

**GENDER DISCRIMINATION, INCLUDING
SEXUAL HARASSMENT, OF STUDENTS**

The Board of Education is committed to safeguarding the right of all students within the school district to learn in an environment that is free from all forms of gender discrimination, including sexual harassment. No student, on the basis of sex, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination, including sexual harassment. Sexual harassment is defined as conduct which a reasonable person who is the object of such conduct could conclude is: (a) unwanted touching of a sexual nature of any part of the person; (b) unwanted expressions to the person which intimidate, ridicule or otherwise offend the person on the basis of gender, traits associated with gender or presumed or actual sexual orientation. The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as employees, Board members or any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities. When an alleged incidence of gender discrimination occurs and the district knows about it, they shall take immediate and appropriate corrective action.

The Board, consistent with state and federal law, therefore condemns all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advance, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The Board also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he or she has been subjected to gender discrimination, including sexual harassment, should report the alleged misconduct immediately, pursuant to 5020.1-R, so that appropriate corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged gender discrimination. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence or any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of gender discrimination. Such procedures are to be consistent with any applicable provisions contained in the district's policy manual, collective bargaining agreements, the tenure laws as well as other federal and state laws on gender discrimination. Training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

5020.1

A copy of this policy and its accompanying regulation are to be distributed to all personnel and students and posted in appropriate places. The existence of this policy and/or regulation does not prohibit the Board, administrators and employees of the District from dealing with any other student conduct which is inappropriate in the school setting as permitted by law.

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681
Franklin v. Gwinnett County Public Schools, 112 S. Ct. 1028 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
34 CFR §§106.8; 106.9

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