

# EAST PENN SCHOOL DISTRICT

SECTION: CLASSIFIED EMPLOYEES

TITLE: PROHIBITION OF IMPROPER  
CONDUCT/COMPLAINT  
PROCESS

ADOPTED: January 14, 1991

REVISED: April 29, 1991

<p>1. Purpose</p> <p>2. Authority</p> <p>3. Definitions</p>	<p style="text-align: center;">548. PROHIBITION OF IMPROPER CONDUCT/COMPLAINT PROCESS</p> <p>It is the policy of the East Penn School District that all students and employees should enjoy a working environment free from all forms of discrimination, including sexual harassment. No student or employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.</p> <p>Sexual harassment lowers the morale and is damaging to the work environment; it is also illegal. Therefore, the East Penn School District will treat sexual harassment like any other form of employee misconduct and it will not be tolerated.</p> <p>It is illegal and against the policies of this district for any employee, male or female, to sexually harass another employee or student. <b>Sexual harassment</b> includes any unwelcome and/or uninvited advance, joke or inquiry as well as either explicit or implicit requests for sexual favors and unwanted touching. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:</p> <ol style="list-style-type: none"> <li>1. Submission to such conduct is made either explicitly or implicitly a term of an individual's employment or school-related status.</li> <li>2. Submission to or rejection of such conduct by an individual is used as the basis for employment or school-related decisions affecting such individual.</li> <li>3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.</li> </ol> <p>The district will enforce disciplinary action against any person who threatens or insinuates, either explicitly or implicitly, that a student's or employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any condition of employment or career advancement or school-related opportunities for students.</p>
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<p>4. Delegation of Responsibility</p>	<p>The district recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all facts in each case.</p> <p>The district will act positively to investigate alleged sexual harassment claims and to effectively remedy them when an allegation is determined to be valid.</p> <p>Any employee who feels that he or she is the victim of improper conduct or is experiencing harassment or discrimination on the job because of his or her age, sex, religion, race, nationality, ethnicity, handicap or other illegal criteria shall immediately report all matters to the Director of Management and Personnel Services. In the event the Director of Management and Personnel Services is the complainant or the accused, the matter shall be reported to the Superintendent of Schools.</p> <p>These reports shall be submitted in writing and should identify:</p> <ol style="list-style-type: none"><li>1. The name and address of the complainant.</li><li>2. The nature of the improper conduct.</li><li>3. The perpetrator.</li><li>4. The date(s), time(s), and place(s) of the improper conduct.</li><li>5. Any witnesses.</li><li>6. The remedial action sought.</li></ol> <p>Any student who believes that he or she is a victim of improper conduct may follow the complaint procedure of Policy 248.</p> <p>All such reports shall be promptly and thoroughly investigated.</p> <p>References:</p> <p>U.S. Civil Rights Act of 1964, Title VII; EEOC Reg. published at 29 CFR Sec. 1604 &amp; Pa Human Relations Act of 1955 as amended.</p> <p>29 CFR, Chapter XIV, Part 1604</p>
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