No. 4600
SECTION: PERSONNEL
TITLE: UNLAWFUL HARASSMENT

ADOPTED: 12/20/94
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9/16/25
REVISED:

OXFORD AREA SCHOOL DISTRICT

The Board strives to provide a safe, positive working climate for its employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees, contracted individuals and vendors, and volunteers in the schools. The Board encourages employees who have been harassed to promptly report such incidents to the designated administrators.

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are verified. Confidentiality of all parties shall be maintained to the extent possible, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith charges of harassment.

For purposes of this policy, harassment shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment.

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.

3. Otherwise adversely affects an individual's employment opportunities.

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. Acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is a term or condition of an individual's continued employment.

2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.

3. Such is sufficiently severe, persistent or pervasive that it has the purpose or effect of creating an intimidating, hostile or offensive working 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 statements, 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 creates an intimidating, hostile or offensive learning or working environment.

The district shall annually inform students, staff, parents, independent contractors and volunteers that unlawful harassment of employees will not be tolerated, by means of distribution of written policy, publication in handbooks and posting of notice/signs.

The district shall provide training for students and staff concerning all aspects of unlawful harassment.

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

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

The building principal, compliance officer or Superintendent of Schools shall be designated to receive harassment complaints. If the building principal is the subject of the complaint, the complainant shall report the complaint directly to the Compliance Officer.

It is recommended, when an employee believes that he/she is being harassed, the employee immediately inform the harasser that the behavior is unwelcome, offensive or inappropriate. However, the employee may opt to follow the complaint procedure. If the unwelcome, offensive or inappropriate behavior continues, the employee shall follow the established complaint procedures.

Complaint Procedure

1. An employee shall report a complaint of harassment, orally or in writing, to the building principal or a designated employee, who shall inform the employee of his/her rights and of the complaint process.

2. Upon receiving a complaint of harassment, the building principal shall immediately notify the Compliance Officer. The Compliance Officer and the building principal will be designated as the Investigation Team unless the building principal is the subject of the complaint or is unable to conduct the investigation, in which case the Compliance Officer will investigate the complaint.

   In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct and context in which the alleged conduct occurred shall be investigated.

3. The Investigation Team shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of

the report shall be provided to the Superintendent, complainant, the accused, and others directly involved, as appropriate.

4. If the investigation results in a substantiated charge of harassment, the district shall take prompt corrective action to ensure the harassment ceases and will not recur.

Discipline

A substantiated charge against a district staff member shall subject such staff member to disciplinary action, including discharge.

A substantiated charge against a district student shall subject such student to disciplinary action, consistent with the Student Code of Conduct, and may include educational activities and/or counseling.

Appeal Procedure

1. If the complainant is not satisfied with the findings or with the corrective action recommended in the investigative report, the complainant may submit a written appeal to the Superintendent within fifteen (15) days.

2. The Superintendent shall review the investigation and the investigative report and may also conduct a reasonable investigation.

3. The Superintendent shall prepare a written response to the appeal within fifteen (15) days after the conclusion of the investigation, unless additional time to complete the investigation is required. Copies of the response shall be provided to the complainant, the accused and the Investigation Team.

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