

**MONTGOMERY
COUNTY
INTERMEDIATE
UNIT #23**

SECTION: PUPILS
TITLE: UNLAWFUL HARASSMENT
ADOPTED: JANUARY 27, 2010
REVISED:

<p>1. Purpose</p> <p>2. Authority 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 CFR Sec. 1606.8 (a)</p> <p>3. Definitions 29 CFR Sec. 1606.8 (a) 66 Fed. Reg. 5512</p> <p>29 CFR Sec. 1604.11 (a)</p>	<p style="text-align: center;">248. UNLAWFUL HARASSMENT</p> <p>The Board strives to provide a safe, positive learning climate for students in Intermediate Unit programs. Therefore, it shall be the policy of the Intermediate Unit to maintain an educational environment in which harassment in any form is not tolerated.</p> <p>The Board prohibits all forms of unlawful harassment of students and third parties by all Intermediate Unit students and staff members, contracted individuals, vendors, volunteers, and third parties in the programs. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.</p> <p>The Board directs that complaints of unlawful harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit’s legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of harassment.</p> <p>For purposes of this policy, harassment shall consist of verbal, written, electronic, graphic or physical conduct relating to an individual’s race, color, national origin/ethnicity, sex, age, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent or pervasive that it affects an individual’s ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment. 2. Has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance. 3. Otherwise adversely affects an individual’s learning opportunities. <p>For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p>
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<p>4. Delegation of Responsibility Pol. 103</p>	<ol style="list-style-type: none"> 1. Submission to such conduct is made explicitly or implicitly a term or condition of a student’s academic status. 2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual. 3. Such conduct deprives a student of educational aid, benefits, services or treatment. 4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student’s academic performance or creating an intimidating, hostile or offensive educational environment. <p>Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual’s dress or body; sexually degrading words used to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student’s ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.</p> <p>In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Assistant Executive Director/Director of Human Resources as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer</p> <p>The administration shall be responsible to provide training for Intermediate Unit students and employees regarding all aspects of unlawful harassment.</p> <p>Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.</p> <p>Each student shall be responsible to respect the rights of their fellow students and Intermediate Unit employees and to ensure an atmosphere free from all forms of unlawful harassment.</p>
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References:

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

Federal Anti-Discrimination Law – 20 U.S.C. Sec. 1681 et seq. (Title IX)

Harassment Regulations and Guidelines

Code of Federal Regulations – 29 CFR Sec. 1604.11 (a), 1606.8 (a)

Federal Register – 66 Fed. Reg. 5512

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