

Policy Title: SEXUAL HARASSMENT	Policy No.	No. of Pages
	EMP10	3
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	1/9/2014	

I. **PURPOSE:** To establish a policy governing the Corporation and Schools' responsibility to provide a working and learning environment that is free from sexual harassment and sexual misconduct.

II. **POLICY:**

1. Sexual harassment is illegal, and is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:
 - a. Submission to the conduct is made a term or condition, either explicitly or implicitly, of obtaining or maintaining employment, or
 - b. Refusal to submit to the conduct results in a denial of a promotion or other career enhancing opportunities or in a demotion, layoff, or termination, or a threat thereof, or
 - c. Is so severe or pervasive as to interfere with a person's work or educational performance and creates an intimidating, hostile, or offensive working or educational environment.
2. Sexual harassment in the workplace may come from supervisors, co-workers, volunteers, parents, contractors or consultants who deal with employees in the workplace.
3. Sexual harassment includes conduct or communication that is adult to student, adult to adult, male to female, female to male, male to male, and female to female. Prohibited behaviors include, but are not limited to: leering, pinching, grabbing, making suggestive verbal comments, telling jokes, displaying posters, or spreading rumors, pressuring for sexual activity, or other verbal or physical conduct that is gender-based or gender-orientation based and is unwelcome to the recipient or bystander. Such conduct is explicitly prohibited by the Corporation and Schools.

III. **GENERAL:**

1. Any employee who has been found, after an investigation, to have sexually harassed another employee, contractor, consultant, volunteer, student, or parent will be subject to disciplinary action and/or discharge.

2. Volunteers, contractors or parents who have been found, after an investigation, to have sexually harassed an employee, volunteer, student, or parent during school activities may be prohibited from coming on Corporation and Schools property, having contact with employees, and/or further participation in school activities. The individual may also be subject to criminal prosecution and/or personal liability in the event of a complaint or lawsuit.
3. The term "parent" as used in this policy means a parent, guardian or person having legal custody of a child. If the student is eighteen (18) years or older, or is legally emancipated, the procedures for the parent in this policy may be exercised by the student.
4. Any conduct which may be construed as retaliation against an individual because he or she made a complaint of sexual harassment is also strictly prohibited and may result in disciplinary action, up to and including discharge.
5. An employee, volunteer, or parent who believes he or she has been subjected to sexual harassment shall bring the incident to the immediate attention of his or her supervisor, or if the supervisor is the alleged harasser, to the principal, or the Corporation Human Resources Manager.
6. All such complaints will be promptly investigated and appropriate action will be taken.
7. Sexual Misconduct Involving Students:
 - a. The Corporation and Schools recognize that parents entrust their children's welfare as well as education to school personnel when they enroll their children in school. Further, they recognize that parents have reasonable expectations that school personnel will observe appropriate personal boundaries and not develop or engage in inappropriate personal relationships with students.
 - b. Sexual relations between a school employee and a student of any age enrolled in the Schools violates this trust and is strictly prohibited.
 - c. Upon notification that a school employee is engaged or has been engaged in a sexual relationship with a student the Corporation and Schools shall begin an immediate investigation.
 - d. Any school employee who is found to have engaged in a sexual relationship with a student of any age enrolled in the Schools will be subject to discipline up to and including termination. Parents, law enforcement and/or child protective service organizations, and licensing agencies as appropriate, shall be notified of the misconduct.

- e. Sexual relationship includes comments and messages of a sexual nature between the employee and student, sexual contact and sexual intercourse as defined in state statutes.