

POLICY MANUAL	Ipswich Public Schools FILE CODE: ACD
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**Ipswich School Committee
Student Sexual Harassment Policy**

I. INTRODUCTION

It is the goal of the Ipswich School Committee to promote an environment that provides an equal educational opportunity for all students and that is free of sexual harassment. The Ipswich Public School System is committed to providing educational programs that encourage students to cultivate their talents in an environment characterized by dignity and respect for others. Sexual harassment of students, whether by employees, by other students, or by third parties, will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint will not be tolerated. In addition, to achieve our goal of providing a learning environment that is free from sexual harassment, the conduct that is described in this policy will not be tolerated, and we have provided a procedure to deal with inappropriate conduct encountered by students.

II. DEFINITION OF SEXUAL HARASSMENT

“Sexual harassment” as used in this policy means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive educational environment, or by limiting an individual’s ability to participate in or benefit from an educational program.

The Massachusetts Fair Educational Practices Law makes it an unfair educational practice for an educational institution to sexually harass a student in any program or course of study.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an educational environment that is hostile, offensive, intimidating or humiliating to male or female students may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comments about an individual's body, comments about an individual's sexual activity, deficiencies or prowess;
- Displaying sexually suggestive objects, pictures or cartoons;
- Leering, whistling, brushing against the body, sexual gestures, suggesting or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

All individuals should take special note that, as stated above, retaliation by an employee against an individual who has complained about sexual harassment and retaliation by an employee against an individual for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated. Similarly, retaliation by a student against an individual who has complained about sexual harassment, and retaliation by a student against an individual for cooperating with an investigation of a sexual harassment complaint will not be tolerated.

III. COMPLAINTS OF SEXUAL HARASSMENT

If any of our students believes that he or she has been subjected to sexual harassment, whether by an employee, by another student, or by a third party (such as a coach of another town's athletic team with whom the student must deal as part of his or her educational experience), the student has a right to file a complaint with us and is encouraged to do so. This may be done in writing or orally. A complaint may also be filed by a student's parent or guardian.

If you would like to file a complaint, you may do so by contacting any teacher, counselor or administrator. This should be done as soon as possible after the conduct occurs. Any employee receiving such a report shall forward the report to any of the individuals listed below within forty-eight (48 hours):

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
Supt. Of Schools	R. L. Korb	Payne School Bldg. 1 Lord Square	978-356-2935, Ext. 213
Principal	B. Cahill	Ipswich High School 134 High Street	978-356-3137, Ext. 162
Principal	S. Conley	Doyon School 216 Linebrook Road	978-356-5506
Principal	S. McAdams	Winthrop School 65 Central Street	978-356-2976
Principal	C. Forster-Cahill	Ipswich Middle School 130 High Street	978-356-3535
Director of Pupil Personnel Services	M. Gallant	Payne School Bldg. 1 Lord Square	978-356-2935, Ext. 115

Further, any student who is aware of any incident involving sexual harassment of another student may report the matter to any teacher, counselor or administrator and is encouraged to do so. Any employee receiving such a report shall forward the report to any of the individuals listed above within forty-eight (48) hours.

Finally, any employee who is aware of any incident involving sexual harassment of a student shall report such incident to any of the individuals listed above within forty-eight (48) hours.

The individuals named above are also available to discuss any concerns you may have and to provide information to you about our policies on sexual harassment and our complaint process.

The above reporting requirements are in addition to the mandated reporting requirements in cases of abuse, such as sexual abuse, of a child as set forth in Massachusetts General Laws, Chapter 199, Section 51A.

IV. SEXUAL HARASSMENT INVESTIGATION

When we receive a complaint of sexual harassment, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent consistent with a full and fair investigation and practicable under the circumstances. Our investigation will include private interviews with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed the sexual harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

V. DISCIPLINARY ACTION

If it is determined that inappropriate conduct has been committed by one of our employees or students, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances. Discipline of students found to have engaged in inappropriate conduct can range from a verbal warning to removal from the school setting, including suspension and/or expulsion.

Adopted: September 2, 1993

Adopted Revision: February 17, 1994

Adopted Revision: June 5, 1997

Personnel Correction: October 28, 1997

Adopted Revision: February 27, 2003