

Sexual Harassment of Students

The BOCES is committed to safeguarding the right of all students to learn in an environment that is free from all forms of sexual harassment. Conduct is deemed to be sexual harassment when the recipient perceives such behavior as unwelcome. It is irrelevant that the harasser had no intention to sexually harass the person. The BOCES recognizes that sexual harassment of students can originate from a person of either gender against a person of the opposite or same sex, and from peers as well as employees, board members or any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities. When an alleged sexual harassment occurs and the BOCES knows about it, immediate and appropriate corrective action shall be taken.

The BOCES, consistent with State and Federal law, therefore condemns all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advancement, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The BOCES also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately, pursuant to Regulation 5010 so that appropriate corrective action, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged sexual harassment.

In the absence of a victim's complaint, the BOCES, upon learning of, or having reason to suspect, the occurrence of any sexual harassment, will ensure that an investigation is promptly commenced by appropriate individuals.

A copy of this policy and its accompanying regulation are to be distributed to all personnel and students, and posted in appropriate places.

Legal ref: Title IX, 20 U.S.C. §1681
34 CFR §§100 et seq.

Approved: November 18, 1998