

PERSONNEL

Sexual Harassment P 5-36.5

- A. The Lynchburg City School Board is committed to providing a work environment conducive to the performance of job responsibilities and free from intimidation or coercion in any form.
- B. The school board is dedicated to stringent policy against discrimination. It is the intent of this policy to further detail sexual harassment as a form of discrimination.
- C. Sexual harassment is an unlawful employment practice. Therefore the practice of sexual harassment is prohibited and employees are required to refrain from conduct which gives rise to allegations of sexual harassment.

Behavior that constitutes sexual harassment, as currently defined in guidelines published by the U.S. Equal Employment Opportunity Commission, includes sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that 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.

Legal Reference: (1983) Katz v. U.S. Department of Transportation added.

Title VII, Civil Rights Act of 1964 as amended.

Code of Federal Regulations. Title 29, Chapter XIV, § 1604.11 Sexual Harassment (1980)

Katz v. U.S. Department of Transportation, 4th Circuit Court of Appeals (June 2, 1983). Court ruled it was not enough for the government or private employers to have an official policy against sexual harassment; the policy must be actively enforced in the work environment. The ruling affects employers in Virginia.

Adopted by School Board: May 19, 1992