

Book	Policy Manual
Section	200 Students
Title	Unlawful Harassment
Number	248
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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 students in the schools. Therefore, it shall be the policy of the District to maintain an educational environment in which harassment in any form is not tolerated.

Authority

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

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: [\[3\]](#)

1. Is sufficiently severe, persistent or pervasive that it affects an individual’s ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance.
3. Otherwise adversely affects an individual’s learning 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: [\[4\]](#)

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational 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 a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

If the student is a minor, their parent/guardian will be notified of the incident.

Delegation of Responsibility

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Director of Human Resources as the District's Compliance Officer.[6]

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 to maintain an educational environment free from all forms of unlawful harassment.

Each student shall be responsible to respect the rights of their fellow students and District employees and to ensure an atmosphere 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 student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Students found in violation of this policy shall be disciplined in accordance with Policy No. 218, Student Discipline, local, state, and federal laws.[5]

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

SUPERSEDES: Policy No. 248, Sexual Harassment/Pupils (Adopted May 17, 1994)

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. 29 CFR 1606.8](#)

[4. 29 CFR 1604.11](#)

5. Pol. 218

6. Pol. 103

Office for Civil Rights – Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties

Pol. 806

[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