

STUDENT SEXUAL HARASSMENTDate: August 12, 2008

It is the policy of the Board of Education to maintain a learning environment that is free from sexual harassment. It shall be a violation of this policy for any system employee to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or any school employee through conduct or communications of a sexual nature as defined below.

1. Definitions

Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the school staff to a student or when made by any student to another student or system employee when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education.
- b. Submission to or objection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creates an intimidating, hostile or offensive academic environment.

Forms of sexual harassment include the following:

- a. Verbal harassment, such as derogatory comments, jokes, slurs or pressure for sexual activity;
- b. Physical harassment, such as unnecessary or offensive touching, or impeding or blocking movement; and
- c. Visual harassment, such as derogatory or offensive posters, cards, cartoons, graffiti, drawings or gestures.

2. Complaint Procedure

- a. Any student who has been the victim of an act of sexual abuse or sexual misconduct or perceives comments, gestures, or actions of any school system employee or student to be offensive is urged to make an oral report of the incident to the principal, assistant principal, guidance counselor or teacher. A report may also be made by a parent, friend, or any person with knowledge of such an offense.
- b. Any school employee receiving a report of sexual abuse or sexual misconduct of a student by a school system employee shall immediately make an oral report of the incident to the school principal or principal's designee, and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. If the principal is the person accused of the sexual abuse or misconduct, the oral and written reports should be made to the superintendent or the superintendent's designee.
- c. Any school principal or principal's designee receiving a report of sexual abuse as defined in O.C.G.A. 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by written documentation, if requested, to the appropriate legal authority, the Human Resource Department, and the Superintendent's Office.

Reports of acts of sexual misconduct against a student by a school employee not covered by O.C.G.A. 19-7-5 or 20-2-1184 shall be investigated immediately by school or system personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division.

Any complaint of sexual harassment by another student will be properly investigated by the school principal or principal's designee. A written report of the findings will be produced to include any physical evidence gathered (letters, notes, tapes, photographs, etc.) and a recommendation to resolve the complaint.

A substantiated charge against a student will be disposed of in accordance with the student

Page 3 - JCAC - STUDENT SEXUAL HARASSMENT

disciplinary code of conduct to include possibility of suspension or expulsion.

No individual will suffer reprisals for reporting any incident of sexual harassment.

CROSS REF.: GAEB - Staff Sexual Harassment
Student Codes of Conduct- Student Reporting of Acts of Sexual Abuse or Sexual Misconduct

PROCEDURE: NO

ADOPTED: 9/14/93

REVISED: 10/11/94, 10/1/97, 8/10/99

Columbia County Board of Education