

BRITTON-HECLA SCHOOL DISTRICT	ACAA
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SEXUAL HARASSMENT POLICY

I.

It is the policy of the District that sexual harassment is unacceptable and shall not be tolerated and that 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.

II.

Sexual harassment is herein defined as un welcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature and constitutes sexual harassment when:

- a. submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment or education;
- b. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual; 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 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.

Confidentiality consistent with due process will be maintained.

IV.

The staff, administrators and students of the 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. This policy will be included in appropriate District publications, and a link will be available on the District website.

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 the supervisor's immediate supervisor. Students may report such incidents to their teacher, principal, superintendent or Board, depending on involvement of the listed individuals. Resolution of complaints or problems may be pursued informally or formally at the option of the person who feels he or she has been subject to sexual harassment.

If any employee or student who files a written complaint is dissatisfied with the handling of that complaint, he or she may utilize any applicable grievance procedure.

Legal References: USC Title 20 § 1681-1688

Adopted:

Revised/Reviewed: **11/13/17**