

GBAA

## POLICY ON SEXUAL HARASSMENT ERVING SCHOOL UNION #28

Erving School Union #28 will not tolerate harassment of any individual including harassment based on race, color, sex, sexual orientation, religion, or national origin.

### POLICY STATEMENT:

It is the policy of Erving School Union #28 and its statutory obligation to maintain a working environment that is free from sexual harassment. Sexual harassment in the workplace is a violation of the law.

### DEFINITION:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or any verbal or physical contact of a sexual nature when:

- a.) such conduct has the purpose or effect (intended or unintended) of creating a hostile, humiliating, sexually offensive, or intimidating work environment and/or interfering with an individual's performance.
- b.) submission to such conduct is made a term or condition of an individual's advancement or participation in school programs or activities.
- c.) submission or rejection of such conduct by an individual is the basis (either explicitly or implicitly) for an employment decision.

Some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness are:

- sexual epithets, jokes, gossip, or questions about someone's sex life,
- display of sexually suggestive objects, pictures, cartoons,
- unwelcome leering, sexual gestures, suggestive comments.

### PROCEDURES:

Any individual who believes she or he has been sexually harassed is strongly encouraged to make a report. Any individual who alleges sexual harassment should report the incident to the building principal immediately:

Erving Elementary	(413) 659-3326
Leverett Elementary	(413) 548-9144
Shutesbury Elementary	(413) 259-1212
Swift River School	(508) 544-6926

If the complainant prefers to file an initial complaint at a higher level, a complaint may be filed with the Assistant to the Superintendent of Schools, or with the Superintendent of Schools, both of whom are at 18 Pleasant Street, Erving, MA, Millers Falls Postal Zone 01349, (413) 659-3337.

These principals or central office administrators are also available to discuss any concerns someone may have about sexual harassment and to provide information about our policy on sexual harassment and the complaint process.

Retaliation in any form against any person who has filed a complaint relating to sexual harassment or who cooperates with an investigation of sexual harassment is forbidden by this organization and is also unlawful.

#### **RESPONSE:**

The principal purpose of the school district's response to an allegation of sexual harassment is to ensure that any harassment which may be occurring stop and stop quickly. Because allegations of sexual harassment are taken seriously, they will be responded to speedily. Where it is determined that such inappropriate conduct has occurred, the district will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Investigations will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed 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.

#### **APPEALS:**

If satisfaction is not achieved an appeal may be filed with the Assistant to the Superintendent of Schools, or with the Superintendent of Schools, both of whom are at 18 Pleasant Street, Erving, MA, Millers Falls Postal Zone 01349, (413) 659-3337.

These people are also available to discuss any concerns someone may have about sexual harassment and to provide information to you about our policy on sexual harassment and our complaint process.

If satisfaction is not achieved at that level or if it is appropriate to file an initial complaint at a higher level, a complaint or an appeal may be filed, but only in writing, to the appropriate school committee:

Erving School Committee  
Leverett School Committee  
Shutesbury School Committee  
New Salem/Wendell School Committee  
Union #28 School Committee

All School Committee complaints may be addressed to the School Committee Chairperson, 18 Pleasant Street, Erving, MA, Millers Falls Postal Zone, 01349

#### **CONSEQUENCES:**

Consequences for employees responsible for sexual harassment may range from a reprimand to the loss of employment and will be the decision of the principal in conjunction with the Superintendent of Schools in a manner consistent with statutory and contractual requirements.

This policy is not designed or intended to limit the district's authority to discipline or take remedial action for workplace conduct which the district deems unacceptable, regardless of whether that conduct satisfied the definition of sexual harassment.

#### **STATE AND FEDERAL EMPLOYMENT ENFORCEMENT DISCRIMINATION AGENCIES:**

An employee may file a complaint with the appropriate state and/or federal employment enforcement discrimination agencies. Please note the following information:

Massachusetts Commission Against Discrimination  
1 Ashburton Place  
Boston MA 02108  
(617) 727-3990

or

424 Dwight Street, Room 220  
Springfield MA 01103  
(413) 739-2145

The United States Equal Employment Opportunity Commission  
1 Congress Street - 10th Floor  
Boston MA 02114  
(617) 565-3200