

Brooklin School Committee

Policy Number 1.08

(NEPN/NSBA Code: ACAA)

Adopted: 8/09/94

Previous Revision: 12/09/97, 04/11/06, 04/14/11, 09/10/13, 12/8/20

Revised: 10/11/22

Harassment and Sexual Harassment of Students

Harassment of students because of race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability is prohibited. Such conduct is a violation of Brooklin School Committee policy and may constitute illegal discrimination under state and federal laws.

Harassment

Harassment includes, but is not limited to, verbal abuse, threats, physical assault and/or battery, based on race, color, sex, sexual orientation, religion, ancestry or national origin, age or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in the School Committee policy JICIA - Weapons, Violence and School Safety.

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including sexual assault and sexual violence. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Consistent with the law, this policy prohibits two types of sexual harassment:

1. **Tangible Employment or Educational Action (quid pro quo):** This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in an activity are made an explicit or implicit condition of submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting an individual's employment, education, living environment, or participation in a program or activity. Generally, a person who engages in this type of sexual harassment is an agent or employee with some authority conferred by the employer.
2. **Hostile Environment:** Sexual harassment that creates a hostile environment is based on sex and exists when the harassment:

- a. Is severe, pervasive, or persistent, and objectively offensive such that it denies or limits a person's ability to participate in or benefit from the School's programs, services, opportunities, or activities; or
- b. Unreasonably interferes with an individual's work performance.

Any student who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including expulsion. The Superintendent will determine the appropriate sanctions for harassment of students by persons other than school employees and students. The Superintendent or the employee designated as the Affirmative Action Officer and Title IX Coordinator will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.)
Title VI of the Civil Rights Act of 1964 (42 USC 2000d)
5 MRSA 4602; 4681 et seq.
20-A MRSA 6553

Cross reference:

Student Discrimination and Harassment Complaint Procedure – removed from policy book

Policy 1.07 (AC) - Nondiscrimination/Equal Opportunity and Affirmative Action

Policy 1.12 (ACAD) - Hazing

Policy 5.04 (JICIA) - Weapons, Violence and School Safety.