

SEX DISCRIMINATION AND SEXUAL HARASSMENT POLICY
COVERING EMPLOYEES

No employee shall, on the basis of his or her sex, be denied equal access to programs, activities, services, or benefits, or be limited in the exercise of any right, privilege, advantage, or opportunity offered by the District.

An employee's right to freedom from discrimination on the basis of sex includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the operation of the School District and will not be tolerated.

It shall be a violation of this policy for any District employee, student, or third party to discriminate on the basis of sex against an employee, or to harass an employee through conduct or communications of a sexual nature as defined below. This includes harassment by a supervisor or another co-employee.

Definition of Sexual Harassment

1. Sexual harassment of employees is unwelcome conduct of a sexual nature. Such conduct can include unwelcome sexual advances, requests for sexual favors, and verbal, nonverbal or physical contacts of a sexual nature when submission to such conduct is made a condition of employment or a basis of an employment decision. Sexual harassment also may be found to have occurred when the above-mentioned conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment.
2. Sexual harassment, as defined above, may include but is not limited to the following:
 - a) Basing an evaluation, recommendation, transfer, etc. on an employee's refusal or submission to sexual advances.
 - b) Jokes, stories, cartoons, or pictures that convey a sexual message, and/or place the opposite sex in demeaning roles, thereby creating a hostile working environment for the sex which is the subject of the jokes, stories, cartoons, or pictures.
 - c) Unwelcome touching.
 - d) All types of verbal harassment and abuse of a sexual nature.
 - e) Pressure for sexual activity.

- f) Any other remarks or actions to a person, with sexually demeaning implications.
- 3. Unwelcome: Conduct is unwelcome if the employee did not request or invite it and regarded the conduct as undesirable or offensive. Acquiescence in the conduct or failure to complain does not always mean the conduct was welcome.

Complaint Procedure

Any employee who alleges sex discrimination or sexual harassment by any District employee, student, or third party may complain to the building principal or immediate supervisor, or directly to the Title IX Coordinator through the Title IX Grievance Procedure as set forth in Board Policy.

The Board of Education hereby designates the Title IX Coordinator for the School District:

Andratesha Fritzgerald
Director of Federal Programs
East Cleveland City School District
Board of Education Offices
1843 Stanwood Road
Cleveland, OH 44112
216-268-6600

Retaliation against those who file a complaint or participate in the investigation of the complaint is prohibited. Therefore, filing of a complaint or otherwise reporting sexual harassment will not reflect upon the employee's work status or future employment.

Discipline

A substantiated charge against an employee in the School District shall subject that employee to disciplinary action.

LEGAL REFS: Title IX of the Education Amendments of 1972
20 C.F.R. 1604.11

Adopted: August 12, 2014