GUIDE FOR HIGH SCHOOL STUDENTS
(Sexual Harassment Awareness & Prevention)

Sexual Harassment Awareness and Prevention

Sexual Harassment is Illegal. Sexual harassment violates both Federal and New York State law and also the dignity of the person. As a public educational institution, The Amherst Central School District will not condone or tolerate verbal or physical contact which would constitute sexual harassment of any member of the school community: administrators, teachers, staff or students.

What is sexual harassment? Sexual harassment is <u>unwelcome</u> sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (1) such conduct is made either directly or indirectly a term or condition of employment or education; (2) submission to or rejection of such conduct by a person is used as the basis for academic or employment decisions affecting that person; or (3) such conduct has the purpose or effect of substantially interfering with a person's academic or work performance or creating an intimidating, hostile, or offensive learning or employment environment.

Sexual harassment can also be harassing behavior that may not be obviously sexual but is directed at a person because of his/her gender or sexual orientation and creates an intimidating, hostile work or educational environment. **Sexual harassment can also occur between peers and between adults and students.** It can occur between persons of different genders or the same gender if the harassment is directed at the victim because of his/her gender.

Examples of Sexual Harassment: Key questions to ask are: Is it sexual or based on gender? Is it unwelcome? Does it interfere with your life? The examples below are not an exhaustive list.

Verbal:

- sexual innuendoes, sounds, graffiti or other suggestive comments
- sexually explicit questions, jokes or anecdotes
- graphic comments about an individual's clothing, body or sexual activities
- e-mail circulation of sexual materials or harassing messages
- spreading rumors about a person's sex life

Non-verbal:

- lewd gestures
- indecent exposure
- display of sexually suggestive objects or pictures in the workplace, classroom, lockers or other areas of the school without job-related or educational purpose.

Physical:

- patting, pinching or <u>intentional</u> brushing against the body
- impeding or blocking movement
- invading a person's body space, standing closer than appropriate or necessary for the work or activity being done

- attempted or actual kissing or sexual touching
- physical assault, attempted rape.

Severe acts such as unwelcome sexual grabbing may be judged harassing based on a single act, while less offensive actions may be considered harassment if they show a pattern of repeated actions or increasingly intrusive actions.

No employee of the Amherst Central School District is ever authorized to sexually harass any student.
No student is ever authorized to sexually harass another student or any school employee. The fact that you may have dated or been friendly with another student at one time is no defense or excuse to harass him/her.

Sexual harassment is unwelcome behavior in the eyes of the recipient or victim that interferes with their life, regardless of the intention of the actor. "I didn't mean anything by it," "I was just kidding," "He/she can't take a joke" are neither excuses nor defenses. Courts have found that a hostile environment exists if the victim believes the environment to be abusive and a reasonable person (student, employee) would find it to be so.

Eliminating Sexual Harassment
The Amherst Central School District encourages students, faculty, staff or visitors who feel sexually harassed to object directly to the offending person. This may be sufficient to prevent reoccurrence of the offensive behavior. if is does not, or if you feel afraid to object, immediately seek assistance from a counselor or social worker, any one of the Title IX Officers, or any administrator you trust.

Preventing Harassment
Early efforts to control a potentially harassing situation are very important. Behavior believed to be sexual harassment should be reported immediately, especially if it is recurring. The District must know about incidents of sexual harassment in order to stop them and prevent future incidents.

If you feel that you have received unwanted sexual attention or behavior, take one or more of the following steps:

- **say "NO;"** make your feelings known; silence may be viewed as consent
- **seek assistance** or intervention: from a teacher, a counselor or social worker, from a Title IX Officer or an administrator you trust.
- **tell your parent or guardian.**

Protection Against Retaliation
The district will not knowingly permit others to punish employees or students because they report harassment or provide information related to such complaints. The district will take action against those who retaliate.

Confidentiality
The District will protect the confidentiality of harassment complaints and allegations to the extent possible, consistent with the District's duty to investigate, to prevent and to correct harassment. All reported incidents will be addressed and formal complaints investigated as required by Federal and state law and the United States Department of Education. Consequences could include disciplinary action, peer mediation, counseling, or referral to law enforcement authorities.

Treat People With Respect

All students should avoid behavior that could be interpreted as sexual harassment.

- **know** the district's sexual harassment prevention policy
- **conduct yourself** in a responsible manner that fosters an atmosphere of respect
- **be aware** of how your behavior might have a negative impact on others; ask yourself
    - ⇒ Could my behavior be interpreted as inviting sexual behavior?
    - ⇒ Are my jokes directed towards or about a particular gender?
    - ⇒ Are my comments regarding others school-related or personal?
    - ⇒ Would I want my parents and others I respect to witness my behavior?
    - ⇒ Do I like to embarrass people by making sexual references and comments?
- **Pay attention** to the response of others to avoid unintentional offense; if you know offense was taken by your behavior, apologize and do not repeat the behavior.
- **Do not assume** that others enjoy or want to hear offensive jokes or sexually oriented comments, to be mocked out, touched, or flirted with, or to be pressured for dates or sexual favors.