint to a teacher or administrator either verbally or in written form. A teacher who receives a complaint shall notify an administrator of the complaint and direct the student to that person. If the principal is the subject of the complaint, the teacher shall direct the student to the assistant superintendent. An administrator who receives a verbal complaint of sexual harassment shall direct the student to prepare a written complaint and return it to him/her. The complaint should include information regarding the witnesses' names, the name(s) of the person(s) who engaged in offensive conduct, and the description of the offensive conduct (i.e., when and where the conduct occurred, the number of times it occurred, and a description of any informal attempts at resolution).

If it appears to the administrator that the student is unable to prepare a written complaint without assistance, he or she shall assist the student with preparation of a written complaint.

Copies of all documents related to sexual harassment complaints shall be forwarded to the assistant superintendent to ensure uniform application of this policy and coordinated efforts to prevent sexual harassment.

III. Administrative Review

The district will promptly investigate any complaints of sexual harassment and will take immediate action to resolve such complaints. No individual will suffer reprisals for reporting any incidents of sexual harassment or making any complaint.

The administrator investigating the complaint shall meet with the student to obtain clarification of the student's complaint of sexual harassment, inform the alleged offender of the nature of the student's complaint and advise the student and alleged offender that the complaint and results of the investigation shall be confidential to the extent that maintenance of confidentiality is consistent with a thorough investigation and appropriate disposition of the matter.

IV. Disciplinary Actions:

A finding of sexual harassment of a student by a district employee shall be referred for appropriate personnel action consistent with the collective bargaining agreement or board policy.

A finding of sexual harassment of a student by a student shall be referred for appropriate disciplinary action consistent with the district's discipline code.

SEXUAL HARASSMENT INCIDENT REPORT FORM

Date: _____ Time: _____ Room/Location: _____

Student(s) Initiating Alleged Sexual Harassment:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

- | | | |
|--|--------------------------|---|
| <input type="checkbox"/> Name Calling | <input type="checkbox"/> | <input type="checkbox"/> Spitting |
| <input type="checkbox"/> Stalking | <input type="checkbox"/> | <input type="checkbox"/> Demeaning Comments |
| <input type="checkbox"/> Inappropriate Gesturing | <input type="checkbox"/> | <input type="checkbox"/> Stealing |
| <input type="checkbox"/> Staring/Leering | <input type="checkbox"/> | <input type="checkbox"/> Damaging Property |
| <input type="checkbox"/> Writing/Graffiti | <input type="checkbox"/> | <input type="checkbox"/> Shoving/Pushing |
| <input type="checkbox"/> Threatening | <input type="checkbox"/> | <input type="checkbox"/> Hitting/Kicking |
| <input type="checkbox"/> Taunting/Ridiculing | <input type="checkbox"/> | <input type="checkbox"/> Flashing a Weapon |
| <input type="checkbox"/> Inappropriate Touching | <input type="checkbox"/> | <input type="checkbox"/> Intimidation/Extortion |
| <input type="checkbox"/> Other | | |

Describe the incident:

Witnesses Present:

Physical evidence: Graffiti _____ Notes _____ E-mail _____ Web sites _____ Video/audio tape _____

Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time _____

Administrative response taken: _____

**WRITTEN NOTICE TO KNOWN PARTIES
REGARDING ALLEGATIONS OF SEXUAL HARASSMENT**

On the ___ day of _____, 20___, the district received formal notification of an allegation of sexual harassment. The respondent is presumed not responsible for the conduct. Responsibility will be determined at the conclusion of the grievance process. Both parties are entitled to have an advisor and to review and inspect evidence. The district's student discipline policies prohibit making false statements or providing false information in the grievance process. Both parties will be treated equally during the investigation and process to resolve the allegations. The district's grievance procedure is located at policy FB, a copy of which is attached to this correspondence, and includes the following steps:

1. Informal resolution. If the parties' consent, informal resolution procedures may be utilized to revolve the allegation.
2. Notice and Summary of Allegations. (Sufficient details must be included here to allow the respondent to prepare a response).
3. Investigation of Allegations. The school district has designated Kelli Hosford to act in the role of the investigator. Contact information is as follows: khosford@cnpschools.org, Phone: (405) 390-5486.
4. Interviews. Interviews may be scheduled in accordance with school district policy.
5. Evidence. Both parties will have the right to review all evidence that is directly related to the allegations in the complaint.
6. Report. A written investigation report will be provided to both parties at least ten days prior to a hearing or determination of responsibility.
7. Hearing. The Title IX coordinator will determine on a case by case basis as to whether the hearing will be a live hearing or whether it will be a written hearing.
8. Determination of Responsibility. A decisionmaker, who is not the Title IX coordinator or the investigator, will apply (a preponderance of the evidence or a clear and convincing evidence standard) to determine responsibility and will issue a written determination.
9. Appeals. An appeal may be filed by either party in accordance with district policy.

Records of this allegation will be maintained for a minimum of seven (7) years.

At this time, the respondent may prepare a written response before an initial interview. The interview is tentatively scheduled for _____and will be held at _____. If you have any questions, please contact me at _____.

Sincerely,

Title IX Coordinator

WRITTEN REPORT

On the ___ day of ____, 20__ an allegation of sexual harassment was provided to the school district. The allegations were as follows (insert allegations in summary format). I conducted an investigation into the allegations as follows (summarize investigation and include evidence).

This document is formal notice to both parties of the evidence.

Sincerely,

Investigator