

Students

Harassment of Students Prohibited

No person, including a District employee or agent, or student, shall harass, intimidate or bully another student based upon a student's race, color, nationality, gender, sexual orientation, ancestry, age, religion, creed, physical or mental disability, gender identity, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, or other protected group status. The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort.

The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, or visual, that affects:

- a. the tangible benefits of education,
- b. that unreasonably interferes with a student's educational performance,
- c. or that creates an intimidating, hostile, or offensive educational environment.

Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of personal property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, intimidation or bullying by including this policy in the appropriate handbooks.

Complaints of harassment, intimidation or bullying will be handled according to the provisions on sexual harassment below.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and engages in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

Examples of sexual harassment include touching, discussing sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, or using crude jokes or pictures.

Students who believe they are victims of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the Building Principal, Assistant Building Principal, or Complaint Manager.

Making a Complaint: Enforcement

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal, Assistant Building Principal, or Dean of Students for appropriate action.

Students may choose to report to a person of the student’s same gender. Given the need to investigate, complaints will be kept confidential.

Students who make good faith complaints will not be disciplined.

An allegation that one student was sexually harassed by another student shall be referred to the Building Principal, or Assistant Building Principal for appropriate action.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District’s current Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Complaint Managers:

Assistant Superintendent	Director of Human Resources
Address	Address
Telephone	Telephone

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate sexual harassment, by including this policy in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action that could include dismissal.

After an investigation, any District student who is determined to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy.

Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action. Students may receive either a suspension or expulsion. Employees may face dismissal.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments.
34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).
Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).
West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment), 7:10 (Equal Educational Opportunities), 7:190 (Student Discipline)

Adopted by Board of Education
Revised and Adopted: February 2008, February 2009, June 2010, December 2010