

## STUDENT COMPLAINTS REGARDING DISCRIMINATION ON THE BASIS OF SEX/SEXUAL HARASSMENT

The School Board hereby establishes a policy and the superintendent shall implement procedures for resolving complaints arising from alleged violations of Title IX of the Education Amendments of 1972 (P.L. 92-318) as amended (P.L. 93-568 and P.L. 94-482).

The superintendent shall designate at least one employee to coordinate the efforts of the Patrick County Schools to comply with and carry out its responsibilities for implementing the law, including investigation of any complaint of alleged noncompliance with the law or accompanying regulations.

The school system shall notify students, parents of students, and employees of the name, office address, and telephone number of the Title IX specialist through the permanent, prominent display of posters prepared for this purpose, as well as any other appropriate communication channels such as school handbooks, Patrick County Schools publications, etc.

The school system shall implement specific and continuing steps to notify students and parents that it does not discriminate on the basis of sex in educational programs and activities and that it is required by Title IX not to discriminate.

Procedures for making and resolving such complaints shall comply with all applicable federal and state law and regulations.

### Sexual Harassment

It is the policy of the Patrick County School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from sexual harassment. It is prohibited for any employee or student, male or female, to harass another employee or student by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical conduct of a sexual nature when (1) submission to or rejection of such conduct is used as a basis for employment or academic decisions affecting the employee or student; (2) such conduct creates an intimidating, hostile or offensive working or learning environment; or (3) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or participation in school programs.

Any employee or student who believes that he or she has been subjected to sexual harassment should file a complaint of the alleged act immediately to the compliance officer.

The compliance officer shall request that the complaint be in writing. Refusal to put the complaint in writing shall not preclude an investigation of the complaint. The complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. A thorough investigation of all reported incidents to determine the nature and extent of any alleged sexual harassment will be undertaken immediately. The confidentiality of the reporting party will be observed provided it does not interfere with the investigation or with the ability to take corrective action.

False charges of sexual harassment shall be treated as a serious offense and those persons making false charges shall be subject to disciplinary action.

If the complaint is against the compliance officer, the complaint shall be filed with the superintendent. If the complaint is against the superintendent, the complaint shall be filed with the chairman of the School Board. The question of whether a particular action or incident is prohibited behavior requires a determination based on all available facts in the matter. A written report shall be filed at the conclusion of any investigation of sexual harassment regardless of the outcome of that investigation. Any employee with knowledge of the occurrence of sexual harassment should notify the compliance officer.

Any administrator, teacher or other employee or student who is found after appropriate investigation to have engaged in sexual harassment of another employee or student will be subject to disciplinary action appropriate to the offense from a warning up to expulsion or discharge.

Any individual filing a sexual harassment complaint is assured that he/she will be free from any retaliation from filing such a complaint. Retaliators will be subject to discipline up to and including expulsion or discharge. Retaliation against anyone reporting or thought to have reported sexual harassment behaviors is prohibited. Such retaliation shall be considered a serious violation of the policy and shall be independent of whether a charge or informal complaint of sexual harassment is substantiated. Encouraging others to retaliate also violates this policy.

Adopted: September 8, 1997

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Legal Ref: Title IX of the Education Amendments of 1972 (P.L. 92-318) as amended,  
(P.L. 93-568 and P.L. 94-482) 34 C.F.R. sections 100.6-100.11,  
34 C.F.R. 101.1-101.131, 34 C.F.R. 106.1-106.71