

# SCHOOL DISTRICT OF CHELTENHAM TOWNSHIP

SECTION: ADMINISTRATIVE  
PROFESSIONAL AND  
CLASSIFIED EMPLOYEES

TITLE: PROHIBITED HARASSMENT  
BY AND OF EMPLOYEES AND OTHER  
MEMBERS OF SCHOOL COMMUNITY

ADOPTED: May 11, 1999

REVISED: March 8, 2016

<p>1. Purpose</p>          <p>2. Definitions</p>	<p>348.1, 448.1, 548.1. PROHIBITED HARASSMENT BY AND OF EMPLOYEES AND OTHER MEMBERS OF THE SCHOOL COMMUNITY</p> <p>In order to maintain a working environment which promotes self-worth and respect for the dignity and worth of others, it is the policy of the School District of Cheltenham Township to prohibit bullying and other forms of harassment based on membership in designated classifications identified below (referred to as “Prohibited Harassment” and more specifically defined below), to provide education about the problem of Prohibited Harassment and to provide procedures for a prompt and appropriate response to allegations of Prohibited Harassment as well as procedures for a prompt and appropriate remedy of any instance of Prohibited Harassment.</p> <p>This policy applies to all students, District employees, school directors, District contractors and consultants, and school volunteers (collectively “members of the school community”). This policy only applies to behavior defined specifically as Prohibited Harassment; other policies may apply to other forms of behavior such as any listed at the end of this Policy.</p> <p>“Prohibited Harassment” means verbal, written, graphic, or physical conduct relating to an actual or perceived race, color, age, creed, religion, gender, sexual orientation, gender identity, gender expression, ancestry, national origin, disability, or limited English language proficiency when such conduct:</p> <ol style="list-style-type: none"><li>1. Is sufficiently severe, persistent or pervasive that it affects an individual’s performance or creates an intimidating, threatening or abusive working environment; and/or,</li><li>2. Has the purpose or effect of unreasonably interfering with an individual’s performance; and/or,</li><li>3. Adversely affects an individual’s employment opportunities or other District-related responsibilities.</li></ol>
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<p>Prohibitions and Guidelines</p>	<p>The term Prohibited Harassment includes but is not limited to slurs, jokes, bullying, hazing or other verbal, graphic or physical conduct relating to an individual's actual or perceived race, color, creed, religion, ancestry, ethnicity, gender, sexual orientation, gender identity, gender expression, national origin, age, disability, or limited English language proficiency.</p> <p>“Sexual Harassment” is one specific form of Prohibited Harassment and refers to any unwelcome sexual advances or flirtations, sexual attention, requests for sexual favors, and other inappropriate verbal, visual, or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. submission to such conduct is made either explicitly or implicitly a term or condition of any individual’s employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance; or</li> <li>2. such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.</li> </ol> <p><u>Prohibited Harassment by District Employees or Other Members of the School Community</u></p> <p>Prohibited Harassment is unacceptable conduct in the educational and work environment and is prohibited. It is a violation of this policy for any District employee or another member of the school community to harass a District employee or another member of the school community.</p> <p><u>Retaliation Prohibited</u></p> <p>Retaliation against an individual who files a good faith complaint in accordance with either the formal or informal procedures referred to below or against an individual who participates in or cooperates with an investigation, is prohibited. Such retaliation will result in the same disciplinary action applicable to one who engages in harassment.</p> <p>Reporting harassment will not affect the reporting individual’s status with respect to either an employee’s future employment or work assignments or a student’s future academic opportunity, progress or record.</p> <p><u>Intentionally False Accusations Prohibited</u></p> <p>False accusations of harassment can have serious effect on innocent men and women, boys and girls. Therefore, it is prohibited to intentionally falsely accuse an</p>
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individual of harassment. Such intentionally false accusations will result in disciplinary action.

Procedures for Reporting and Investigating Prohibited Harassment

The administration shall report the circumstances of Prohibited Harassment to law enforcement officials and the district attorney's office as required by law, and cooperate with the law enforcement in their investigation. The Superintendent or designee will conduct an independent investigation to determine whether school policy and codes of conduct have been violated and recommend disciplinary action as appropriate.

The Board directs that complaints of Prohibited Harassment shall be investigated promptly pursuant to the applicable compliant procedures referenced below, and corrective action shall be taken when allegations are verified.

Applicable Complaint Procedures:

- a) Students: Board Policy and Administrative Regulation No. 219 *Student Complaint Process*
- b) Administrative Employees: Board Policy and Administrative Regulation No. 357 *Complaint Procedure*
- c) Professional Employees: Board Policy and Administrative Regulation No. 457 *Complaint Procedure*
- d) Classified Employees: Board Policy and Administrative Regulation No. 557 *Complaint Procedure*
- e) All others: Board Policy and Administrative Regulation No. 906 *Public Complaints*

The District shall inform students, staff, parents, independent contractors and volunteers that Prohibited Harassment of employees and other members of the school community will not be tolerated, by a variety of methods including publication in handbooks and presentations to students and staff when appropriate.

Each employee and other member of the school community shall respect the rights of other employees and members of the school community with the goal of creating and maintaining an atmosphere free from all forms of Prohibited Harassment.

The Superintendent shall ensure that procedures for resolving complaints involving Prohibited Harassment by and of employees and other members of the school

community are developed and made part of an Administrative Regulation. The procedures shall be distributed periodically to all employees and students as applicable.

Confidentiality

In all phases of the complaint resolution process, every reasonable effort shall be made to maintain the confidentiality and protect the privacy of all parties, consistent with the District's responsibility to investigate and address such complaints. However, even if one or more of the parties may have requested confidentiality, the request may not be honored if their safety and/or the safety of others may be compromised.

Consequences

A substantiated violation of criminal law, District policy, or code of conduct against a District employee or agent will subject such employee or agent to disciplinary action, up to and including discharge, whether or not criminal charges, if any, are substantiated.

Supervisors who either condone or fail to act or otherwise follow appropriate procedures regarding Prohibited Harassment brought to their attention also will be subject to disciplinary action.

Staff members who become aware of Prohibited Harassment involving a student and fail to report the complaint to the building principal or other designated individual will be subject to disciplinary action.

Students

A substantiated charge against a student shall subject such student to disciplinary action, up to and including suspension or expulsion.

The Superintendent is responsible for implementing this policy. Implementation will include, but is not limited to, the following activities:

1. Education

- a. The Superintendent or Superintendent's designee(s) will plan and implement appropriate programs to educate staff and students about Prohibited Harassment, and about this policy and its procedures.

b. Programs for staff will include mandatory training seminars or in-service programs which will reach all professional and support staff.

c. Programs for students will be age appropriate.

2. Communication

The Superintendent or Superintendent's designee(s) will implement a plan to communicate the policy and written procedures to students, parents or guardians and District employees and agents. Information about Prohibited Harassment and this policy shall be distributed with such frequency and in such a form as to ensure that all students and District employees and agents are aware of the various forms that Prohibited Harassment can take, the District's prohibition of Prohibited Harassment, and the procedures that are available to enforce the policy.

Prohibited Harassment policy and administrative regulations will be included in staff and student handbooks.