

SEXUAL HARASSMENT: STUDENT

The Lyndhurst Board of Education explicitly forbids any conduct or expression that may be construed as the sexual harassment of a student, by an employee of the district or by another student.

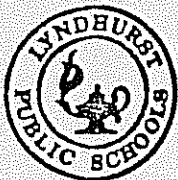
Sexual harassment is a form of sexual discrimination under Title VII and is both illegal and inappropriate. The Lyndhurst Board of Education feels that sexual harassment undermines the integrity of the school district, lowers morale, interferes with personal functioning and assaults the dignity of students who become victims. It creates an offensive, hostile or intimidating environment. The Lyndhurst Board of Education desires to provide an environment free of ridicule, intimidation and/or insult.

Sexual harassment of children interferes with the learning process and may do emotional damage. It will not be tolerated in the Lyndhurst schools.

The Board of Education shall maintain an instructional environment that is free from harassment of any kind. Principals, supervisors and teachers shall make it clear to all staff and students that harassment is prohibited. Sexual harassment of students shall be addressed in the affirmative action in-service programs required by law for all staff.

Parents or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. Any report of the allegations should be made to the Superintendent of Schools. The Superintendent will receive all complaints and carry out thorough investigations, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of harassment will result in appropriate disciplinary action.



LYNDHURST PUBLIC SCHOOLS
281 Ridge Road
Lyndhurst, NJ 07071
(201) 438-5683

Sexual Harassment: Students
Policy File Code: 4118.10

The Superintendent shall devise regulations, including grievance forms and procedures to implement the district's policy regarding sexual harassment. The Superintendent shall report to the Board annually on the effectiveness of this policy and the implementation procedures.

Date: August 31, 1992
Reviewed: August 29, 1994

Legal References: N.J.S.A. 10:5-12 Discrimination
N.J.S.A. 59:1-1 New Jersey Tort Claims Act
18A:6-6 No Sex Discrimination
18A:6-10 Unbecoming Conduct
Dismissal or Reduction
in Compensation

Cross References: 4211.1a Affirmative Action
4118.11 Procedure
Title VII
4118.111 Grievance Procedure:
Title IX

SEXUAL HARASSMENT: STUDENTS

The Board of Education explicitly forbids any conduct or expression that may be construed as the sexual harassment of a pupil, by an employee of the district or by another pupil.

The sexual harassment of a pupil includes all unwelcome sexual advances or suggestions, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever such conduct has the purpose or effect of intimidation or tends to create an intimidating, hostile, or offensive educational environment.

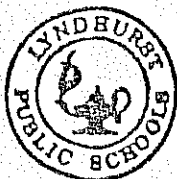
The Superintendent shall direct the instruction of all pupils of their right to be free of sexual harassment and innuendo and shall encourage pupils to report any incident of sexual harassment to any teaching staff member.

Any employee who receives such a report or who has independent cause to suspect that a pupil has been subjected to sexual harassment shall promptly notify the building principal, who shall immediately instigate an investigation of the matter and report his or her findings to the Superintendent. An act of sexual harassment that appears to constitute child abuse shall be immediately reported to the Division of Youth and Family Services for investigation by that agency.

An employee who engages in the sexual harassment of a pupil will be subject to stringent discipline and may be terminated. A pupil who engages in the sexual harassment of another pupil will be subject to discipline.

Date: August 31, 1992

Reviewed by Rules & Regulations Committee 9/18/95.



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SEXUAL HARASSMENT OF SCHOOL STAFF MEMBERS

The Board of Education recognizes that a school staff member's right to freedom from employment discrimination includes the opportunity to work in an environment free from sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the school staff member shall have cause for complaint.

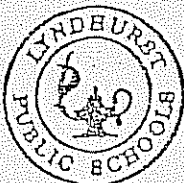
The sexual harassment of any staff member of this district is strictly forbidden. Any school staff member or agent of this Board who is found to have sexually harassed a school staff member of this district will be subject to discipline, which may include termination of employment. Any school staff member who has been exposed to sexual harassment by any school staff member or agent of this Board is strongly encouraged to report the harassment to an appropriate supervisor. Any school staff member who observes sexually harassing conduct shall report the conduct to an appropriate supervisor. The school staff member may appeal the Board's action or inaction to the United States Equal Employment Opportunity Commission or the New Jersey Division of Civil Rights. Complaints regarding sexual harassment shall be submitted following the procedures in the corresponding Complaint Procedure.

The Affirmative Action Officer shall instruct all school staff members and agents of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

This Policy will be distributed to all school staff and provided to staff members at any time per request.

29 C.F.R. 1604.11

DATE: DECEMBER 7, 2004



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