

Somerset County Board of Education
Policy Guidelines
Policy 700-4

ANTI -HARASSMENT

Any employee with a complaint of harassment should follow the following complaint procedures in Policy 700-4. All complaints of harassment will be investigated and be promptly resolved.

- A. Definitions - Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- (1) Submission to such conduct is made a term or condition of an individual's employment.
 - (2) Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual.
 - (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
 - (4) Employment outcomes are linked to the individuals granting sexual favors – Quid pro quo.

Forms of sexual harassment include but are not limited to:

- (1) Verbal harassment, such as derogatory comments, jokes, or slurs.
- (2) Physical harassment, such as unnecessary or offensive touching, or impeding or blocking movement.
- (3) Visual-harassment, such as derogatory or offensive posters, cards, cartoons, graffiti, drawings or gestures.

Examples of other harassments are:

- (1) Verbal: Comments which are not flattering regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance. Epithets, slurs, negative stereotyping.
- (2) Non-verbal: Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual, or group because of national origin, race color, religion, age, gender, sexual orientation, pregnancy, appearance disability, marital or other protected status.

- B. Complaint Procedure - If an employee believes that comments, gestures or actions from any employee, including supervisors are offensive, the employee should report the alleged act immediately to his or her department supervisor, department manager, school principal or Director of Human Resources. If a complaint involves a manager coordinator, supervisor, or Director the complaint shall be filed directly with the Assistant Superintendent. At which time, appropriate notification will be made to the superintendent. An investigation will promptly ensue by the superintendent or designee to resolve such complaints.

No individual will suffer reprisals for reporting any incidents of sexual harassment, making any complaints, or participating in any investigation. In the event of a harassment complaint against the Assistant Superintendent or Superintendent, the complaint shall be filed directly with the Board Chair.

- C. Confidentiality - In no event will information concerning a complaint be released by the Board to third parties or to anyone within the Board who is not involved in the investigation. Nor will anyone involved be permitted to discuss the subject outside the investigation. The purpose of this provision is to protect the confidentiality of the employee who files a

complaint, to encourage reporting of any incidents of harassment, and to protect the reputation of any employee wrongfully charged with harassment.

- D. Disciplinary Action - Any employee or administrative personnel who are found to be responsible for harassment will be subject to appropriate discipline which may include termination as well as any applicable penalty provided by state and/or federal law. The severity of the disciplinary action will be based on circumstances of the infraction. Examples of possible sanctions may include, but are not limited to, warning letters to personnel files; poor job performance ratings impacting upon salary, work assignment, promotion, suspension or job termination.