

**TERRELL COUNTY BOARD POLICY**  
**Harassment**

**Descriptive Code: GAEB**  
**Issue Date: 10/11/10**  
**Rescinds Code: GAEB/JCEC**  
**Issue Date: 8/10/1992**

**Sexual Harassment**

All persons associated with the Terrell County School System including, but not limited to, the Board, the administration, the staff, and students are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person in the above-identified group who engages in sexual harassment while acting as a member of the school community will be in violation of this policy. There will be zero tolerance of sexual harassment. All matters involving sexual harassment complaints shall remain confidential to the extent possible.

**Definition of Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or participation in an education function, or
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or decisions affecting such individual's education, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

**The Hearing Officer:** The Superintendent shall serve as the harassment hearing officer vested with the authority and responsibility of processing all sexual harassment complaints. If a sexual harassment complaint is filed against the Superintendent of Schools, the complaint shall be presented to the Board of Education and will be processed by a special hearing officer appointed by the Chairman of the Board.

**Procedure**

1. Any member of the school system who believes that he/she has been subjected to sexual harassment is to report the incident(s) to any school administrator. The administrator is to contact the hearing panel.
2. The hearing panel will attempt to resolve the problem in an informal manner through the following process:
  - a. The hearing panel will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts.

- b. The hearing panel will attempt to meet with the charged party in order to obtain a response to the complaint.
  - c. The hearing panel may hold as many meetings with the parties or gather whatever additional evidence as is deemed necessary.
  - d. On the basis of the hearing panel's perception of the situation, the panel may:
    - i. Attempt to resolve the matter informally through conciliation.
    - ii. Report the incident and transfer the record to the Board or its designee, and so notify the parties by certified mail.
3. After reviewing the record made by the hearing panel, the Board or designee may attempt to gather whatever additional evidence is necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including termination of employment or, for a student offender, expulsion from school.
- a. Any sanctions must be in accordance with employer contracts or agreements where applicable and in accordance with the procedural protection of state law.
  - b. When the Board determines that sexual harassment occurred, such determination shall be considered to be immoral with regard to state law.

### **The Hearing Panel**

The hearing panel shall consist of the Superintendent and/or the Superintendent's designee and two other panel members. The hearing panel shall be gender and racially diverse. The panel shall be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the adopted procedure.