

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

SUPPORT STAFF MEMBERS

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Sexual and Workplace  
Harassment

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4352 SEXUAL and WORKPLACE HARASSMENT

It is the policy of the South Orange Maplewood Board of Education to maintain a learning environment that is free from harassment including sexual harassment. No staff member shall be subjected to harassment, by other staff members, Board of Education members, students or outside vendors (which shall be defined as one who sells or provides goods or services to the Board of Education).

It shall be a violation of law and this policy for any member of the South Orange Maplewood School District staff, Board of Education, student body or outside vendor to harass another person through conduct or communication as defined below ("Definition"). Violations of this policy or its related procedure shall be cause for disciplinary action as set forth in Board procedures.

Definition

- A. "Harassment" shall be defined as unwelcomed and/or unwanted tormenting, annoying, teasing, sexual advances, sexual suggestions, requests or demands for sexual favors, and/or other inappropriate verbal or physical conduct made by a staff member, Board of Education member, student, or outside vendor to a staff member when that conduct has the purpose or effect of interfering with the person's performance, or creates an intimidating, offensive or hostile environment.
- B. Harassment, as set forth above, may include, but is not limited to, the following unwelcome behavior or treatment:
1. Verbal harassment or abuse;
  2. Pressure for sexual activity;
  3. Remarks with sexual or demeaning implications;
  4. Physical contact; or
  5. Using one's position of authority along with implied or explicit threats to secure sexual favors.
  6. Remarks, comments, jokes, stories, cartoons or any other communication, oral or written, that are racially or ethnically discriminatory, or which discriminate or contain demeaning or offensive content based on gender, race, color, national origin, handicap or disability, age, ancestry, nationality, sex, gender identity or expression, military service, marital or domestic partnership or civil union status, atypical cellular or blood trait, genetic information, religion or affectional or sexual orientation.

The Superintendent shall direct the development of procedures regarding the implementation of this policy. All staff members, students and vendors shall be informed of this policy annually. The Superintendent shall also insure that staff and students participate in educational programs on an ongoing basis relating to this policy and the maintenance of an educational environment that is characterized by mutual respect, safety and personal security.

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Individuals and groups shall be treated with equality and fairness. Any staff member who believes he/she has been the object of sexual/workplace harassment, or who has independent cause to suspect harassment has occurred, may file a complaint pursuant to the Sexual/Workplace Harassment Grievance Procedures. All complaints will be investigated. No staff member will be subject to any form of retaliation for making a claim under this policy. Retaliation against an individual making a complaint is violative of law and this policy.

29 C.F.R. 1604.11  
Title VI and Title VII of the Civil Rights Act of 1964,  
42 USC § 2000, et seq.  
N.J.S.A. 10:5-12, et seq. (NJ Law Against Discrimination)  
20 USC § 1681 – Title IX of the Education Amendments of 1972

Cross Reference: 3362

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