



## **ADRIAN PUBLIC SCHOOLS Policies and Regulations**

**NEPN Code: GBCB**

### **Anti- Harassment Policy**

#### **Policy Statement**

It is the policy of the Adrian Public Schools (the “District”) to provide an environment free from legally prohibited harassment, including sex-based harassment. Consistent with this policy, the District will investigate all allegations of harassment, including sex-based harassment, and take appropriate action, including appropriate discipline, against any individual who an investigation concludes engaged in legally prohibited harassment.

The District will comply with all applicable state and federal laws related to harassment, including sex-based harassment.

#### **Student Code of Conduct**

The Superintendent or designee will include and regularly update a statement explaining the District’s policy against legally prohibited harassment, including sex-based harassment, in each student code of conduct. This statement must include an explanation of types of harassment, including sex-based harassment, examples of harassment types, reporting requirements, and consequences as explained in this policy.

#### **Types of Harassment**

**Sex-based harassment** is prohibited by Title IX of the Education Amendments of 1972 (“Title IX”) and the Michigan Elliott-Larsen Civil Rights Act (the “ELCRA”). Title IX provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity operated by the District. Sexual harassment is a form of sex-based harassment and is prohibited by Title IX, the ELCRA and District policy. Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or any act of sexual violence. Sexual harassment of a student creates a hostile environment if the conduct is sufficiently serious to deny or limit a student’s ability to participate in or benefit from the District’s program. Examples of conduct that may constitute sex-based harassment include, but are not limited to:

**Verbal:** unwelcome comments, including the use of derogatory, sexually suggestive, or vulgar language; the use of sexual innuendos; unwelcome advances or requests for dates or sexual favors; threats based on or motivated by a person's sex; demanding or pressuring another individual to submit to sexual requests or advances in order to attain academic or professional achievements or advances; threatening another individual's academic or professional accomplishments or reputation if that individual does not submit to sexual requests or advances; or any other similar behavior.

**Visual:** subjecting another individual to sexually suggestive, pornographic, or obscene images, text, or cartoons, including by electronic mail, text message, letter, or any other medium; the use of obscene gestures toward or around another individual; leering at another individual; or any other similar behavior.

**Physical:** unwanted kissing, touching, patting, hugging, pinching, or any other unwanted physical contact; impeding another individual's normal movements; stalking, assault, or battery based on the victim's sex; any other physical interference with another person based on that person's sex; or any other similar behavior.

Sex-based harassment does not need to include intent to harm an individual, be directed at a specific target, or involve repeated incidents. The District will investigate all reports of sex-based harassment, including allegations of harassment involving an alleged harasser and victim who are members of the same protected class.

Sexual conduct or relationships between District employees and students are prohibited. Consent is irrelevant with respect to criminal charges that may result and application of District policy.

### **Prohibited Conduct**

All legally prohibited harassment, including sex-based harassment, is strictly prohibited. This policy applies to student-to-student conduct, staff-to-student conduct, staff-to-staff conduct, and student-to-staff conduct. This policy applies to all conduct occurring on District property including in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

Policy: Board Action (formerly GBCB, JFCF, JFCR-R)  
Adopted: May 3, 1999  
Amended: November 23, 2015  
May 13, 2019