

SHALER AREA SCHOOL DISTRICT

POLICY 448

SECTION: PROFESSIONAL EMPLOYEES
TITLE: SEXUAL HARASSMENT
ADOPTED: September 16, 1998
REVISED: May 17, 2000; April 18, 2001; November 14, 2001

448. SEXUAL HARASSMENT

1. Purpose
U.S. Civil Rights Act of 1964, Title VII EEOC Regulations Published at 29 CFR Sec. 1604
It is the policy of the Shaler Area School District that all employees should enjoy a working environment free from all forms of discrimination, including sexual harassment. No employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.
2. Authority
Sexual harassment lowers morale and is damaging to the work environment; it is also illegal. Therefore, the District will treat sexual harassment like any other form of employee misconduct, and it will not be tolerated.
3. Definition
It is illegal and against the policies of this District for any employee, male or female, to sexually harass another employee by:
 1. Making acceptance of unwelcomed sexual advances or request for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment.
 2. Making submission to or rejections of such conduct the basis for employment decisions affecting the employee.
 3. Creating an intimidating, hostile, or offensive working environment by such conduct.

The District shall communicate to all its employees the procedures for making a complaint regarding sexual harassment. The District shall also offer to all employees sexual harassment training related to identifying and reporting incidents as well as the investigation process.

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The District will enforce disciplinary action against any person who threatens or insinuates, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any condition of employment or career development. This discipline can include termination.

The District recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all facts in each case.

The District will act immediately and positively to investigate alleged sexual harassment claims and to effectively remedy them when an allegation is determined to be valid. Whenever possible, the investigation shall be completed within several work days; however, the number of alleged victims, perpetrators, availability of witnesses and complexity of the complaint may require additional time to complete the investigation.

The parties involved will receive notification of the results of the various phases of the investigation and particularly the outcome of the complaint. This notification, however, must be balanced with the employee's right of confidentiality.

Teacher
Certification Act -
December 2000

Any employee who believes that s/he has been sexually harassed should report the alleged act immediately to either the immediate supervisor or one of the district's discrimination officers. The complaint will be investigated by one or more of these administrators and the employee will be advised, to the extent permitted, of the findings and conclusion.

All actions taken to resolve sexual harassment complaints through internal investigations shall be conducted confidentially.

Any professional employee who is found, after appropriate investigation, to have engaged in sexual harassment will be subject to appropriate disciplinary action up to and including termination of employment.

School administrators must report to the Pennsylvania Department of Education any reasonable suspicions of sexual abuse committed by any professional educator.

The District shall give notice to all the parties involved that it will take steps to prevent recurrence of any discrimination, protect the grievant(s) from further harassment or retaliation and will correct the discriminatory effects on the grievant(s) and others, if appropriate.

Both the alleged victim(s) and the alleged perpetrator(s) may appeal the decision to the Board of School Directors.

Due to the gravity of the nature and consequences of sexual harassment, any employee who knowingly makes a false sexual harassment complaint against another employee will be subject to appropriate disciplinary action up to and including termination of employment. Any attempt by an employee to retaliate against a person who makes or provides information regarding a claim of sexual harassment is strictly prohibited and subject to the appropriate disciplinary action up to and including termination of employment.