

SINGLE POLICY	SEXUAL HARASSMENT	316
<p>Statement</p>	<p>Shrewsbury Public Schools strive to meet the intellectual, emotional, cultural, physical and social needs of the entire school community. Students are encouraged to develop to their maximum potential and to acquire the skills necessary to become mature, responsible and productive citizens. Faculty and staff members work in a professional environment to help students fulfill these goals. Sexual harassment is an unlawful and destructive behavior that interferes with education and teaching, and therefore, will not be tolerated.</p> <p>Because Shrewsbury Public Schools takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective act as is necessary, including disciplinary action where appropriate.</p> <p>Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of sexual harassment complaint is similarly unlawful and will not be tolerated.</p> <p>Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, this policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct, which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.</p> <p>The purpose of this policy is to define sexual harassment, establish appropriate standards of conduct and set guidelines for recognizing and dealing with sexual harassment.</p>	
<p>Definition G.L. Chapter 151C. Fair Educational Practices</p> <p>Definition School Committee Policy</p>	<p>The term "sexual harassment" means any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:--(i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of benefits, privileges or placement services as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct create an intimidating, hostile, humiliating or sexually offensive educational environment.</p> <p>Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.</p> <p>Sexual harassment includes verbal and physical conduct related to gender or sexual preference that creates an intimidating, controlling, or hostile environment.</p> <p>Sexual harassment may include but is not limited to:</p> <ol style="list-style-type: none"> <li>1. unwelcome sexual advances, whether they involve physical touching or not, or request for sexual favors;</li> <li>2. inappropriate touching, intentionally impeding movement, verbal comments, gestures or written communication of a suggestive or sexually derogatory nature, or intimidation based on gender or sexual preference;</li> <li>3. continuing to express sexual interest after being informed that the interest is unwelcome (reciprocal attraction between peers is not considered sexual harassment);</li> <li>4. subtle pressure or requests for sexual activity;</li> </ol> <p style="text-align: right;">Continued on next page.</p>	

5. unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments and voyeurism;
6. displaying sexually suggestive pictures or objects anywhere in the workplace;
7. sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; and
8. inquiries into one's sexual experiences and/or discussion of one's sexual activities

Sexual harassment may include conduct by men towards women, men towards men, women towards men, women towards women, employees towards supervisors, supervisors towards employees, employees towards citizens or vendors, and citizens or vendors towards employees. It may also include consensual sexual conduct by co-workers that is offensive or disadvantageous to a third party employee.

In addition, an employee's mistreatment of another employee away from work may be, or may become, prohibited conduct if it is in any way associated with workplace conduct. Such mistreatment could include any conduct towards an employee outside of the workplace that would be prohibited in the workplace. Conduct including but not limited to following that employee home without her or his consent, making repeated unwelcome sexual overtures by telephone or sending unwelcome sexual materials through the mail, may be prohibited conduct.

The above examples are not all inclusive. Conduct not described in these examples might constitute sexual harassment. A common sense question to ask yourself about any conduct is, "Would I want my spouse, child, sister, brother or parent to have to experience, see or listen to something like this?". If the answer is "No", then the conduct should be stopped.

No form of sexual harassment will be tolerated by the Shrewsbury Public Schools. Anyone found to have committed any form of sexual harassment will be disciplined, up to and including termination. All supervisors are expected to be alert to any possible sexual harassment and to take appropriate steps to eliminate and report the same. Supervisors found to have tolerated or condoned sexual harassment, or found to have failed to take appropriate actions to prevent sexual harassment will also be disciplined. Employees found to have knowingly made false accusations of sexual harassment will be disciplined up to and including termination.

If any member of the school community believes that he or she has been subjected to sexual harassment, the individual has the right to file a complaint with our organization. This may be done in writing or orally. A formal complaint may be filed at any time by a student, employee, administrator, and/or applicant who believes that his/her rights as outlined in the sexual harassment policy have been violated.

All individuals should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated in this organization.

The school committee will annually appoint a grievance officer who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedures set out below. The grievance officer may designate principals or designees to conduct the investigation. Should the grievance officer be the alleged harasser, the complaint should be filed with the superintendent or assistant superintendent.

If you would like to file a complaint, you may do so by contacting the grievance officer. This person is also available to discuss any concerns you may have and to provide information to you about the district's policy on sexual harassment and the district's complaint process.

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## Complaints of Sexual Harassment

Procedure for  
Investigating  
Sexual Harassment  
Complaints

Every report of sexual harassment will be taken seriously and investigated in a timely fashion. Any investigation into allegations of sexual harassment must be conducted in the most confidential manner. Only those individuals with a need to know should be informed of the complaint. Witnesses identified by the complainant or the alleged harasser should be interviewed individually in circumstances that will encourage candid comments and protect confidentiality.

Any member of the school community who believes that s(he) has been subjected to sexual harassment should report the incident (s) to grievance officer.

The grievance officer, or his or her designee, shall obtain a written statement of the allegation from the complainant, if the employee does not put the complaint in writing, the grievance officer shall do so. The statement shall be as detailed as possible as to the time, date, location and description of alleged harassment. In the event that the complainant does not feel comfortable reporting the sexual harassment to the grievance officer, or if the grievance officer is the alleged harasser, the complainant may report the alleged harassment directly to the superintendent or the assistant superintendent.

Once the grievance officer receives the complaint, s(he) or his/her designee shall attempt to resolve the problem in an informal manner. Such an investigation may consist of, but is not limited to, the following actions:

1. Interview(s) with the individuals:
2. Interview(s) with the person(s) alleged to be the harasser(s);
3. Interview(s) with other employees or witnesses:
4. Interview(s) with other individuals at the discretion of the grievance officer or his/her designees; and
5. Review of pertinent records.

On the basis of the grievance officer's perception of the situation s(he) may:

1. Attempt to resolve the matter informally through reconciliations; or
2. Report the incident and transfer the record to the superintendent, or his/her designee, and so notify the parties by certified mail.

After reviewing the record made by the grievance officer, the superintendent or his/her designee may attempt to gather any more evidence necessary to decide the case. When the investigation is completed, the superintendent or his/her designee will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. The superintendent shall inform the alleged harasser and the complainant of his/her decision within ten (10) school working days of receipt of the written allegations.

If the superintendent determines that the allegations are not credible, the matter shall be closed. The superintendent shall keep the documents, notes, and other material from the investigation as a record.

If the superintendent determines that the allegations, or any part of the allegations, are credible, s(he) shall take appropriate disciplinary actions. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as the district deems appropriate under the circumstances.

The initiation of a complaint in good faith will have no detrimental effect on the complainant's standing or evaluation in the school in any way.

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**State and Federal Remedies**

If a complainant cannot utilize any aspect of the procedure detailed above because the alleged harasser is involved in the procedure, the complainant should contact the superintendent of schools.

In addition to the above, if you believe you have been subjected to sexual harassment you may file a formal complaint with either or both of the government agencies set forth below. Using the district's complaint process does not prohibit you from filing a complaint with these agencies.

Equal Employment Opportunity Commission (EEOC)  
475 Government Center  
Boston, MA 02203  
607-565-3200 or 1-800-669-4000

Massachusetts Commission Against Discrimination (MCAD)  
One Ashburton Place, Room 601  
Room 601  
Boston, MA 02108  
607-994-6000

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