

Britton-Hecla School District	JGB Page 1 of 2
Policies	

SEXUAL HARRASSMENT/BULLYING POLICY

I.

It is the policy of the Britton-Hecla School 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 unwelcomed sexual advances, discrimination based on sexual orientation, 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 as a term or 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 of Education of the Britton-Hecla 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.

Confidentiality consistent with due process will be maintained.

IV.

The staff, administrators and students of the Britton-Hecla 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 placed at appropriate locations throughout the district and the policy will be posted 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 the 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 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 the discrimination grievance procedure as described in the Britton-Hecla School District's policy manual.

VI.

Bullying is not tolerated in the Britton-Hecla School system. This may include name-calling, mimicking, indifference and exclusion, invasion of personal space, inappropriate touching, physical violence, gender and sex-based bullying and extortion.

Any employee or student who feels he/she has been subject to bullying should report the incident immediately to his/her supervisor, teacher, coach, counselor or principal. Resolution of complaints or problems may be pursued informally or formally at the option of the person who feels he or she has been the subject to bullying. Parents will be contacted at the discretion of the student and principal or counselor.

If any employee or student who files a written complaint is dissatisfied with the handling of that complaint, he or she may utilize the discrimination grievance procedure as described in the Britton-Hecla School District's policy manual.

Legal Reference: USC Title 20 §1681-1688

Adopted:

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