

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS:
SCHOOL HARASSMENT AND DISCRIMINATION POLICY

A. PURPOSE

To affirm the Raymond School District's opposition to discrimination, harassment and sexual harassment in the Raymond public school system.

To establish explicitly the responsibilities of all Raymond School District employees and students by defining conduct which constitutes prohibited and inappropriate behaviors.

To create a mandate to develop educational programs designed to help Raymond School District employees and students recognize, understand, prevent, and take corrective action to end discrimination, harassment and sexual harassment.

To establish the framework for effective procedures for addressing discrimination, harassment and sexual harassment complaints.

B. ISSUE

Discrimination, harassment and inappropriate sexual conduct will not be tolerated in the Raymond School District. Sexual harassment is an unlawful form of discrimination on the basis of sex under Title VII of the Civil Rights Act of 1964, as amended in 1972 and 1991, Title IX of the Education Amendment of 1972 and Maine Statutes. Some forms of harassment may also constitute criminal conduct resulting in criminal penalties.

By issuing a single, comprehensive policy statement, the Raymond School District seeks to clarify and reaffirm its commitment to ensuring that all Raymond School District employees and students are provided with a work and learning environment that is free of discrimination or harassment of any kind.

C. POSITION

Raymond School District does not condone or tolerate any form of discrimination or harassment of any kind of, or by, staff or students.

Raymond School District is committed to the creation and maintenance of a learning and work environment in which all persons who participate in school programs and activities can do so in an atmosphere free from all forms of discrimination and harassment of any kind. The superintendent is directed to make every effort to make certain that everyone affected by this policy shall be informed of its provisions and also that infractions of it may be in violation of Federal or Maine civil and/or criminal laws. It is the intention of Raymond School District to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

It is the responsibility of every supervisor and principal to recognize acts of discrimination, harassment and sexual harassment and take necessary action to ensure that such instances are addressed swiftly, fairly, and effectively. Consequently, all Raymond School District administrative and supervisory staff in schools, offices, and other facilities shall be cognizant

of, and responsible for, effectively implementing the discrimination and harassment complaint resolution procedures established in this policy.

1. Definitions

A) Discrimination includes, without limitation, segregation or separation or denial based on race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability.

B) Harassment includes, but is not limited to, verbal abuse based on race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in Policy JICIA – Weapons, Violence and School Safety.

C) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- i) When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other school activities.
- ii) When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances.
- iii) When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment.

2. Application to Employees

- a) This policy applies to all discrimination and harassment incidents involving Raymond School District employees. It also addresses incidents committed by a person of either sex against a person of the opposite or same sex. It also establishes that it is against policy and recognizes that it is unlawful for Raymond School District employees to commit acts of discrimination or harassment. Depending on the severity of the offense, any Raymond School District employee who violates this policy shall be subject to appropriate disciplinary actions. These may include but are not limited to oral or written reprimand, reassignment, demotion, suspension, or termination.
- b) Dating or sexual relationships between employees and students or between adult volunteers and students is prohibited.

3. Application to Students

Discrimination, sexual harassment or harassment committed by students of either sex against students or staff of the opposite or same sex constitutes inappropriate behavior. All allegations will be investigated using the guidelines of Section E of this policy. Depending on the severity of the offense, appropriate disciplinary action, from a conference to suspension or expulsion, can be taken using the discipline policies adopted by the District. In all cases, students will be notified that school counselors are available for counseling.

4. Application to Others

Employees and students also have a right to be free from discrimination and harassment by others, including, but not limited to contractors, vendors, and volunteers. All allegations will be investigated using the guidelines of Section E of this policy.

D. DESIRED OUTCOME

All Raymond School District employees and students are being educated to recognize inappropriate behavior in all its forms which may constitute discrimination or harassment and are enabled to respond with actions to prevent, correct, and/or eliminate these offensive behaviors from the Raymond School District system.

E. IMPLEMENTATION PRINCIPLES AND GUIDELINES AND STRATEGIES

1. Principles and Guidelines

- a) Any Raymond School District employee or student who believes that he/she has been subjected to discrimination or harassment has the right to file a complaint and to receive prompt and appropriate handling of her/his complaint. In all phases of the complaint resolution process, every reasonable effort shall be made to maintain the confidentiality and protect the privacy of all parties, consistent with Raymond School District's responsibility to investigate and address such complaints.
- b) Any Raymond School District employee or student who believes that he/she has been subjected to discrimination or harassment should report such conduct promptly, orally or in writing, to the immediate supervisor/principal, a designated representative, or in a case involving an employee, directly to the Affirmative Action Officer. The supervisor/principal will report to the Affirmative Action Officer any complaint received regarding discrimination or harassment involving employees. If the complaint involves Raymond School District employees, the investigation will be conducted by the supervisor/principal in coordination with the Affirmative Action Officer.
- c) The full circumstances of the situation will be considered in the investigation of possible discrimination or harassment incidents. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred. Employees and students should be aware that they are responsible for their conduct even if the conduct was not specifically intended to discriminate or harass.
- d) Retaliation against an individual who either orally reports or files a written complaint regarding sexual harassment or who participates in or cooperates with an investigation is prohibited. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and Raymond School District's responsibility to investigate and address such complaints.
- e) Raymond School District employees and students should seek guidance, support, and/or advocacy in addressing matters related to sexual harassment or inappropriate behavior of a sexual nature.

2. Strategies

The superintendent will direct the Affirmative Action Officer to coordinate the implementation of this policy. Implementation activities will include, but not be limited to:

- a) Education of all staff and students about this policy and associated federal and state laws prohibiting discrimination and harassment by disseminating information in documents such as announcements, bulletins, brochures, applications, contracts, and other communications.
- b) Publication and dissemination of information to all Raymond School District employees and students that will inform them of this policy, what discrimination, harassment and sexual harassment are, what the individual can do, and where to go for help.
- c) Development of mandatory training seminars and in-service programs for all principals, supervisors, and staff to ensure the appropriate implementation of this policy. These training programs shall be designed to:
 - (1) Inform them of their duties, responsibilities, and potential when dealing with incidents involving discrimination and harassment; and
 - (2) Provide clear guidelines and assistance for handling appropriately all incidents of sexual harassment in Raymond School District.
- d) Appropriate opportunities to educate students about matters related to discrimination and harassment in order to develop behaviors and attitudes that mitigate against inappropriate behaviors and sexual overtures and pressures in school, work, and social settings. Programs and curricula such as the Comprehensive Guidance and Counseling Program, which already include related competencies or objectives, should include student materials regarding harassment. K-12 curricular modifications that integrate activities and skill building to help students understand and overcome discrimination and harassment problems should be introduced as soon as possible.

F. REVIEW AND REPORTING

1. The superintendent will report quarterly to the School Committee on reported discrimination and harassment incidents. Reports shall include quantitative as well as qualitative incident data for both Raymond School District staff and students. The superintendent will report yearly to the School Committee on complaint and resolution process evaluations and improvements; training statistics and schedules; ongoing evaluation of work environments in all Raymond School District schools, offices, and work locations; and any other activities being planned or carried out by Raymond School District that are relevant to the successful implementation of this policy.
2. This policy will be reviewed on an on-going basis as deemed appropriate by the Superintendent or School Committee.

Adopted: March 2, 2004

Revised: August 23, 2006