

Adopted: August 20, 2001
Amended: June 28, 2011
Amended: January 1, 2016

536 SEXUAL HARASSMENT - STUDENTS

I. GENERAL STATEMENT OF POLICY

It is the policy of Kato Public Charter School that all students have the right to attend school in an environment free from any form of unlawful discrimination. Sexual harassment is a form of discrimination and is prohibited by state and federal laws. Therefore, it is the position of Kato Public Charter School that sexual harassment will not be tolerated. It is a violation of Kato Public Charter School's policy for any student or staff member, male or female to engage in sexual harassment as defined below. Such conduct will result in disciplinary action. The action taken in severe and/or chronic situations could include dismissal.

II. DEFINITIONS

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as follows:

- A. **Quid Pro Quo** (*something given for something else*)
Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical contact of a sexual nature all constitute quid pro quo when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's enrollment status and, or (2) submission or rejection of such conduct by an individual is used as the basis for academic decisions affecting an individual.
- B. **Hostile Environment**
is one in which unwelcome sexual advances, requests for sexual favors and/or verbal or other conduct of a physical nature occurs and such conduct has the purpose or effect of unreasonably interfering with an individual's school performance by creating an intimidating, hostile, and/or offensive educational environment.
- C. Some examples of sexual harassment include but are not limited to:
 - 1. Unwanted sexual advances;
 - 2. Offering educational benefits in exchange for sexual favors;
 - 3. Making threat of reprisal after a negative response to sexual advances;
 - 4. Visual conduct such as leering, making sexual gestures, or displaying sexual objects, pictures, cartoons, or posters;
 - 5. Verbal conduct such as making derogatory comments, epithets, slurs, sexually explicit jokes or comments about an employee's body or dress;
 - 6. Verbal sexual advances or propositions;
 - 7. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual or suggestive or obscene letters, notes or invitations;
 - 8. Physical conduct such as touching, assault, or impeding or blocking movement; and
 - 9. Retaliation for reporting harassment or threatening to report harassment.

III. REPORTING GUIDELINES

- A. Any student who believes he/she has experienced such conduct by anyone, including a student, staff member, or by persons doing business with or for Kato Public Charter School should tell the offender that such conduct is unwelcome and unacceptable. If the behavior does not stop, or if the student is uncomfortable confronting the offender, the student must immediately report such conduct to the Director or the Personnel Committee
- B. Kato Public Charter School prohibits retaliation against any student who complains of sexual harassment or participates in an investigation. All aspects of the investigation of the complaint will be handled discreetly. However, it may be necessary to include others on a need to know basis.

IV. INVESTIGATION

- A. All incidents of harassment that are reported will be investigated. The Compliance Officers listed above will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed as soon as practical. A determination regarding the reported harassment will be made and communicated to the individual who complained and to the alleged harasser.
- B. If a complaint of harassment is substantiated, appropriate corrective action will be taken. The appropriate action may include dismissal or discharge. Appropriate action will also be taken to correct the effects of the harassment and to deter any further harassment.

V. DISSEMINATION OF POLICY AND TRAINING

A summary of this policy shall appear in Kato Public Charter School's student handbook.

(Legal and Cross References are constantly changing; these items shall remain under review)

Legal References:

Cross References: