

SEXUAL HARRASSMENT

Alpine School District is committed to the maintenance of a learning environment which is free of any form of sexual harassment; an environment where students may attend school free of unwanted conduct or communications of a sexual nature; one which is in compliance with State and Federal laws dealing with this form of discrimination.

Alpine School District strongly disapproves of any form of sexual harassment in the schools, including acts of non-employees. Disciplinary action will be taken against any employees or students who engage in unlawful sexual harassment.

Definition: Sexual harassment is defined as unwanted conduct or communication of a sexual nature that adversely affects a person's educational opportunities, relationships, or environment.

- 1) It is illegal for any student or employee to:
 - a) Make unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of obtaining an education.
 - b) Make submission to or rejection of sexual advances the basis for educational opportunities affecting students.
 - c) Create an intimidating, hostile or offensive school environment through unwanted conduct or communication of a sexual nature.
- 2) Sexual harassment may include:
 - a) Sex role stereotyping which is demeaning and involves unequal treatment of any individual on the basis of that person's gender.
 - b) Gender abuse, which can be either visual or verbal, such as the display of demeaning posters, cartoons, nudity or offensive sexual jokes about gender.
 - c) Visual or verbal expressions about an individual which are sexual in nature.
 - d) Criminal touching or actions not involving touching but which are offensive to the extent that they visually or emotionally shock the conscience of a reasonable person.
 - e) Quid pro quo cases where sexual favors are asked in exchange for educational benefits received.
 - f) Any unwelcome sexual behavior initiated by an employee, a student a volunteer or a non-employee.
- 3) Anyone may file a sexual harassment complaint in response to conduct which is unwelcome, or a sexual nature, and creates a hostile or abusive learning environment for a student.
- 4) Sexual harassment complaints may be filed regardless of whether or not the behavior occurred on or off duty if it created a hostile learning environment for a student.
- 5) Malicious or frivolous complaints of sexual harassment are prohibited.
- 6) A supervisor, students, or employees may be held liable in a sexual harassment case if he/she knew or should have known that sexual harassment behaviors were taking place and did not take prompt action.
- 7) There is protection against reprisal for anyone who makes a complaint, testifies, assists, or participates in any manner in an investigative proceeding or hearing. Acts of reprisal toward complainants, witnesses, or others involved in an investigation shall be subject to disciplinary action.

- 8) Prohibited reprisal actions include but are not limited to: open hostility, elusion/ostracism, creation of or continued existence of a hostile learning environment for the student, gender-based negative remarks about anyone involved, special attention to or assignment of anyone involved to demeaning tasks in the school setting, tokenism or patronizing behavior, discriminatory treatment, subtle harassment, or unreasonable time restrictions on students in preparing complaints or compiling evidence or sexual harassment activities/behaviors.
- 9) Students who have been sexually harassed are afforded avenues for filing complaints which are free from bias, collusion, intimidation, or reprisal.
 - a) Students who have been sexually harassed by an adult should file a complaint with a school counselor or the school administrator. The investigation and resolution of the complaint should proceed as in Procedure 4097.
 - b) Students who feel they have been sexually harassed by another student should report such to a responsible adult such as a counselor, a teacher, or the school principal. The student should then be helped to file a written complaint with the school principal. Upon receiving a written complaint, the principal and/or the director of pupil services will conduct an investigation as follows:
- 10) The accused student shall be called in privately for an interview to determine the facts.
- 11) If the administrators are convinced that the sexual harassment has taken place, the offender should be told that the behavior must stop immediately. Disciplinary action must be followed according to the severity of the offense and district policy 5180.