

SEXUAL HARRASSMENT/SEXUAL DISCRIMINATION

PURPOSE

All students enrolled in the Morehouse Parish School System have the right to attend school in an environment free from all forms of discrimination. Sexual harassment, whether committed by a School Board member, employee or student is specifically prohibited as unlawful and against the policy of the Morehouse Parish School Board.

The Morehouse Parish School Board believes that sexual harassment is a form of misconduct that undermines the integrity of the educational relationship. No employee or student, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written or physical conduct of sexual nature when made by a school district employee to a student or when made by an employee to another employee or when made by a student to an employee constitutes sexual harassment when:

1. A school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called "quid pro quo" harassment); or
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 the school's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)); or
4. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. While a single incident of offensive sexual conduct, remarks or display will generally not create a hostile environment unless it is severe, such behavior is inappropriate and may subject the employee or student to counseling and/or discipline.

Sexual harassment, as defined above, may include, but is not limited to, the following:

- < Verbal or written harassment or abuse;
- < Pressure for sexual activity;
- < Repeated remarks to a person which contain sexual or demeaning implications;
- < Unwelcome touching, close physical proximity or looks;

- < Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, position in school, etc.
- < Display or distribution of sexually suggestive or derogatory objects, pictures, magazines, cartoons, posters, drawings, or images;
- < Sexually oriented gestures;
- < Sexually coercive or oppressive conduct.

COVERAGE AND NOTICE

Actual notice means notice of sexual harassment or allegations of sexual harassment to the School District's Title IX Coordinator or a school's Title IX Coordinator or any official of the school who has authority to institute corrective measures on behalf of the school, or to any employee of an elementary or secondary school.

The Superintendent shall appoint a Title IX Coordinator for the School District whose name, position and contact information (to include telephone number, electronic mail address, and office mail address) shall be placed in each student handbook, in each teacher handbook and prominently on the school district's website. In addition, each school must designate and authorize at least one employee to coordinate its efforts to comply with Title IX responsibilities, which employee must be referred to as the "Title IX Coordinator" whose name and title, office address, electronic mail address and telephone number shall be placed in the school's handbook, in the school's student handbook, the school's teacher handbook and prominently on the school district and school websites.

The intentional fabrication of a sexual harassment complaint constitutes misconduct.

Schools must respond when sexual harassment occurs in the school's education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the complainant and respondent and the context in which the sexual harassment occurs, and also includes any building that is officially recognized for the use of the Morehouse Parish School System.

RESPONSIBILITY

Every School Board Member, the Superintendent, administrator, principal, teacher, and employee has the responsibility to report any witnessed or experienced sexual harassment to a Title IX Coordinator.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving a person's verbal or written report.

Such report may be made at any time (including during non-business and non-school hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Only those acting on behalf of the School Board to investigate claims of sexual harassment shall directly contact the alleged respondent concerning the claim or complaint. If anyone other than those assigned to investigate sexual harassment complaints receives a claim or complaint, that individual will not report the receipt to the complaint to the alleged respondent but to his or her superior and/or a person so designated by the Superintendent.

COMPLAINT PROCEDURE

A “complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A “respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

A “formal complaint” is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity of a school of the Morehouse Parish School District.

A formal complaint may be filed with the Title IX Coordinator in person, by mail or by electronic mail by using the contact information required to be listed for the Title IX Coordinator as set forth above, and by any additional method the school may designate.

The phrase “Document Filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Whether the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party during a grievance process, and must comply with requirements for all Title IX personnel to be free from conflicts and bias.

A parent or legal guardian may act on behalf of a respondent or a complainant including by filing formal complaints in Title IX matters.

With or without a formal complaint, the Title IX Coordinator must at a minimum:

1. Offer supportive measures to the complainant;

2. Promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint;
3. Follow the appropriate grievance process set forth hereinafter before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent;
4. Must not restrict rights protected under the United States Constitution, including First Amendment, Fifth Amendment, and Fourteenth Amendment, as a way of responding in a non-deliberately indifferent manner.
5. "Supportive Measures" mean:
 - A. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.
 - B. Such measures are designed to restore or preserve access to the educational programs or activities of the parties, without unreasonably burdening the other party; protect the safety of all parties and the district's educational environment and deter sexual harassment.
 - C. Supportive measures may include counseling, coerced-related adjustments, modification of work or class schedules, increase security and monitoring of certain areas and mutual restrictions on contact between the parties.

