

Book	Policy Manual
Section	ALL EMPLOYEES
Title	Unlawful Harassment
Number	E11
Status	Active
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Purpose

The Board of School Directors (“Board”) of Springfield School District (“District”) strives to provide a safe, positive learning climate for its employees. Therefore, it shall be the policy of the District to maintain an employment environment in which harassment in any form is not tolerated.

Authority

The Board prohibits all forms of unlawful harassment of employees and third parties by all District students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District’s legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, **harassment** shall consist of verbal, electronic, written, graphic or physical conduct relating to an individual’s race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct: [\[4\]](#)[\[5\]](#)

1. Is sufficiently severe, persistent or pervasive that it affects an individual’s ability to perform job functions or creates an intimidating, threatening or abusive work environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual’s work performance.
3. Otherwise adversely affects an individual’s employment opportunities.

For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances, requests for sexual favors; and other inappropriate verbal, electronic, written, graphic or physical conduct of a sexual nature when: [\[6\]](#)

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual’s continued employment.

2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.
3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that constitute **sexual harassment** include, but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or creates an intimidating, hostile or offensive working environment.

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Director of Human Resources as the District's Compliance Officer.[7]

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents, employees, independent contractors, vendors, and the public. The publication shall include the position, office address, and the telephone number of the Compliance Officer.

Each staff member shall be responsible for maintaining a working environment free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Employees found in violation of this policy shall be disciplined in accordance with the following policies:

No. 317, Disciplinary Procedures, Administrative Employees,
No. 417, Disciplinary Procedures, Professional Employees, or
No. 517, Disciplinary Procedures, Support Employees.

The Superintendent or his designee will develop and publish guidelines which are consistent with this policy.

DISCLAIMERS:

This policy is superseded by all current federal and state laws and mandates.

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Legal

[1. 43 P.S. 951 et seq](#)

[2. 20 U.S.C. 1681 et seq](#)

[3. 42 U.S.C. 2000e et seq](#)

[4. 42 U.S.C. 2000ff et seq](#)

[5. 29 CFR 1606.8](#)

[6. 29 CFR 1604.11](#)

7. Pol. 104

Pol. 317

Pol. 417

Pol. 517

[248-AR-0-HarssComplntFormrev.doc \(29 KB\)](#)

SPRINGFIELD SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

248-AR-0. REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Complainant: _____
 Home Address: _____
 Home Phone: _____
 School Building: _____
 Date of Alleged Incident(s): _____

Alleged harassment was based on: (circle those that apply)

- | | | |
|----------|--------------------|-----------------|
| Race | Color | National Origin |
| Gender | Age | Disability |
| Religion | Sexual Orientation | |

Name of person you believe violated the district's unlawful harassment policy: _____

If the alleged harassment was directed against another person, identify the other person: _____

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved. Attach additional pages if necessary: _____

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has harassed me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date