

UTICA CITY SCHOOL DISTRICT SEXUAL HARASSMENT POLICY

The Utica City School District Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility in providing all students and employees with an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of school policy whether it be committed by supervisors, other employees, students or outsiders. Any employee, including Supervising employees, who sexually harass another employee or student is acting outside the scope of his or her duties and without the actual, appointed, or implied authority of the District.

Sexual harassment is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of a student's school environment or an employee's work environment.
- Submission to or rejection of such conduct by an individual is used or is threatened to be used, as the basis of decisions affecting such individual (for students, these may include academic grades or participation in activities or on teams; for employees, this may include extra-duty positions or other assignments or duties)
- Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile or offensive learning environment or unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

Any student who believes that he/she has been subjected to sexual harassment should report all incidents of such conduct to the guidance counselor, building principal, or other staff member with whom the student feels comfortable. All such reports shall then be referred by such individual to the building principal for investigation. Any staff member who has knowledge that a student is the victim of sexual harassment shall report such information to the building principal. Such reports shall remain confidential to the maximum extent possible and shall be disclosed only on a need-to-know basis.

Any employee who believes that he/she has been subjected to sexual harassment is expected to report in writing all incidents of such conduct to the direct supervisor or to the Director of Human Resources and to cooperate with any investigation of the same. Such reports are to contain as much specific and detailed information about the alleged harassment as possible, including, but not limited to the name of the alleged harasser, the time(s) and the location(s) of the harassment, possible witnesses to the harassment, and circumstances leading up to and surrounding the harassment. Such reports shall remain confidential to the maximum extent possible and shall be disclosed only on a need-to-know basis.

Based upon the results of the District's investigation, immediate corrective action will be taken. In the event that the harassment is by an employee, such action may include dismissal, according to proper procedures. In the event that the harassment is by a student, such action may include discipline including expulsion from school, according to proper procedures. The Board prohibits any retaliatory behavior directed against complainants and/or witnesses. Any retaliatory conduct will be subject to discipline. Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victim and/or witnesses have not suffered retaliation.

The Superintendent/designee(s) is empowered to develop regulations for resolving sexual harassment complaints. The Superintendent/designee(s) shall affirmatively discuss the topic of sanctions for sexual harassment. A copy of this policy and its accompanying regulations as it pertains to students shall be included in the student handbook. A copy of this policy shall be posted in a conspicuous place and shall be provided to all employees at the beginning of each school year and to new hires at the time employment begins.

Complaint Officer: Sara Klimek, Chief Human Resources Officer
929 York Street, Utica, NY 13502
315-792-2249; (Fax) 792-4885