

Geary Public Schools forbids discrimination against any employee or applicant for employment on the basis of sex. The Board of Education will not tolerate sexual harassment by any of its employees. This policy also applies to non-employed volunteers whose work is subject to the control of school personnel.

General Prohibitions:

- Unwelcome conduct of a sexual nature
- Conduct of a sexual nature may include verbal or sexual advances, including subtle pressure for sexual activity, touching, pinching, patting, or brushing against, comments regarding physical or personality characteristics of a sexual nature, and sexually-oriented "kidding," "teasing," double meanings, and jokes.
- Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.
- An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome

For the purpose of this policy, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if:

- Submission to the conduct is made either an explicit or implicit condition of employment;
- Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
- The conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

Specific Prohibitions for Administrators and Supervisors

- It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.
- Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

Specific Prohibitions for Non-administrative and Non-supervisory Employees:

It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

Report, Investigation, and Sanctions

It is the express policy of the Board of Education to encourage victims of sexual harassment to come forward with such claims.

Employees who feel that administrators or supervisors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon sexual favors, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the alleged offending person, the report will be made to the next higher level of administration or supervision.

Employees are also urged to report any unwelcome conduct of a sexual nature by supervisors or fellow employees if such conduct interferes with the individual's work performance or creates a hostile or offensive working environment.

Confidentiality will be maintained and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The superintendent has the responsibility of investigating and resolving complaints of sexual harassment involving employees.

Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to warning, suspension, or termination subject to applicable procedural and due process requirements.

REFERENCE: Title VII of the Civil Rights Act of 1964
42 U.S.C. 2000e-2
29 C.F.R. 1604.1, et seq.

Approved: October 6, 2010

Board Clerk

Board President