

**SCHOOL DISTRICT OF WAUPACA**

**SERIES 100 BOARD OF EDUCATION**

**CODE: 113-R1**

DEFINITIONS

Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, when made by any student to another student, or when made by any student to a staff member when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when;
- 2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when;
- 3) such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

The School Board acknowledges all regulations, requirements, and responsibilities defined by the Equal Employment Opportunities Commission (EEOC) regarding sexual harassment. Guidelines published by the EEOC, the governmental agency responsible for administering laws relating to employment discrimination, hold that sexual harassment in the workplace is unlawful. Sexual harassment is defined for purposes of this policy as:

- 1) unwelcome or unwanted sexual advances. This means patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact which is considered unacceptable by another individual.
- 2) requests or demands for sexual favors. This includes subtle or blatant expectations, pressures or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment or academic status.

- 3) verbal abuse or joking that is sexually oriented and considered unacceptable by another individual. This includes commenting about an individual's body or appearance where such comments go beyond mere courtesy; telling "dirty jokes" that are clearly unwanted and considered offensive by others' or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- 4) engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work or academic performance. This includes extending unwanted sexual attentions to someone such that personal productivity or time available to work at assigned tasks is reduced.
- 5) creating a work or learning environment that is intimidating, hostile or offensive because of unwelcome or unwanted sexually oriented conversation, suggestions, requests, demands, physical contacts or attentions.
- 6) creating a work or learning environment that is intimidating, hostile or offensive because of the existence at the work-site of sexually oriented materials including, but not limited to, photographs and posters.

**ADOPTED:** 041492

**REVISED:** 121493

**REVIEWED:**

**LEGAL REFERENCE:** Title VI, Title VII, Title IX, Section 504

**CONTRACT REFERENCE:**

**CROSS REFERENCE:** 114

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.