

Students

Harassment of Students Prohibited

The Board of Education believes in the dignity and uniqueness of each individual. In order to maintain a work and learning environment that is safe and promotes excellence in education, the Board of Education encourages respect for all persons and will not tolerate harassing or intimidating behavior.

Harassment is behavior, explicit or implicit, that has the intention or effect of harming or intimidating others or of creating a hostile or offensive environment for another. Harassment can take many forms – verbal, written, visual, physical and psychological – and is often, but not always, associated with race, ethnicity, religion, gender, sexual orientation, socioeconomic status, or physical differences. Examples of harassment may include, but are not limited to, name calling, stereotyping, derogatory remarks or slurs, or wearing or possessing items depicting or implying hatred of or prejudice against one of the characteristics stated above.

No person, including a district employee or agent, or student, shall harass or intimidate another based on the provisions of applicable local, state and federal laws and regulations that prohibit discrimination. It is the policy of the board to comply with all nondiscrimination laws.

Complaints of harassment or intimidation will be handled according to the provisions on sexual harassment, below. The Superintendent shall use reasonable measures to inform staff members and students that the district will not tolerate harassment, by including appropriate language in school handbooks.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and engages in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - A. Substantially interfering with a student's educational environment;
 - B. Creating an intimidating, hostile, or offensive educational environment;
 - C. Depriving a student of educational aid, benefits, services, or treatment; or
 - D. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms “intimidating,” “hostile,” and “offensive” include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person’s alleged sexual activities.

Students who believe they are victims of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the Student Nondiscrimination Coordinator, Principal, Assistant Principal, Dean of Students, or a Complaint Manager. Students may choose to report to a person of the student’s same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that one student was sexually harassed by another student shall be referred to the Principal, Assistant Principal, or Dean of Students for appropriate action as defined in Board Policy 7.190 (Student Discipline).

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the district’s current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Name	Gayle Wahlin
Address	Administrative Center 203 West Hillside Rd. Naperville, IL 60540
Telephone No.	420-6315

Complaint Managers:

Name	Gayle Wahlin	Russ Bryan
Address	Administrative Center 203 West Hillside Road Naperville, IL 60540	Administrative Center 203 West Hillside Road Naperville, IL 60540
Telephone No.	420-6315	420-6313

The Superintendent shall use reasonable measures to inform staff members and students that the district will not tolerate sexual harassment, by including this policy in the appropriate handbooks.

Any district employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any district student who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to, suspension

and expulsion consistent with the Discipline Policy 7.190. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: Title IX of the Educational Amendments, 20 U.S.C. § 1681 et seq.
34 C.F.R. Part 106
105 ILCS 5/10-22.5 and 5/27-1.
23 ILL.Admin. Code § 200.10 et seq.
Franklin V. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992)
Gebster V. Lago Vista Independent School District, 118 S.Ct.
1989 (1998)
Davis V. Monroe County Board of Education, ___ U.S. ___ (1999)
West V. Derby Unified School District No. 260, 10TH Cir. App,
3/21/2000.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment),
7:10 (Equal Educational Opportunities)
7.190 (Student Discipline)

APPROVED: October 7, 1996

REVISED: October 19, 1998
August 14, 2000