

SEXUAL HARASSMENT OF STUDENTS

The policy of this school district forbids discrimination against, or harassment of any student on the basis of sex. Policy G-04 applies to sexual harassment of employees. [It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims.](#)

1. **Sexual Harassment.** [Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:](#)
 - a. [An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct. This is referred to as quid pro quo sexual harassment;](#)
 - b. [Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student equal access to the school district's educational program or activity; or](#)
 - c. [Sexual assault, dating violence, domestic violence or stalking as defined by federal law.](#)
 - d. For the purpose of this policy, [examples of](#) sexual harassment includes ~~any activity of a sexual nature that is unwanted or unwelcome, including,~~ but [are](#) not limited to:
 - I. Verbal comments of a sexual nature or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against (unwanted body contact); comments regarding physical or personality characteristics of a sexual nature; sexual name-calling; repeated propositions; and sexually-oriented "kidding" "teasing," double meanings, and jokes.
 - II. Demeaning comments about a girl's ability to excel in a class historically considered a "boy's" subject, privately talking to a student about sexual matters, hugging or touching a student inappropriately may constitute sexual harassment.
 - III. Writing graffiti that names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment. Graffiti of any kind will not be tolerated on school property. The superintendent is directed to cause any graffiti or unauthorized writings to be removed immediately. Use of e-mail, the internet, or technology may constitute sexual harassment as much as use of in-person, postal mail, handwritten or other communication.
 - IV. Any of the aforementioned conduct that effectively deprives a student of access to educational opportunities or benefits provided by the school.

2. Specific Prohibitions.

- a. [It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.](#)
- b. [Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.](#)

- c. The "off-duty" conduct of school personnel that has or will have a negative impact on the educational process of the school or constitutes an illegal or inappropriate relationship with a student may subject the employee to disciplinary action which could include termination of employment. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between teachers and students under the age of 20 constitutes a crime under Oklahoma law and will most likely result in the suspension of certification by the State of Oklahoma.

~~2. Report, Investigation, and Sanctions~~

~~A. It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims. This may be done through the Civil Rights Grievance Procedures.~~

~~1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions, or have their parents report these conditions, to the appropriate administrator or teacher. Refer to regulation G-02-R1 for complaint procedures. If the student's immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision or to any responsible adult person.~~

~~2. No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.~~

~~B. 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 or her/his designee (i.e., applicable Compliance Officer) has the responsibility of investigating and resolving complaints of sexual harassment.~~

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

~~D. Any student found to have engaged in sexual harassment of other students shall be subject to sanctions, including, but not limited to warning, suspension or other appropriate punishment subject to applicable procedural and due process requirements. Students who engage in sexual harassment on school premises or off school premises at school sponsored activities will be subject to appropriate discipline, including suspension. The school's normal disciplinary procedures will be followed in determining the appropriate consequence for the sexual harassment. In the event the administration recommends suspension as a result of the conduct, due process will be afforded to the student in accordance with the district's suspension procedures.~~

~~E. A copy of this Sexual Harassment policy will be provided to students and parents each year.~~

4. District administrators, teachers, and counselors shall be made aware of their obligation and timely act to receive student complaints of sexual harassment ~~document and properly investigate such complaints~~, and forward them to the ~~applicable~~ Title IX compliance officer.

5. Notice of Policy. Notice of this policy and grievance procedure, including how to file or report sexual harassment and how the district will respond shall be provided to applicants for admission and employment, students, parents or legal guardians, and unions or professional organizations holding agreements with the school district.

REFERENCE: Title VII of the Civil Rights Act of 1964
42 U.S.C. §2000e-2

29 C.F.R. §1604.1, et seq.

[U.S. Department of Education of Education, OCR, Title IX Regulations Addressing Sexual Harassment.](#)

OSSBA Policy FB