

## STUDENTS

### **Sexual Harassment, sexual violence, and inappropriate sexual conduct prohibited - students**

#### **A. Policy**

The School Board does not condone or tolerate any form of sexual harassment, sexual violence, inappropriate sexual conduct or retaliation for reporting such conduct. Each ~~employee~~employee, including non-employee volunteers who work subject to the control of school authorities (hereinafter collectively referred to as employees) and students shall promote an atmosphere of mutual respect among students and staff that provides an environment free from discrimination of any kind including sexual harassment, sexual violence and inappropriate sexual conduct.

#### **B. Responsibility for compliance with ~~P~~policy**

1. Sexual harassment, sexual violence and inappropriate sexual conduct are serious offenses. As a consequence, complaints of such conduct will be thoroughly investigated, and any employee, student, School Division agent, volunteer or invitee who engages in such conduct or encourages such behavior by others shall be subject to corrective action.
2. When a complaint is filed with the Title IX Coordinator for students, the complaint will be handled using the School Division's Title IX Guidelines. If the complaint does not constitute a complaint under Title IX, it may be investigated as complaint of this Policy and/or the Code of Student Conduct.
- 1.3. Depending on the circumstances involved, such disciplinary action may include: discipline action as set for in the Code of Student Conduct including suspension or expulsion from school; disciplinary action up to and including termination; ban from School Board property, busses, communication systems and school sponsored events; referral for criminal prosecution; and other actions deemed appropriate to address the specific circumstances. Reprisals against students or employees who file complaints of such conduct shall be prohibited; however, such protection will not condone unrestricted engagement in

unfounded or vindictive accusations of others. To the extent permitted by law, the School Board will protect the legitimate interest of all parties concerned in a dispute involving allegations of sexual harassment, sexual violence, and inappropriate sexual conduct. All inquiries will be treated as confidentially as possible.

4. School Division administrative and supervisory employees have a duty to report and investigate allegations of sexual harassment, sexual violence and inappropriate sexual conduct and take immediate and appropriate corrective action. Reports of sexual harassment, sexual violence, and inappropriate sexual conduct, should be reported to the School Administrator as well as the Title IX Coordinator for students.
  - 2.5. Administrative and supervisory employees who allow sexual harassment, sexual violence and inappropriate sexual conduct to continue or fail to take appropriate corrective action shall be considered a party to the act of behavior, even though they may not behave in such a manner. Such personnel shall also be subject to corrective action. Depending on the circumstances, such corrective action measures may include demotion from a supervisory position and/or dismissal from School Division service.
  - 3.6. Each principal, assistant principal, teacher and other employee or other agents of the School Division has an affirmative duty to maintain a school environment free of sexual harassment, sexual violence, and inappropriate sexual conduct.
- C. The Superintendent or designees are authorized to develop appropriate regulations, guidelines, and procedures and trainings for the reporting, investigating and resolving of complaints of sexual harassment, sexual violence and inappropriate sexual conduct. The Superintendent or designees are authorized to develop appropriate training and notifications regarding the School Board's commitment to providing an environment free of sexual harassment, sexual violence, and inappropriate sexual conduct.

### **Legal Reference**

Title IX of the Education Amendments of 1972, as amended. 34 C.F.R. §106, et seq., as amended.

United States Department of Education Dear Colleague Letter Title IX requirements pertaining to sexual harassment, April 4, 2011, as amended.

~~United States Department of Education Office for Civil Rights Revise Sexual Harassment Guidance 2001, as amended.~~

Virginia Board of Education Guidelines for Prevention of Sexual Misconduct and Abuse in Virginia Public Schools, approved March 24, 2011, as amended.

Adopted by School Board: July 16, 1991

Amended by School Board: August 18, 1992

Amended by School Board: June 15, 1993 (Effective August 14, 1993)

Amended by School Board: August 18, 2015

Amended by School Board: 2020

APPROVED AS TO  
LEGAL SUFFICIENCY

  

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