Language for Student Handbooks for 2020-2021 SY:

Harassment/Sexual Harassment/Title IX Sexual Harassment Policy –It is the policy of the District to maintain an environment for learning and working that is free from harassment, sexual harassment and Title IX sexual harassment, as defined herein, and such conduct is prohibited. It is also the policy of the District to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Additionally, the District does not discriminate in any manner, including Title IX sexual harassment, in any District education program or activity. Inquiries regarding the application of Title IX to the District may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The District's Title IX Coordinator is: Janet Nahay, Confidential Executive Assistant to the Superintendent – Personnel; Phone: 814-724-3139, Email address: janet.nahay@craw.org; Address: 11280 Mercer Pike, Meadville, PA 16335.

The District's Board Policy 103 "Discrimination/Title IX Sexual Harassment Affecting Students" and the associated Attachment 2 "Discrimination Complaint Procedures" and Attachment 3 "Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints" are set forth in full on the District's website and can be accessed at: *https://www.craw.org/about-us/district-policies-info*.

Definitions

"Discrimination" shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy and/or handicap/disability.

"Harassment" is a form of discrimination based on the protected classifications listed above consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the service, activities or opportunities offered by the District or a school.

It shall be a violation of this policy to harass a student or District employee. Bullying can be a form of harassment. A student's sending, sharing, viewing, selling, purchasing or otherwise disseminating of obscene, pornographic, lewd, sexually explicit or nude images, photographs or video content of another student may be considered harassment.

"Title IX Sexual Harassment" - means conduct on the basis of sex that satisfies one or more of the following:

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

3. Sexual assault, dating violence, domestic violence or stalking.

    a. *Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

i. Length of relationship.

ii. Type of relationship.

iii. Frequency of interaction between the persons involved in the relationship.

b. *Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

c. *Sexual assault* means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

d. *Stalking*, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

i. Fear for their safety or the safety of others.
ii. Suffer substantial emotional distress

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Violations of this **Harassment/Sexual Harassment/Title IX Sexual Harassment Policy**, as set forth more fully in Board Policy 103 "Discrimination/Title IX Sexual Harassment Affecting Students" and associated Attachments 2 and 3, including acts of retaliation as described in the policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures. This Policy prohibits individuals from knowingly submitting false information during the Title IX grievance process outlined in Attachment 3 of Policy 103 and during other grievance or hearing processes established by Board policy and procedures and/or the Student Code of Conduct. A violation of this prohibition by district students may lead to discipline up to and including referral for expulsion.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation and Grievance Procedure:

The Board encourages students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal or the Title IX Coordinator, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal or the Title IX Coordinator.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal or Title IX Coordinator, as well as properly making any mandatory police or child protective services reports required by law.

If the building principal is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form which has been developed for purposes of reporting an incident or incidents in writing; however, verbal reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed. A copy of this Report Form can be accessed on the District's website at: *https://www.craw.org/about-us/district-policies-info*, and through the building principal or the Title IX Coordinator.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as defined by Title IX. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the District's Discrimination Complaint Procedures (Attachment 2 to Policy 103) or if the reported circumstances meet the definition of Title IX sexual harassment and shall be addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints (Attachment 3 to Policy 103). Those procedures are lengthy and copies of the procedures are not reproduced in full in this Student Handbook but can be accessed on the District's website at: *https://www.craw.org/about-us/district-policies-info* and/or hard copies are available in the building principal's office and through the Title IX Coordinator.