

SEXUALLY RELATED STUDENT MISCONDUCT

The Claiborne Parish School Board disapproves of and does not tolerate sexual misconduct by employees to students, by students to employees, or by one student to another student. No employee or student, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual misconduct does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and therefore interferes with the purposes of the employee and/or student in the academic, extracurricular, and co-curricular atmosphere, but that does not rise to the level of sexual harassment as defined by Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations. Sexually related misconduct includes any type of sexually coercive conduct, including, but not limited to, threats, comments, jokes or overtures of a sexual nature.

COVERAGE

This policy applies to all employees and volunteers, to the elected members of the School Board, and to all students of the Claiborne Parish School District. It applies at school, school sponsored events on or off school grounds, and in situations which are related to operations of the school.

COMPLAINT PROCEDURE

Any student who has a complaint of sexual misconduct against another student, employee, or non-employee engaged in business with the School Board shall submit in writing to the principal the nature of the complaint, including specific alleged act(s) which constitute the alleged misconduct, the person or persons who the complainant alleges committed the misconduct, witnesses to the alleged act(s), and the date(s) and time(s) of the alleged act(s). Should the claim of sexual misconduct be brought against the principal of the school, the complaint should be brought directly to the Supervisor of Child Welfare and Attendance or his/her designee or the Title IX Coordinator. The complaint shall be forwarded to the appropriate administrator as soon as possible following the alleged action. All complaints of sexual misconduct shall be investigated thoroughly and promptly and the complainant's parents/guardian shall be notified immediately.

The appropriate designated administrator shall meet with the witnesses and the persons accused of the alleged act(s) of sexual misconduct and shall document the discussions with these individuals. Upon completion of the investigation, the designated administrator shall submit a report to the Superintendent with a recommendation for whatever action he/she deems appropriate based upon the severity of the violation. The investigation and report shall be completed within ten (10) workdays after the initial meeting with the complainant. If the investigator finds no evidence to substantiate the complaint, he/she shall state in writing his/her reasons for the finding. If warranted, disciplinary action shall

be taken up to and including termination of an employee or expulsion of a student. Any disciplinary action regarding an employee shall be placed in the employee's personnel file which will reflect the action taken and the grounds therefor.

After any sexual misconduct complaint process is completed, the designated administrator shall follow up to ensure that the alleged act(s) have ceased.

SUSPECTED CHILD ABUSE

If the victim of the alleged sexual misconduct is a minor student and if the alleged misconduct falls within the definition of *abuse* as found in School Board policy *JGCE, Child Abuse and Neglect*, then all school employees with knowledge shall be considered *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting must be made in addition to any procedures for handling sexual misconduct complaints.

NONRETALIATION

Retaliation against any employee or student who brings sexual misconduct charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual misconduct complaint or assisting in the investigation of such a complaint shall not be adversely affected, discriminated against or punished because of the complaint.

STUDENT DISCIPLINE

All recommendations for student discipline shall be handled by the Superintendent. Parents shall be notified of any complaint of sexual misconduct. A meeting of the Superintendent, principal, student, and the student's parent/guardian shall be required.

Revised: August 6, 2020

Ref: 42 USC 2000e (*Civil Rights-Definitions*); 29 CFR 1604.11 (*Guidelines on Discrimination Because of Sex-Sexual Misconduct*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 12-5-95, 8-6-20.