

# FAIRVIEW SCHOOL DISTRICT

SECTION: PUPILS

TITLE: GENERAL HARASSMENT

ADOPTED: June 20, 1994

REVISED: May 23, 2001

## 248.1. GENERAL HARASSMENT

1. Authority  
U.S. Civil Rights  
Act of 1964;  
Title VII EEOC  
Regulations  
Published at 29  
CFR, Sec. 1604  
Office of Civil  
Rights USDE  
August 1981

It is the policy of the Fairview School District to maintain a learning and working environment that is free from unlawful harassment in any form. The District strictly prohibits, and will not tolerate, harassment of or by any student. This policy applies to conduct during and relating to school and school-sponsored activities.

Any student in the District who engages in conduct which constitutes harassment shall be subject to discipline, up to an including expulsion. Any student in the District who is subjected to harassment by a District employee, another student, or a third party, shall have the right to file a complaint under this policy.

2. Definitions  
OCR Guidelines  
on Sexual  
Harassment, Fed.  
Reg. Vol. 62 #49;  
PHRC  
Guidelines; PA  
Bulletin Vol. II,  
#5 Policy Memo  
OCR USDE  
March 1997

**Harassment** is a form of discrimination prohibited by federal and state law. Harassment includes, but is not limited to, unwelcome and offensive slurs, jokes or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, national origin, age or handicap/disability which are so severe or pervasive in nature that they create, or pose a realistic threat of creating, an intimidating, hostile, disruptive or offensive educational environment.

3. Guidelines

### Enforcement

The District will act positively and promptly to investigate alleged harassment claims and to effectively remedy them when an allegation is determined to be valid. The question of whether a particular action or incident occurred and whether it is prohibited behavior requires a determination based on all available facts.

Given the nature of this type of discrimination, the District also recognizes that false accusations of harassment can have serious effects on innocent employees and students. Therefore, false accusations will result in disciplinary action.

All share the responsibility for protecting the rights of students. This responsibility also extends to harassment by non-employees, such as contractors, vendors or visitors.

Procedures

The District, under the direction of the Superintendent, will investigate and resolve complaints involving harassment of students. Any student who believes that s/he has been subjected to harassment shall report all incidents of such conduct verbally or in writing to any counselor, or administrator, or the Superintendent. In the event a verbal or written complaint is made to a counselor or administrator, the Superintendent will be notified immediately.

Any reports of violation of this policy will be managed with strict confidence. Disclosures will be made only to the extent necessary to thoroughly investigate the report and resolve the problem.

After a prompt and thorough investigation has been completed, a review of the results will be made. Any employee who is found to have violated this policy will be subject to discipline, up to and including termination. Any student who is found to have violated this policy will be subject to disciplinary action, up to and including expulsion.

The School Board President shall report harassment complaints to the School Solicitor and Labor Attorney.

Retaliation Prohibited

The School District prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of harassment will not reflect negatively on the student who initiates the complaint nor will it effect the student's academic standing, rights, or privileges.

Notifications

A copy of this Harassment Policy shall be included in the notifications that are sent to parents/guardians at the beginning of each school year and included in student handbooks.