

Sexual Harassment Of Students

Sexual harassment in an educational environment is illegal. Therefore, the Patchogue-Medford Board of Education condemns all sexual harassment and further forbids all students from engaging in such activity. The board also strongly opposes any retaliatory behavior against complainants or witnesses. The school board is committed to maintaining a learning environment that is free from all forms of sexual harassment.

The Equal Employment Opportunity Commissioner's (EEOC) definition of sexual harassment will be applied, by the board, to the educational environment as follows:

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of a student's right to a fair and equal educational opportunity,
2. submission to or rejection of such conduct by a student is used as the basis for educational decisions affecting such student,
3. such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating, hostile, or offensive learning environment.

Conduct is deemed to be sexual harassment when it consists of unwelcome conduct of a sexual nature. Sexual harassment is not dependent upon the alleged harasser's intention. It is irrelevant that the alleged harasser had no intent to sexually harass the person. The board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as district employees or visitors.

Students who believe that they have been subjected to sexual harassment should report the alleged misconduct immediately pursuant to Administrative Regulations relating to this board policy, so that an investigation can begin at once. Upon a finding of sexual harassment, corrective action, up to and including suspension or discharge of the offender, may be taken. In the absence of a victim's complaint, the board, upon learning of, or having a reasonable basis to suspect, the occurrence of sexual harassment, will cause an investigation to be promptly commenced by appropriate individuals. Formal complaints should be recorded on forms annexed to this policy as Schedule A. Appeals of previous decisions should be recorded on forms annexed to this policy as Schedule B.

The superintendent of schools will oversee the implementation of procedures on reporting, investigating and remedying allegations of sexual harassment.