

	Huron School District #2-2	Code:
	Policies and Regulations	ABA Sexual Harassment

Sexual Harassment

I.

Sexual harassment is unacceptable and shall not be tolerated. No member of the school district community may sexually harass another. Any employee or student will be subject to disciplinary action for violation of this policy.

Furthermore, the Huron School District will not discriminate on the basis of sex or sexual orientation in its educational program or activities. If anyone feels that she/he is being discriminated against on the basis of sex, she/he should feel free to contact the Title IX Coordinator for the Huron Public Schools.

II.

Sexual harassment is herein defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical misconduct of a sexual nature including the following:

- a. submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment or education; and/or,
- b. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual; and/or,
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or creating an intimidating, hostile or offensive employment or educational environment.

III.

Sexual harassment is illegal under both South Dakota (Executive Order 81-08) and Federal (Title VII, Title IX) law. In some cases, it may also be liable to prosecution under criminal statutory law. The Board of Education of the Huron School District has established a non-retaliatory grievance procedure for handling sexual harassment complaints. All reported incidents of sexual harassment will be promptly and thoroughly investigated, and all substantiated acts of sexual harassment will result in immediate and appropriate corrective action, including sanctions.

The district prohibits retaliation against any employee or student because he or she has made a report of alleged sexual harassment or against any employee or student who has testified, assisted, or participated in the investigation of a report. Retaliation is itself a violation of federal and state regulation prohibiting discrimination and will lead to disciplinary action against the offender.

Confidentiality consistent with due process will be maintained.

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IV.

The staff, administrators, and students of the Huron School District are responsible for maintaining a working and learning environment free from sexual harassment. It is the obligation of each employee and student to become fully informed of the provisions of this policy and to assure individual compliance. To assure dissemination of this policy, copies will be distributed to all administrative units serving both employees and students. Copies will be posted at appropriate locations throughout the district and the policy will be announced in appropriate district publications.

V.

Any employee who feels that he or she has been subject to sexual harassment in the work place should report the incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to that supervisor's immediate supervisor. Students may report such incidents to their teacher, principal, superintendent, or Board of Education, depending on involvement of the listed individuals. Resolution of complaints will be handled through the district grievance policy.