

SEXUAL DISCRIMINATION AND HARASSMENT

Code **GBAA** Issued **2/05**

Purpose: To establish the board's vision for a working environment free of sexual harassment.

Sexual harassment (staff)

The center will not tolerate or condone sexual harassment in the workplace. The board considers sexual harassment to be a major offense which may result in disciplinary action or dismissal of the offending employee.

Unwelcome sexual advances, requests for sexual favors, or other sexual conduct, either verbal or physical, constitutes sexual harassment under the following circumstances.

- The harasser requires the employee to submit to the conduct as an explicit or implicit condition of employment, status or promotion.
- The harasser uses the employee's submission to, or rejection of, the conduct as a basis for an employment decision.
- The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.
- The employee's submission to, or rejection of, the conduct is the basis for any decision affecting benefits, services, honors, programs or other available activities.

An employee who feels that he/she is being harassed should immediately report such incident to the immediate supervisor of the accused employee or the appropriate personnel department official. Nothing in center policy requires the employee alleging sexual harassment to present the matter to the person who is the subject of the complaint.

The center will investigate promptly and thoroughly all complaints of sexual harassment in close consultation with the school's retained counsel. All complaints will be confidential and only those persons necessary for the investigation and resolution of the complaint will be given information about it. The center prohibits retaliation or reprisal in any form against an employee who has filed a complaint of sexual harassment.

Sexual harassment (students)

The center prohibits sexual harassment of students by center employees, other students or third parties. All students and employees must avoid any action or conduct which could be viewed as sexual harassment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the following occurs.

- Submission to such conduct is made either expressly or implicitly a term or condition of a student's education.
- Submission to or rejection of such conduct by an individual is used as the basis for any decisions affecting a student.

PAGE 2 - GBAA - SEXUAL DISCRIMINATION AND HARASSMENT

- Such conduct has the purpose or effect of unreasonably interfering with a student's education or creating an intimidating, hostile or offensive school environment.

Any student who feels he/she has been subjected to sexual harassment is encouraged to file a complaint in accordance with administrative rule JI-R. All allegations will be investigated promptly and confidentially. The school prohibits retaliation or reprisal in any form against a student who has filed a complaint of sexual harassment.

Any employee or student who is found to have engaged in sexual harassment will be subject to disciplinary action, up to and including termination in the case of an employee, or expulsion in the case of a student. The center will take all other appropriate steps to correct or rectify the situation.

The administration will develop and distribute guidelines which implement the provisions of this policy concerning the reporting, investigation and resolution of complaints of sexual harassment.

Adopted 2/8/05

Legal references:

A. Federal statutes:

1. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex by any educational program or activity receiving federal funds.