

**SEXUAL HARASSMENT POLICY**

POLICY

It is the district's policy that sexual harassment is illegal, unacceptable, and shall not be tolerated; that no employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination or expulsion for violation of this policy.

DEFINITION

Any unwelcome sexual advances, solicitation, or sexual activity by promise of rewards, coercion of sexual activity by threat of punishment, verbal sexist remarks, or physical sexual assaults constitute sexual harassment. This conduct has the effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.

RESPONSIBILITY

School district officers, employees, and students are responsible for maintaining a working and learning environment free from sexual harassment. Workshops and activities will be provided by the school district to explain the policy and laws. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of the policy will be available at all administrative offices.

COMPLAINTS

Any employee who believes that he or she has been a subject of sexual harassment by a district employee or officer should report this 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 should report such incidents to the guidance counselor and/or the responsible administrator. All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained. If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize any applicable grievance procedure.

LEGAL REFERENCE

South Dakota Executive Order 81-08  
Federal-Title IX (1972 Education Amendments)