

Board Policy Document

EDUCATIONAL PHILOSOPHY

Series 100

Policy Title: Sexual Harassment/Definitions

Code Number: AR103(a)

The following definitions are to be used in application of Policy Number 103.1 and are provided solely for the purpose of providing direction to students and personnel in the Sioux City Community School District:

I. Definition of Sexual Harassment

A. In Employment/ Education

Sexual harassment in the employment or educational context includes, but is not limited to, sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or education, or is the basis of an employment or educational decision; or

First Adoption: July 12, 1994

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Revision Adoption: December 16, 1997/November 26, 2002/March 17, 2008

Legal Reference: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq.; Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986); Burlington Indus., Inc. v. Ellerth, 524 U.S. 742 (1998); Faragher, 524 U.S. 775 (1997); Cannon v. University of Chicago, 441 U.S. 677 (1979); Franklin v. Gwinnet Pub. Schools, 503 U.S. 60 (1992); Davis v. Monroe County Bd. Of Ed., 526 U.S. 629 (1999); Gebser v. Lago Vista, 524 U.S. 274 (1998); Jackson v. Birmingham Bd. of Ed., 544 U.S. 167 (2005)

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2. Such conduct creates an intimidating, hostile, or offensive work or educational environment; or
3. Employees or students are denied employment or educational opportunities or benefits because the opportunities or benefits are given to another individual who submitted to sexual advances or requests for sexual favors.
4. Verbal or physical conduct of a sexual nature or conduct based on an individual's sex, by an employee, agent or another student, denies, limits, provides different, or conditions the provisions of employment or educational opportunities, aid, benefits, services or treatment to a student or employee.

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