

SEXUAL HARASSMENT

Sexual harassment is a form of misconduct which undermines the integrity of student-teacher, student-student, and employment relationships. All students and school employees must be allowed to learn and work in an environment free of such harassment. The New Hanover County Board of Education strongly opposes sexual harassment in any form anywhere in the school system. In addition, employees shall never be romantically involved with any student enrolled in the New Hanover County Schools. Further, it is the duty of each employee and/or student to report such involvement if known to them.

Definition:

1. Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written, or physical conduct of a sexual nature when made by a school employee to a student or when made by a student to another student constitute sexual harassment when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education, scholastic experience, or participation in school-related activities.
 - b. Submission to or rejection of such conduct by a student is used as the basis for educational, scholastic, or school-related activity decisions affecting that student; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with a student's education, scholastic experience, or school-related activity participation or of creating an intimidating, hostile, or offensive school environment.
2. Unwelcome sexual advances, requests for sexual favors and other inappropriate, oral, written or physical conduct of a sexual nature when made by a school employee to another school employee constitutes sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an employee is used as the basis of an employment decision; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or of creating an intimidating, hostile, or offensive working environment.
3. Sexual harassment, as defined above, may include but is not limited to the following:
- a. Continued remarks having a sexual connotation.
 - b. Pressure for sexual activity.
 - c. Deliberate unwelcome touching.
 - d. Suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats.

All complaints of sexual harassment shall be promptly and thoroughly investigated. Violations shall be deemed serious disciplinary infractions. All complaints of sexual harassment shall be confidential. Only those individuals necessary for the investigation and disposition of the complaint are to be given information.

A student who believes that he/she has suffered sexual harassment may report the matter to the principal or counselor; however, any teacher or other school employee who receives from a student a report of alleged sexual harassment shall report the same to the school principal or the designated complaint officer.

It shall be the duty of all supervisors to be sensitive to harassing behavior or conditions and to initiate corrective action immediately when these are suspected or actually known. If an employee believes that he or she is a victim of sexual harassment, the employee is to file immediately, without fear of recrimination, a complaint with the superintendent or designated

complaint officer. Sexual harassment by supervisors and/or employees will not be tolerated. Proof of such conduct will result in disciplinary action which may include dismissal.

The complaint officer shall be designated by the Superintendent and shall conduct a complete investigation and file a written report with the superintendent. The superintendent shall determine any further action to be taken.

Reference: Discrimination Because of Sex Under Title Section 703 of VII of the Civil Rights Act of 1964, as amended.

CROSS REF.: 8410, Student Discipline

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