

Avoyelles Parish School System

Sexual Harassment Policies and Procedures Manual

Approved by the Avoyelles Parish School Board

June 3, 1997

Avoyelles Parish School Board is committed to providing a safe and stable climate for learning in every school. The **Handbook on Attendance, Discipline and Student Records** addresses the expectation for an atmosphere in which students and school personnel can work productively. The policy on Sexual Harassment will be referenced in this document beginning school year 1997-1998. This policy states the following:

Avoyelles Parish School Board Policy on Sexual Harassment

I. POLICY

- A. The Avoyelles Parish School board is a political subdivision of the State of Louisiana and as such is entrusted with care of thousands of children ranging from ages 3 to adulthood. It is tasked by the State and USA to maintain an environment that is devoid of inappropriate sexual behavior in any form involving employer-employee, employee-student, student-student or any other combination of these relationships.
- B. It is the policy of this Board that sexual conduct involving any of the relationships identified above, or any combination of Avoyelles Parish School Board property during school hours or official school functions will be considered conduct subject to disciplinary action by the Board or its representative as a minimum.
- C. It shall be a violation of this policy for any member of the Avoyelles Parish Public Schools staff to harass another staff member or student through conduct or communications of a sexual nature as defined in Section II. It shall also be a violation of this policy for students to harass other student or staff through conduct or communications of a sexual nature as defined in Section II.
- D. Each administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws and board policy and procedures governing sexual harassment within his/her school or office.
- E. Violations of this policy or procedure will be cause for disciplinary action, and depending on the circumstances, criminal prosecution.

II. DEFINITION

- A. Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or advancement or of a student's participation in school programs or activities; or
 2. submission to or rejection of such conduct by an employee or student is used as the basis for decisions affecting the employee or student or evaluation of the employee or student; or
 3. such conduct has the purpose of effect or unreasonably interfering with an employee's or student's performance or creating an intimidating, hostile, or offensive work or learning environment.
- B. Sexual harassment, as set forth in Section II-A, may include, but is not limited to, the following:
- >verbal harassment or abuse
 - >pressure for sexual activity
 - >repeated remarks with sexual or demeaning implications
 - >unwelcome touching
 - >sexual jokes, posters, etc.
 - >suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, job, etc.

III. PROCEDURES

- A. Any person who alleges sexual harassment by an employee or student in the school district may use the procedure detailed in the Avoyelles Parish School Board complaint procedure or may complain to his or her immediate supervisor, building principal, or district Title IX Supervisor. Filing a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.
- B. The right to confidentiality for both the accuser and the accused will be respected consistent with the school district's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

IV. SANCTIONS

- A. A substantiated charge against an employee in the school district shall subject that staff member to disciplinary action up to and including discharge.
- B. A substantiated charge against a student in the school district shall subject that student to disciplinary action, which may include suspension or expulsion, consistent with the student discipline code.

V. NOTIFICATION

Notice of this policy will be circulated to all schools and departments of the Avoyelles Parish Schools and incorporated in employee and student handbooks. Training regarding this policy and the prevention of sexual harassment shall be held for all employees and students in all school on an annual basis.

GRIEVANCE PROCEDURE

1. **FIRST LEVEL:** Any complainant who has a grievance shall discuss it first
 (Forms A & B) with his principal/other supervisor.

2. **SECOND LEVEL:** If as a result of the informal discussion, the matter is not
 (Forms C-H) resolved, the grievant shall initiate a grievance in writing to
 his principal/other immediate supervisor within five (5)
 school days giving full details of his grievance. The
 principal/other immediate supervisor shall communicate his
 decision to the grievant in writing within five (5) school
 days of the written grievance.

3. **THIRD LEVEL:** If the grievance remains unresolved, the grievant, no later
 than five (5) school days after receipt of the above
 decision, may appeal it to the Superintendent. The appeal
 must be made in writing and must give details as to why the
 decision was unsatisfactory. The Superintendent shall give
 his decision in writing to the grievant within ten (10) school
 days.

4. **FOURTH LEVEL:** If the grievance is not resolved, the grievant may, no later
 than five (5) school days after receipt of the
 Superintendent's decision, request a review by the Board.
 The request shall be made in writing through the
 Superintendent who shall review the grievance and shall, at
 the option of the Board, hold a hearing with the grievant
 and render a decision in writing within forty-five (45) days
 of receipt of the appeal. If the Board decides not to hold a
 hearing, the grievant shall be notified of this decision not
 later than thirty (30) days after receipt of the appeal.

