

A. W. BEATTIE CAREER CENTER

SECTION: EMPLOYEES
 TITLE: HARASSMENT
 ADOPTED: December 9, 1999
 REVISED: First Reading - February 24, 2005
 APPROVED March 29, 2005

<p>1. Purpose</p> <p>2. Authority Sec. 703 of Title VII of Civil Rights Act of 1964</p> <p>Sec. 5(a) PHRC Act: Title IX of the 1972 Education Amendments</p> <p>3. Definition 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;">348. HARASSMENT</p> <p>The Joint Operating Committee strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the school to maintain an employment environment in which harassment in any form is not tolerated.</p> <p>The Joint Operating Committee prohibits all forms of unlawful harassment of employees by all school students and staff members, contracted individuals and vendors, and volunteers in the school. The Joint Operating Committee encourages employees who have been harassed to promptly report such incidents to the designated administrators.</p> <p>The Joint Operating Committee directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified, Confidentiality of all parties shall be maintained, consistent with the school's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges or harassment.</p> <p>For purposes of this policy, harassment of an employee consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent, or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening, or abusive employment environment. 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's employment performance. 3. Otherwise adversely affects an individual's employment opportunities.
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For purposes of this policy, sexual harassment of an employee shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic, or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's employment status.
2. Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual.
3. Such conduct deprives an employee of educational aid, benefits, services, or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's employment performance or creating an intimidating, hostile, or offensive employment environment.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes, pin-ups, calendars, objects, graffiti, vulgar comments, abusive language, innuendoes, references to sexual activities, overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

4. Delegation of Responsibility

A. W. Beattie Career Center shall annually inform students, staff, parents, independent contractors and volunteers that unlawful harassment of employees will not be tolerated, by means of publication in handbooks.

Each staff member shall be responsible to maintain an employment environment free from all forms of unlawful harassment.

Each employee shall be responsible to respect the rights of their fellow staff members and to ensure an atmosphere free from all forms of unlawful harassment.

All employees who receive harassment complaints from a student about any other staff member will report such complaints to the Career Center's Executive Director.

Employees shall be informed that they may choose to report harassment complaints to the Career Center's Executive Director.

5. Guidelines

Complaint Procedure

1. Any employee who believes that she/he has been subjected to unlawful harassment is required to report the incident(s) to the Career Center's Executive Director.

<p>6. Discipline Pol. 317, 417, 517</p> <p>Pol. 218, 233</p> <p>Pol. 317, 417, 517</p> <p>7. Appeal Procedure</p>	<ol style="list-style-type: none"> 2. The Career Center's Executive Director shall have the charging individual complete a written complaint and will confer with the charging individual in order to obtain a clear understanding of the statement of facts. 3. The Career Center's Executive Director shall complete a through investigation of the incident by interviewing the charging individual, the charged individual, if appropriate, and any witnesses or other parties necessary so as to obtain obtain accurate and truthful information. During the investigation, data will be held in confidence. 4. It must be recognized that an individual's failure to report an incident of unlawful harassment within ten (10) days of its occurrence may impair the school's ability to investigate and deal with any unlawful harassment. Similarly, an individual's failure to submit a written complaint within three (3) days of his/her verbal report of harassment is filed, fails to respond to the complaint within seven (7) days of notification by the school, the school may nevertheless pursue the investigation of the complaint and impose appropriate discipline. 5. The Career Center's Executive Director will report the incident, the findings and the recommendations to the Joint Operating Committee and the Solicitor for appropriate disposition of the complaint. <p>A substantiated charge against a school staff member shall subject such staff member to disciplinary action, including discharge.</p> <p>A substantiated charge against a school student shall subject such student to disciplinary action, consistent with the student discipline code, and may include educational activities and/or counseling services related to unlawful harassment.</p> <p>It is concluded that an employee has made false accusations, such employee shall be subject to disciplinary action, including termination.</p> <p>The provisions of this policy are not intended to supersede or circumvent any procedure(s) outlined in any collective bargaining agreements of the school code, any State or Federal laws regarding discipline or separation of employees, nor shall this policy in any way be construed as to the limit the intent of any other Joint Operating Committee policies.</p>
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