

Corbett School District 39

Code: **GBN**
Adopted: 1/20/88
Readopted: 5/21/98
Orig. Code(s): GBN

Harassment

It is the policy of the district to maintain a working environment that is free from any form of harassment in the district. District includes district facilities, district premises and non-district property if the employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Harassment includes, but is not limited to, racial, religious, national origin, age, marital status, disability and sexual harassment.

Sexual harassment includes, but is not limited to, any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct or communication of a sexual nature when:

- . The employee's submission to the conduct or communication is made a term or condition of employment;
- . The employee's submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment;
- . The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance; or
- . The conduct or communication has the effect of creating an intimidating, hostile or offensive working environment.

No employee will use the authority of his/her position to subject any other employee to sexual harassment, as defined above.

Other types of harassment may include, but not be limited to, jokes, stories, pictures or objects that are offensive, tend to alarm, annoy, abuse or demean certain protected individuals and groups.

Harassment by Board members, employees, parents, students, vendors and others doing business with the district is prohibited. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Administrators and supervisors are responsible for their conduct and for their employees' conduct and will be proactive in making the district's policy known by staff and in taking other steps to stop harassment by subordinates when it is observed or brought to their attention, including warning or disciplining the offending employee.

The superintendent will investigate all reports of harassment and report the results of such investigation to the complainant.

There will be no retaliation by any district official or employee against any person who in good faith reports conduct constituting harassment

END OF POLICY

Legal Reference(s):

ORS 243.706

ORS 342.700

ORS 342.704

ORS 342.708

ORS 342.850

ORS 342.865

ORS 659.850

ORS 659A.006

ORS 659A.029

ORS 659A.030

OAR 581-021-0038

OAR 584-020-0040

OAR 584-020-0041

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).

Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999).

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998).