5. **FIFTH LEVEL:** If the aggrieved person is not satisfied with the decision of
 the Board, he may appeal the Board's ruling through
 another judicial avenue including the courts, the Louisiana
 Department of Education, or the Department of Health,
 Education, and Welfare.

6. **REPRESENTATION:** An employee shall have the right to present his own
 grievance or may designate a representative to appeal with
 him at any level of the above procedure. The employee
 who chooses to have representation shall provide advance
 notice of such in writing to the superior at the respective
 level at least two (2) days prior to the hearing grievance.

SEXUAL HARASSMENT FORMS CHECKLIST

- **FORM A:** **INFORMAL COMPLAINT FORM**
Must be completed **immediately upon complaint.**
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant

- **FORM B:** **INFORMAL PROCEEDINGS DECISION**
Notification of decision/resolution must be rendered **within three (3) school days of the Informal Complaint.**
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant
 Accused

- **FORM C:** **FORMAL COMPLAINT FORM**
Must be completed **within five (5) school days of the notification of the Informal Proceedings Decision.**
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant

- **FORM D:** **FORMAL COMPLAINT FORM: NOTICE OF INVESTIGATION**
Must be completed immediately upon Formal Complaint.
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant
 Accused

- **FORMS E, F, G:** **FORMAL COMPLAINT INTERVIEW FORM:**
COPLAINANT (Form E); ACCUSED (Form F); WITNESS (Form G). Must be completed **within three (3) days of the Notice of Investigation.**
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant (Form E)
 Accused (Form F)
 Witness (Form G)

- **FORM H:** **FORMAL COMPLAINT FORM: REPORT OF FINDINGS**
Must be completed **within five (5) school days of the Formal Complaint.**
ORIGINAL: Title IX Coordinator
Copies: Principal
 Complainant
 Accused

**AVOYELLES PARISH SCHOOL SYSTEM
INFORMAL PROCEEDINGS DECISION**

Date: _____ Complainant's Name: _____
 Employee Student (Check one)

Accused Name: _____
 Employee Student (Check one)

School/Location: _____

Brief Description of Incident:

Decision/Resolution:

I have received a copy of the relevant Avoyelles Parish School Board Policy and understand the complaint procedure. I understand that I have five (5) days from my receipt of this decision/resolution to this complaint to accept or reject the decisions/resolutions and file a formal grievance. I further understand that confidentiality will be maintained as much as possible in the course of the investigation. This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

Complainant's Signature

Accused Signature

Accept Reject Date: _____

FOR OFFICE USE ONLY	
Person Receiving Complaint:	
Date Received:	Today's Date:

Original: Title IX Coordinator Copy: Principal Copy: Complainant Copy: Accused

AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT FORM

Date: _____

Complainant: _____ SS# _____

Address: _____

Telephone: () _____ (Home) () _____ (Work)

Employee Student Parent (Check one)

School/Work Site: _____

Complainant: _____

Description of Incident:

Date: / /	Time: : <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Place:

(Attach additional pages if needed)

I affirm the truth of the statements made in this complaint. I have received a copy of the relevant Avoyelles Parish School Board Policy and understand the complaint procedure. I understand I will receive notice of the date of an interview concerning this complaint. I further understand that confidentiality will be maintained as much as possible in the course of the investigation and that I should maintain confidentiality also.

Complainant's Signature

Person Receiving Complaint

Date

This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

Original: Title IX Coordinator

Copy: Principal

Copy: Complainant

**AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT FORM: Notice of Investigation**

Date: _____

Name: _____ **SS#** _____
(Complainant/Accused)

An allegation of _____ has been made by
_____ involving _____

An interview will be held for the purpose of gathering facts to make findings. This interview will
take place on _____, at _____,
(Date) (Time)

(Place)

You may bring a representative or other support. During this interview you will be made aware
of your Procedural Safeguards the procedure described in the Avoyelles Parish School Board
Policy and Procedures (attached).

Confidentiality will be maintained as much as possible; however, it will be necessary to talk to
others. It is important for all parties to maintain confidentiality also.

Avoyelles Parish School Board is committed to resolving complaints fairly and to preventing
retaliation against those who bring complaints.

I disclaim other representation.

Signature verifies receipt of this notice and does not imply agreement with the allegations.

Signature: _____ **Date:** _____

This agency does not discriminate on the basis of race, color, sex, national origin, or disabling
conditions.

