

STUDENT SEXUAL HARASSMENT

The Franklin Parish School Board disapproves of and does not tolerate sexual harassment by employees to students, by students to employees, or by one student to another student. No employee or student, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and therefore interferes with the purposes of the employee and/or student in the academic, extracurricular, and co-curricular atmosphere. Sexual harassment includes any type of sexually coercive or oppressive conduct, including, but not limited to, threats, comments, jokes or overtures of a sexual nature. Sexual harassment also includes *quid pro quo* claims which occur when an employee makes sexual advances toward a student which threaten or imply retaliation if the student resists, or rewards if the student acquiesces.

If the victim of the alleged sexual harassment is a minor student and if the alleged harassment falls within the definition of *abuse* as found in School Board policy *JGCE, Child Abuse and Neglect*, then all school employees with knowledge shall be considered *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting must be made in addition to any procedures for handling sexual harassment complaints.

COVERAGE

This policy applies to all employees and volunteers, to the elected members of the School Board, and to all students of the Franklin Parish School District. It applies at school, school sponsored events, and in situations which are related to operations of the school.

COMPLAINT PROCEDURE

Complaints of sexual harassment which take place at school or at a school related function or arising out of the school setting should be made to the principal of the school. Should the claim of sexual harassment be brought against the principal of the school, the complaint should be brought directly to the Director of Child Welfare or his/her designee. The complaint need not be in writing, but students are encouraged to do so. Such reports should include the nature of the complaint, recording the specific act or acts which constitute the harassment complained of, the person or persons who the complainant alleges committed the harassment, witnesses to the acts complained of, and the date and time of the alleged act or acts.

After notification of the complaint, a confidential investigation shall immediately be initiated to gather all facts about the complaint.

After the investigation has been completed, a determination shall be made regarding the

resolution of the case. If warranted, disciplinary action shall be taken up to and including involuntary termination of an employee and/or expulsion of a student. Any disciplinary action regarding an employee shall be placed in the employee's personnel file which will reflect the action taken and the grounds therefor. Any disciplinary action taken in regard to a student shall be maintained as any other student disciplinary violation.

NON RETALIATION

Retaliation against any employee or student who brings sexual harassment charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual harassment complaint or assisting in the investigation of such a complaint shall not be adversely affected, discriminated against or punished because of the complaint.

Ref: 42 USC 2000e (*Civil Rights-Definitions*); 29 CFR §1604.11 (*Guidelines on Discrimination Because of Sex-Sexual Harassment*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81.