

# **CAMBRIAN SCHOOL DISTRICT**

## **Board Policy**

**Policy 5145.7**

Adopted: June 11, 2002

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## **STUDENTS**

### **Student Sexual Harassment**

The Cambrian School District is committed to providing an educational environment that is free of harassment. In keeping with this commitment, the District maintains a strict policy prohibiting sexual harassment. This policy prohibits harassment in any form, including verbal, physical, and visual harassment. Sexual harassment of or by any student of the District shall not be tolerated and may result in disciplinary action against the offender. Anyone who complains about sexual harassment will not be retaliated against for making such a complaint. This means that no adverse decisions will be made as a result of someone making a complaint about sexual harassment. Complaints will be handled as quickly, confidentially, and fairly as possible.

#### **Definition of Sexual Harassment**

Sexual harassment in schools is any unwelcome conduct or communication of a sexual nature that has the purpose or effect of adversely:

- A. interfering with student's performance; or
- B. creating an intimidating, hostile, or offensive learning environment.

Specifically, sexual harassment of a student by either another student or a District employee may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Sexual harassment may include, but is not limited to:

- A. Vulgar remarks;
- B. Sexual comments regarding a student's appearance;
- C. Physical touching or advances;
- D. Sexual propositions or advances;
- E. Physical assault.

## **Current Law**

Sexual harassment of a student by a person, whether an employee, co-worker, supervisor, manager, non-employee, or student, who regularly and routinely is present in the school area is unlawful.

The law requires immediate investigation by the school district, as soon as a student gives notice, in any form, that sexual harassment is occurring in the schools or during school related activity.

Sexual harassment regulated by this policy pertains to behavior of a sexual nature within or adjunct to the District's schools. For purposes of this policy, the "district schools" extends to non-school environments and non-school hours when sexual harassment during the school day continues after the school day concludes.

## **District Responsibility and Procedure Regarding Complaints**

Any student who believes he or she has been harassed by an employee of the District or another student should promptly report the facts of the incident(s) and the name of the individual involved to his or her site principal or to a member of the investigative team charged with investigating complaints of sexual harassment. Site principals are required to immediately report in writing any incidents of sexual harassment to the investigative team. The team will investigate all such claims.

## **District Investigative Team**

The District investigative team will be composed of three persons, with at least one representative from the male gender and one representative from the female gender. The investigative team will be appointed by the Board and chaired by the Superintendent. Other members of the team will be District and school administrators who would normally have a "right to know" about harassment claims and are considered confidential employees. The membership of the investigative team will be shared with all employees annually, at the beginning of each school year and posted at each school site. If there is a stated conflict with a member of the team, as reported by either the complainant or accused, then the Board will appoint a replacement member of the team.

## **Investigative Procedure**

Complainants and parents or guardians will be promptly and fully informed of their rights pursuant to this policy. All parties, specifically including complainants, and witnesses, will be promptly and fully informed of their rights pursuant to this policy, including the fact that complainant and witnesses will not be retaliated against due to their participation in the filing of a complaint. The accused shall also be fully notified of such rights pursuant to this policy, at the earliest appropriate time.

- A. All investigations of complaints will be handled promptly in a serious and sensitive manner, and in as confidential a manner as possible.

- B. Appropriate action will be taken to resolve this problem and to remedy any loss suffered by the complainant as a direct result of the harassment.
- C. Complainants and witnesses will be protected from harassment and from retaliation.

**Notification of All Parents and Students**

All parents and students will be immediately notified in writing regarding the adoption of this policy. The policy shall also be distributed annually.

Parents and students who have any questions concerning this policy are encouraged to contact the Superintendent.