Original: Title IX Coordinator

Copy: Principal

Copy: Complainant

Copy: Accused

AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT INTERVIEW FORM

COMPLAINANT

Date: _____

Complainant: _____ SS#: _____

Representative: _____

Principal: _____

- Inform: A complaint of _____ has been made and the purpose of this interview is to gather facts in order to make findings.
- Attach: Formal Complaint Form
- Review: Procedural Safeguards – The involved parties have the right to:
 1. Notice of the investigation;
 2. Examine relevant records;
 3. An impartial hearing with representation;
 4. A higher level of review of the findings.
- Attach: Copy of the Notice of Investigation
- Give: Copy of the relevant Avoyelles Parish School Board Policy and Procedures
- Remind: Confidentiality will be maintained as much as possible; however, it will be necessary to talk to others. It is important for the parties to maintain confidentiality also. Avoyelles Parish School Board is committed to resolving complaints fairly and to preventing retaliation against those who bring complaints.

DATA COLLECTION:

Complainant spoke to any one about the incident? YES NO

Parties, who? _____

When? _____

Witness(s) of the incident?

Background information:

Documentation of the incident:

If delay in reporting, why?

Effect of the incident on the complainant:

Any knowledge of complaint of others about the accused? Yes No. If yes, describe:

Remedy sought:

I have read this record. I agree that the content, with the attached Formal Complaint Form, is accurate and complete, I affirm the truth of the statement made in this complaint.

Complainant's Signature

Principal's Signature

This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

Original: Title IX Coordinator

Copy: Principal

Copy: Complainant

**AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT INTERVIEW FORM**

ACCUSED

Date: _____

Accused: _____ **SS#:** _____

Representative: _____

Principal: _____

- Inform:** A complaint of _____ has been made and the purpose of this interview is to gather facts in order to make findings.
- Review:** Procedural Safeguards – The involved parties have the right to:
 1. Notice of the investigation;
 2. Examine relevant records;
 3. An impartial hearing with representation;
 4. A higher level of review of the findings.
- Attach:** Copy of the Notice of Investigation
- Give:** Copy of the relevant Avoyelles Parish School Board Policy and Procedures
- Remind:** Confidentiality will be maintained as much as possible; however, it will be necessary to talk to others. It is important for the parties to maintain confidentiality also. Avoyelles Parish School Board is committed to resolving complaints fairly and to preventing retaliation against those who bring complaints.

DATA COLLECTION

Complaint:

Date: / /	Time: : <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Place:
Complaint:		

Incident:

- Admit** **Deny**

Remedy sought:

Own description of incident:

(Attach additional pages if needed)

Witness(s):

Documentation:

I have read this record and I agree that the content is accurate and complete. I affirm the truth of the statement made in this record.

Accused Signature

Principal's Signature

This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

Original: Title IX Coordinator

Copy: Principal

Copy: Accused

**AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT INTERVIEW FORM**

Witness

Witness: _____ Date: _____

Complainant: _____

Accused: _____

For: Complainant Accused (Circle one)

Inform: A complaint of _____ has been made and the purpose of this interview is to gather facts in order to make findings.

Give: Copy of the relevant Avoyelles Parish School Board Policy and Procedures

Remind: Confidentiality will be maintained as much as possible; however, it will be necessary to talk to others. It is important for the parties to maintain confidentiality also. Avoyelles Parish School Board is committed to resolving complaints fairly and to preventing retaliation against those who bring complaints.

Own description of the incident:

(Attach additional pages if needed)

I affirm the truth of the statement made in this report.

Witness Signature

Date

This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

Original: Title IX Coordinator

Copy: Principal

Copy: Witness

**AVOYELLES PARISH SCHOOL BOARD
FORMAL COMPLAINT: Report of Findings**

Date: _____

Complainant: _____ SS# _____

Accused: _____ SS# _____

- Both parties were informed of due process rights and were referred to Board Policy.
- Complete interview was undertaken and documented.

Summary of Findings:

Decision:

Remedy or recommendation:

Principal's Signature

If decision involved the suspension, dismissal, non-renewal of contract or demotion in rank of a tenured employee, the recommendation shall be made to the Superintendent with the complete file to the Title IX Supervisor. This agency does not discriminate on the basis of race, color, sex, national origin, or disabling conditions.

If accusation(s) is determined to be unfounded, all documents relating there to shall be expunged from the files of the Board.

Original: Title IX Coordinator Copy: Principal Copy: Complainant Copy: Accused