

## **SEXUAL HARASSMENT**

### **I. Sexual Harassment Prohibited.**

The Berlin Central School District Board of Education is strongly committed to safeguarding the right of each employee of the District to work in an environment that is free from all forms of sexual harassment. Conduct is deemed to be sexual harassment when the recipient of the attention finds the behavior to be unwelcome. It is irrelevant whether or not the harasser intended to sexually harass the person. The Board recognizes further that sexual harassment can be committed by a person of either sex against a person of either the opposite sex or the same sex, and by peers as well as supervisors.

The Board therefore condemns and prohibits all unwelcome behavior of a sexual nature that either is designed to extort sexual favors from an employee as a term or condition of employment, or that has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board also is strongly opposed to any retaliatory behavior against complainants or any witnesses.

### **II. Reporting Sexual Harassment.**

Any employee who believes that she/he has been subjected to sexual harassment while employed by the District should report the alleged misconduct immediately, pursuant to the relevant administrative regulation in the District, so that appropriate corrective action, up to and including the discharge of the offender, may be taken promptly. In the absence of a victim's complaint, the Board shall, upon either learning of or having reason to suspect the occurrence of any sexual misconduct related to employment by the district, ensure that an investigation is commenced immediately by appropriate individuals.

### **III. Investigating Charges Of Sexual Harassment.**

The Superintendent of Schools shall develop and implement specific procedures on reporting, investigating, and, remedying allegations of sexual harassment. Such procedures shall be consistent with any applicable provisions contained in the District's collective bargaining agreements and with the tenure or civil service laws of the State of New York.

### **IV. Dissemination of Policy and Regulations.**

A copy of this policy and whatever regulations are developed to ensure its implementation shall be posted in each school district building. A copy of the policy should also be incorporated into employee handbooks on an annual basis.

### **References**

42 USC Sec. 2000e(2)(a) (Civil Rights Act of 1964)  
Mentor Savings Bank FSB v. Vinson, 477 US 57 (1986)  
Policy 5020.1, Sexual Harassment of Students