

SEXUAL HARASSMENT AND SEXUAL VIOLENCE POLICIES

Purpose

St. Joseph School is firmly committed to providing a safe, positive learning and working environment for everyone in the school. For this reason, and in keeping with the goals and objectives of Catholic education, St. Joseph School expressly prohibits sexual harassment and sexual violence in the school environment. This policy reemphasizes the personal dignity of the individual and fosters positive sexual attitudes and respect for others.

Sexual Harassment

The administration and staff of St. Joseph School believe that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment.

St. Joseph School will not tolerate harassment of any type, and the appropriate disciplinary action will be taken. Disciplinary action may include suspension or expulsion.

Examples of peer sexual harassment include, but are not limited to, verbal or written taunting; bullying; other offensive, intimidating, hostile or offensive conduct; jokes, stories, pictures, cartoons, drawings or objects which are offensive, annoy, abuse, or demean an individual or group.

Procedures to File a Sexual Harassment Complaint

Students or employees who believe they have experienced sexual harassment shall report such matter to the principal, who shall be the investigator for sexual harassment complaints.

1. A complaint of sexual harassment is to be made to the principal or other designated impartial administrator. The complaint shall be as specific as possible regarding details. If the complaint is made by an employee, it shall be in writing.
2. The principal or other impartial designee shall immediately investigate the complaint and shall make written notations of the specific allegations.
3. Information to be acquired during the investigation of the complaint shall include names of witnesses, date(s), times, and the specific charge of sexual harassment.
4. The need for confidentiality shall be stressed.
5. No reprisals will be tolerated against complainant(s), witness(es), or of individual(s) involved in the investigation.
6. The principal shall make a prompt determination regarding any disciplinary action. Notice shall be made to the parties regarding the disposition of the investigation consistent with the mandates of the Family Educational Rights and Privacy Act.

Sexual Harassment Investigation Procedure

Upon receiving a complaint from either a student or a school employee, the principal shall discuss the allegations with the complainant-victim to obtain a statement of the facts (e.g., what occurred, when, where, by whom, names of witnesses). All complaints are to be taken seriously. It is the responsibility of the principal to investigate promptly and impartially *all* claims of sexual harassment and to take appropriate and equitable action.

Parties shall be given an opportunity to present witness or other evidence during the investigation.

Information regarding an investigation of sexual harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against any employee or student because he/she filed a sexual harassment complaint, assisted or participated in a sexual harassment charge or because they have opposed language or conduct that violates this policy. Retaliation will result in discipline.

If the investigator is the alleged harasser or witness to the incident, an alternate investigator shall be designated.

When a crime has been committed, the local police department shall immediately be notified by the designated administrator.

After the investigation is complete, notice of the outcome shall be given to the complainant(s) and the alleged harasser(s) consistent with the mandates of the Family Educational Rights and Privacy Act.

Appropriate disciplinary action shall be taken when harassment has occurred, and appropriate efforts shall be taken to prevent reoccurrence of the harassment.

Sexual Violence

If an incident of sexual violence occurs, the principal, pastor, or other school authority is required under state law to report the incident (O.R.C. 2151.421). The Department of Human Services and the police will be contacted immediately if a staff member knows or suspects (O.R.C. 2151.421) that sexual abuse or violence has occurred involving a child less than eighteen years of age. Generally sexual harassment should be construed as sexual violence when: the recipient is physically touched without his/her consent in a sexual manner; is expressly threatened or perceives a threat of physical harm for purposes of the offender's sexual gratification; or is the victim of sex offenses under Ohio law, including Gross Sexual Imposition (O.R.C. 2907.05), Sexual Battery (O.R.C. 2907.03), Rape (O.R.C. 2907.02), Importuning (O.R.C. 2907.07), Voyeurism (O.R.C. 2907.08), Public Indecency (O.R.C. 2907.09), or Felonious Sexual Penetration (O.R.C. 2907.12) as examples. In each one of the above

examples, the Department of Human Services and the police will be contacted immediately.