



Jasper City Schools

Preventing Sexual Harassment

Jasper City Schools Policy 5.16

Jasper City Schools 5.16 Policy on Sexual Harassment

- Prohibited Conduct - Employees shall not engage in conduct constituting sexual harassment. The Board shall investigate all allegations of this as mandated by law and take appropriate action against employees who engage in sexual harassment. Sanctions against employees for violation of this policy may include verbal or written warning, transfer, suspension, or termination of employment.

What is Sexual Harassment?

- Unwelcome or unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when

What is Sexual Harassment?

- Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of employment or other employment benefits provided by the board;

OR

What is Sexual Harassment?

- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, or other benefits provided by the board;

OR

What is Sexual Harassment?

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Elements of Sexual Harassment

- The behavior is sexual or related to the gender of the person
- The behavior is unwanted or unwelcome
- The behavior occurs in the context of a relationship where one person has more formal power than the other

Forms of Sexual Harassment

COVERT

- ❖ Pictures that are graphic, sexually explicit, degrading or humiliating
- ❖ Jokes that contain sexual overtones
- ❖ Insulting sounds, obscene gestures, or suggestive behaviors
- ❖ Repeatedly emphasizing sexuality or the sexual identity of an individual in comments

Forms of Sexual Harassment

OVERT

- ❖ Social or Sexual encounters or favors are requested
- ❖ Personnel decisions are based on demands for sexual behaviors
- ❖ Unwelcome, inappropriate sexual touching
- ❖ Sexual assaults

Types of Sexual Harassment

- **QUID PRO QUO** – One is asked to provide sexual favors in exchange for something else (i.e. work assignments, pay, promotion)



- **HOSTILE WORK ENVIRONMENT** – Unwelcome conduct of a sexual nature

Federal Laws Regarding Sexual Harassment

- **TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

It is unlawful for an employer to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

Title IX of the Education Amendments of 1972

States that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activities receiving federal financial assistance.

Section 1983 Liability

- Provides recourse for an individual who has suffered a deprivation of his/her constitutional rights at the hands of persons acting under the color of the law.

Complaint Procedures

- Report sexual harassment immediately. Under no circumstances will an employee be required to present a complaint to the person who may have subjected the harassment and can report incident to a central office representative
- Otherwise, submit complaint to immediate supervisor for investigation and resolution at the departmental level
- If situation is not resolved, a formal complaint can be submitted to the superintendent in writing that fully describes the circumstances. The complainant will be notified of any action that is taken if warranted, and appeal of such action can be presented to the Board who will render a final decision as soon as practicable.