

SCHOOL DISTRICT OF HAVERFORD TOWNSHIP

SECTION: PUPILS

TITLE: UNLAWFUL HARASSMENT

ADOPTED:

REVISED: MAY 10, 2007

248. UNLAWFUL HARASSMENT	
<p>1. Purpose</p>	<p>The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the District to maintain an educational environment in which harassment and/or bullying in any form is not tolerated.</p>
<p>2. Authority Title VII 42 U.S.C. Sec. 2000e et seq Title IX 42 U.S.C. Sec. 1681 43 P.S. Sec. 951 et seq 29 CFR Sec. 1606.8(a)</p>	<p>The Board prohibits all forms of harassment and bullying of students by all District students and staff members, contracted individuals, vendors, volunteers and third parties, in the schools. The Board encourages students who have been harassed or bullied to promptly report such incidents to the designated administrators and to any staff member of the District. Staff members shall forward any student complaints of harassment or bullying to the designated administrators.</p> <p>The Board directs that complaints of harassment or bullying shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of harassment and/or bullying.</p>
<p>3. Definitions 29 CFR Parts 1604-1607</p>	<p>For purposes of this policy, harassment shall consist of verbal, written, graphic, physical, electronic or other conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation, religion or other personal characteristic when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment, and/or 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance, and/or 3. Otherwise adversely affects an individual's learning opportunities. <p>For purposes of this policy, bullying shall consist of verbal, written, graphic,</p>

<p>29 CFR Sec. 1604.11 (a)</p>	<p>physical, electronic posting or communication or other conduct which intentionally inflicts or attempts to inflict injury or discomfort upon another repeatedly and over time.</p>
<p>4. Delegation of Responsibility Pol. 103</p>	<p>For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none">1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of a student's academic status;2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual;3. Such conduct deprives a student of educational aid, benefits, services or treatment, and/or;4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment. <p>Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; inappropriate calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or creates an intimidating, hostile or offensive learning or working environment.</p> <p>In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent or his/her designee as the district's Compliance Officer.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.</p> <p>The administration shall be responsible to provide training for students and employees regarding all aspects of unlawful harassment.</p>

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Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.

Each student shall be responsible to respect the rights of their fellow students and district employees. Students who engage in harassment or bullying are subject to discipline under the Code of Student Conduct, and other sanctions provided under law.

Complaints under this Policy shall be made initially to the building principal or designee, or directly to the Compliance Officer. The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

The Superintendent shall develop and publish guidelines for receipt of complaints of harassment consistent with state and federal law and this policy.