

Sexual Harassment Policy

1. Policy

1.1 It is the policy of the Barrington School Department to maintain an educational and working environment free of sexual harassment in any form. Supervisors, administrators and all other employees, as well as students, are absolutely prohibited from engaging in sexual harassment of School Department employees, students and visitors.

Because sexual harassment is unlawful and can be destructive of student and employee morale as well as School Department's reputation, and because it can be costly to the Department in terms of lost productivity, potential legal action and out-of-pocket expense, no act of sexual harassment serves the School Department or can be considered incidental to any service for which any employee has been employed. Hence, any act or pattern of sexual harassment by an employee of the Department is beyond the scope of his or her authority as an employee, agent, supervisor or servant of the Department and will subject the employee to discipline up to and including the termination of employment.

Any act or pattern of sexual harassment by a student(s) in the Barrington School Department is unacceptable and may be the basis for discipline up to and including expulsion.

1.2 The Barrington School Department will administer all provisions of this policy without regard to race, color, religion, sex, age, national origin, handicap, Vietnam-era status, or disabled veteran status.

2. Scope

2.1 This policy applies throughout the School Department's operations.

3. Responsibility

3.1 The Superintendent, or his/her designee, has overall responsibility for this policy.

3.2 The Superintendent, or his/her designee, and building principals are responsible for the implementation and daily administration of this policy.

3.3 Principals, department heads, supervisors and other administrators at all levels are responsible for implementing and enforcing this policy, and for assisting in investigating and processing employee complaints with the utmost priority and consideration for the rights of all concerned.

Teachers are equally responsible for enforcing this policy as it applies to students.

3.4 Every employee is responsible for reporting to his/her supervisor or the Superintendent, or his/her designee, any incident of sexual harassment that he/she is subjected to, witnesses or learns of.

Every student is responsible for reporting to his/her teacher, principal or other trusted adult within the Department any incident of sexual harassment that he/she is subjected to, witnesses or learns of.

The Department will maintain the highest degree of confidentiality possible with respect to such reports, consistent with its obligation to investigate thoroughly all such reports.

4. Definition

4.1 Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- 1) Submission to such conduct is made either explicitly or implicitly a term of condition or an individual's employment or educational advancement; or
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

4.2 Sexual harassment may also include explicit sexual propositions, sexual innuendo, suggestive comments, sexually-oriented kidding or teasing, practical jokes, jokes about gender specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material and physical conduct such as patting, pinching or brushing against another's body.

5. Issuance and Circulation of Policy Statement

5.1 The Superintendent, or his/her designee, is responsible for publicizing this policy to all employees by inclusion in the Employee Handbook.

5.2 The building principals are responsible for publicizing this policy to all students of an appropriate age by inclusion in Student Handbooks and insuring full discussion in the health curriculum.

5.3 The Superintendent, or his/her designee, is responsible for distribution of the formal Sexual Harassment Policy and Procedures to holders of personnel manuals.

5.4 The Superintendent, or his/her designee, is responsible for developing a bulletin board notice to all employees for posting at the time that this policy is adopted by the Barrington School Department. The notice will emphasize the importance of the policy to the Department, the obligation of every student and employee to report any incident of sexual harassment, the availability of supervisors, administrators and other staff to receive such reports and the confidentiality with which these reports will be treated.

6. Employee Report and Investigation Procedures

6.1 Employees are expected to report sexual harassment to any supervisor or administrator.

6.2 The supervisor or administrator will promptly inform the Superintendent, or his/her designee, of any report of sexual harassment.

6.3 The Superintendent, or his/her designee, will thoroughly investigate the report of sexual harassment as promptly as possible, keeping the matter as confidential as is practicable. After investigation, he/she will take whatever action is necessary to remedy any harm done by a proven instance of sexual harassment and the complaining employee will be notified of the action taken. If, after investigation, the Superintendent, or his/her designee is unable to establish that any act of sexual harassment has occurred, he/she will meet with the complaining employee(s), affected student(s) individually to explain both the results of the investigation and the School Department's policy on sexual harassment.

6.4 It is the responsibility of every employee to cooperate fully with any investigation under this policy.

7. Student Report and Investigation Procedure

7.1 Students are expected to report sexual harassment to their teacher, building principal or other trusted adult within the Department.

7.2 The teacher, principal or other trusted adult must promptly inform the building principal and Superintendent, or his/her designee, of any report of sexual harassment.

7.3 The building principal and Superintendent, or their designee, will thoroughly investigate the report of sexual harassment as promptly as possible, keeping the matter as confidential as is practical. After investigation they will take whatever action is necessary to remedy any harm done by a proven incident of sexual harassment and the complaining student shall be notified of the action taken. All investigations of sexual harassment involving students shall take into consideration the age of the students involved. If, after investigation, the building principal and Superintendent, or their designee, are unable to establish that any act of sexual harassment has occurred, they will meet with the complaining student(s) and with the complained against student(s) or employee(s) individually to explain both the results of the investigation and the School Department's policy on sexual harassment.

7.4 It is the responsibility of every student to cooperate fully with any investigation under this policy.

7.5 Parents of students involved in incidents of sexual harassment shall be advised of any investigation as appropriate.

Policy Adopted 05/20/93

