

BP 4119.11/4219.11/4319 SEXUAL HARASSMENT

All Personnel

Note: [The United States Supreme Court in Meritor Savings Bank, FSB v. Vinson et al.](#), found that an employer could be held liable in a sexual harassment lawsuit. The bank's complaint procedure required the employee first to report the complaint to his/her supervisor who, in this case, was the accused party. We suggest that districts adopt a sexual harassment policy requiring the immediate supervisor of the offending employee and or personnel officer to receive the complaint.

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and will not be tolerated. This policy prohibits sexual harassment of students or staff by other students, staff, Board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business.

(cf. 4119.21 - Code of Ethics)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4117.4 - Dismissal)

(cf. 9020 - Standards)

(cf. (Broken Jump Link - 9271) - Code of Ethics)

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either an explicit or implicit condition of employment, status or promotion.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee.
3. The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.
4. Submission to, or rejection of, the conduct is the basis for any decision affecting benefits, services, honors, programs or other available activities.

An employee or Board member who feels that he/she is being harassed should immediately report the incident to the immediate supervisor of the accused employee or the appropriate personnel department official, without fear of reprisal. All complaints

about behavior that may violate this policy shall be promptly investigated. The personnel department shall be informed of all such complaints and will assist in the investigation and resolution of complaints. An employee making a complaint of sexual harassment shall not be required to resolve the complaint directly with the offending person.

Nome Public Schools