

7:20 Harassment of Students Prohibited

Students are entitled to be educated in an environment that is respectful of their backgrounds, characteristics, and differences. The District prohibits any conduct that harasses, intimidates, or bullies students, whether the conduct is student-to-student or District employee-to-student, on the basis of actual or perceived protected classifications as identified in Board Policy [7:10](#) (*Equal Educational Opportunities*) or as may otherwise violate a student's civil rights. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include, but are not limited to, name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the protected characteristics in Policy [7:10](#).

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a District employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms *intimidating*, *hostile*, and *offensive* include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual

violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Making a Complaint; Enforcement

Students are encouraged to report claims or incidences of harassing conduct based on a protected classification or other civil right, including sexual harassment to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, Complaint Manager, or any other District employee. A student may choose to report to a person of the student's same sex. Any claim or allegation reported to any District employee that a student was a victim of any prohibited conduct perpetuated by another student shall be referred to the Building Principal for appropriate action.

Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined. A student or his/her parents or guardians may request that a complaint of harassment under this policy be investigated under Board Policy [2:260](#) (*Uniform Grievance Procedure*).

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Laurie Campbell
260 Madison Street, Oak Park, IL 60302
lcampbell@op97.org
708/524-3000

Complaint Managers:

Chris Jасulca
260 Madison Street, Oak Park, IL 60302
cjasculca@op97.org
708/524-3000

Felicia Starks Turner
260 Madison Street, Oak Park, IL 60302
fstarks@op97.org
708/524-3000

The Superintendent shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject

to disciplinary action, including but not limited to, suspension and expulsion consistent with Board Policy [7:190](#) (*Student Behavior*). Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to District employees, or suspension and expulsion, with regard to students.

LEGAL REF.:

[20 U.S.C. §1681](#) *et seq.*, Title IX of the Educational Amendments.

[34 C.F.R. Part 106](#).

[105 ILCS 5/10-20.12](#), [10-22.5](#), [5/27-1](#), and [5/27-23.7](#).

[775 ILCS 5/1-101](#) *et seq.*, Illinois Human Rights Act.

[23 Ill.Admin.Code §1.240](#) and [Part 200](#).

[Davis v. Monroe County Board of Education](#), 119 S.Ct. 1661 (1999).

[Franklin v. Gwinnett Co. Public Schools](#), 112 S.Ct. 1028 (1992).

[Gebser v. Lago Vista Independent School District](#), 118 S.Ct. 1989 (1998).

[West v. Derby Unified School District No. 260](#), 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: [2:260](#) (Uniform Grievance Procedure), [5:20](#) (Workplace Harassment Prohibited), [7:10](#) (Equal Educational Opportunities), [7:180](#) (Prevention of and Response to Bullying, Intimidation, and Harassment), [7:185](#) (Teen Dating Violence Prohibited), [7:190](#) (Student Behavior), [7:240](#) (Conduct Code for Participants in Extracurricular Activities)

ADOPTED: November 4, 2014