

SEXUAL HARASSMENT

It is the policy of the Albemarle County School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from sexual harassment regardless of sexual orientation *. It is prohibited for any employee or student, male or female, to harass another employee or student by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical conduct of a sexual nature, when (1) submission to or rejection of such conduct is used as a basis for employment or academic decisions affecting the employee or student; (2) such conduct creates an intimidating, hostile or offensive working or learning environment; or (3) submission to such conduct is made either explicitly a term or condition of the individual's employment or participation in school programs. Any employee who believes that he has been subjected to sexual harassment should report the alleged act immediately to the Director of Human Resources. A thorough confidential investigation of all reported incidents to determine the nature and extent of any alleged sexual harassment will be undertaken immediately. If the complaint is against the Director of Human Resources, the complaint shall be reported to the Superintendent. If the complaint is against the Superintendent, the complaint shall be reported to the Chairman of the School Board. The question of whether a particular action or incident is prohibited behavior requires a determination based on all the available facts in the matter. Any administrator, teacher or other employee or student who is found after appropriate investigation to have engaged in sexual harassment of another employee or student will be subject to appropriate sanctions depending upon the circumstances, from a warning in his file up to and including expulsion or discharge.

Adopted: July 1, 1993

Amended: December 13, 2001; April 10, 2014

Reviewed: July 12, 2007

Legal Refs.: Civil Rights Act of 1964, as amended in 1972, 42 U.S.C. Sections 2000e-z
 29 C.F.R. 1604.11
 (1987) Executive Order 11246, 1965, as amended by Executive Orders 11375 and 12086
 Equal Employment Opportunity Act of 1972
 Education Amendments of 1972, Title IX
 45 CFR, Parts 81, 86

* Definition of Sexual Orientation: One's attraction to the same sex, opposite sex or both sexes, real or perceived. This definition is intended to describe the status of persons and does not render lawful any conduct prohibited by the laws of the Commonwealth of Virginia.