

ROSEVILLE AREA SCHOOLS
Independent School District No. 623

Regulations 416 – Sexual, Racial, and Religious Harassment and Violence

1.0 Summary of Sexual Harassment and Sexual Violence

It is the policy of the Roseville School District to strive for a learning environment for students that is free from sexual harassment and sexual violence. Any action toward or by a student of this District to harass through conduct or communication of a sexual nature or to be sexually violent as defined in this policy and procedure shall be a violation of this policy.

1.1 **Sexual harassment** consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- 1.1.1 Submission to that conduct or communication is made explicitly or implicitly a term or condition of an individual's obtaining an education; or
- 1.1.2 Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education; or
- 1.1.3 That conduct or communication has the purpose or effect of substantially interfering with an individual's education, or of creating an intimidating, hostile, or offensive student environment.

1.2 **Sexual violence** is a physical act or aggression that includes a sexual act or purpose.

In carrying out this policy, the School District recognizes that sexual harassment is sex discrimination and as such is subject to School District Equal Educational Opportunity policies and applicable state and federal laws. Sexual violence is criminal activity subject to civil penalties under Minnesota Statutes 609.

2.0 Student Procedures

2.1 **What is sexual harassment?**

Sexual harassment includes unwelcome sexual advances, request for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

Sexual harassment/violence includes, but is not limited to:

- Verbal or written harassment or abuse,
- Subtle pressure for sexual activity,
- Inappropriate patting or pinching,
- Intentional brushing against a person's body,
- Demanding sexual favors accompanied by threats concerning a person's employment or educational status,

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- Demanding sexual favors accompanied by promises of better treatment for the individual,
- Any sexually motivated or unwelcome touching,
- Touching, patting, grabbing, or pinching another person's intimate parts,
- Forcing sexual touching on another,
- Forcing sexual intercourse on another, or
- Threatening to force sexual touching or intercourse on another.

2.2 **When is it against the law?**

Sexual harassment is a form of sexual discrimination and is against the law when:

- The person must submit in order to obtain employment or an education,
- Submission or rejection by an individual is used in decisions affecting that person's employment or education,
- It has a possibility of interfering with the individual's employment or education environment.

2.3 **What can I do?**

Any student who believes he or she has experienced sexual harassment or violence by a student or an employee of the School District, or any third person with knowledge or belief of conduct which may constitute sexual harassment or violence should report the alleged acts immediately to a counselor/dean or building administrator or directly to a member of the Human Rights Committee. Any complaint will be investigated.

The School District will discipline anyone who threatens or harms any person who reports, testifies, assists, or participates in any manner in a case of alleged sexual harassment.

2.4 **What will the School District do?**

The School District will act to investigate student related complaints, either verbal or written of sexual harassment or sexual violence. The privacy and data privacy rights of all persons involved will be respected in accordance with appropriate statutes. Upon completion of the investigation, a representative of the District will meet with the complainant and discuss the outcome. The outcome will include disciplinary action when discipline is appropriate.

There can be no retaliation against any student who reports sexual harassment or sexual violence or participates in an investigation. The willful filing of a false report will be considered to be a violation of the Discipline Policy 520.

Counselors/deans and administrators are responsible for ongoing education, formal and informal, regarding this policy and procedure in the building in which they work.