The School District and any investigator cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the school obtains that party's voluntary, written consent to do so. Furthermore, no questions may be asked of the complainant's sexual predisposition or prior sexual behavior unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than respondent committed a conduct alleged by the complainant, or if the questions in evidence concern specific incidence of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

INVESTIGATIONS

An investigation shall be entitled “a fair grievance process.”

The Title IX Coordinator shall investigate formal complaints of sexual harassment to ensure that the process incorporates due process principles, treats all parties fairly and reaches reliable responsibility determinations. The investigation must:

1. Give both parties and their parents written notice of allegations, an equal opportunity to select an advisor of the party's choice (who may be, but does not need to be, an attorney) and an equal opportunity to submit and review evidence throughout the investigation;
2. Allow the respondent ten (10) school days to respond.
3. Use trained Title IX personnel to objectively evaluate all relevant evidence without prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party;
4. Protect all parties' privacy by requiring a party's written consent before using the party's medical, psychological, or somewhat treatment records during the process;
5. Obtain the parties' voluntary, written consent before using any kind of “informal resolution” process such as mediation or restorative justice, and not use an informal process where an employee allegedly sexually harassed a student;
6. Apply a presumption that respondent is not responsible during the grievance process (called a “presumption of innocence”), so that the school district bears the burden of proof by a preponderance of the evidence that the sexual harassment occurred;
7. The Title IX Coordinator shall receive all of the information pertaining to the complaint from the complainant and respondent within ten school days. The investigation shall be undertaken by the Title IX Coordinator and the Personnel Director unless one of those individuals is a respondent, and if so, the superintendent shall name a replacement for that person.
8. The final investigative report shall be submitted to the Superintendent of Child Welfare and Attendance who shall review the findings of the investigation and render the decision consistent with legal requirements within thirty (30) days of the receipt of the results of the investigation.
9. Both parties shall be sent a written determination regarding responsibility and explaining how and why the Supervisor of Child Welfare and

Attendance reached the conclusions. The written determination shall effectively implement remedies for complainant if a respondent is found responsible for sexual harassment.

APPEAL

An appeal may be made from the Supervisor of Child Welfare and Attendance's determination regarding responsibility and from the District's dismissal of a formal complaint or any allegations therein on only the following basis to the Superintendent:

1. Procedural irregularity that affected the outcome of a matter.
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.
3. The Title IX Coordinator, investigator(s), or decision maker (Supervisor of Child Welfare and Attendance) had a conflict of interest or bias that affected the outcome of the matter.

INFORMAL RESOLUTION

Informal resolution prior to a decision by the Supervisor of Child Welfare and Attendance may be had if both parties give voluntary, informed, written consent. Neither a school nor the School District may require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints.

No school or the School District may require the parties to participate in informal resolution and may not offer informal resolution unless a formal complaint is filed.

At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the grievance process with respect to the formal complaint.

Schools must not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

CONFIDENTIALITY

Confidentiality as to the complainant and the nature of the complaint shall be maintained, consistent with the needs of the investigation into the complaint. Information concerning the complaint, the complainant, the respondent, and the results or progress of the investigation will be on a need to know basis, only by those assigned duties to receive complaints, those who investigate them, and those interviewed.

SANCTIONS

Some acts of sexual misconduct are considered criminal and are subject to prosecution.

The Morehouse Parish School Board will fully cooperate with law enforcement agencies and the District Attorney in investigating and prosecuting such criminal offenses.

A substantiated charge against an employee in the Morehouse Parish School System, shall subject that employee to disciplinary action which may include verbal warning, letter of reprimand, suspension and/or termination of employment.

A substantiated charge against a student in the Morehouse Parish School System shall subject that student to disciplinary action deemed necessary and appropriate including parental notification, warnings, counseling, suspension or expulsion, consistent with the student discipline code and a due process hearing if expulsion is involved.

NOTIFICATION AND TRAINING

Notice of this policy will be circulated to all schools and departments of the Morehouse Parish Public School System and adopted and printed in teacher and student handbooks. Training sessions on this policy and the prevention of sexual harassment shall be held in all schools on an annual basis. Training sessions for new non-teaching employees shall be conducted annually. All current employees will be provided a copy of this policy as well as newly hired personnel on an annual basis.

PROHIBITION AGAINST RETALIATION

No school or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because an individual has made a report or complaint, testified, assisted or participated or refused to participate in any manner in a Title IX investigation, proceeding or hearing.

Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint for sex discrimination, or a report or formal complaint of sexual harassment, for the purposes of interfering with any right or a privilege secured by Title IX, constitutes retaliation which is prohibited.

Each school and the School District must keep confidential the identity of complainants, respondents and witnesses, except as may be permitted by the *Family Educational Rights and Privacy Act* (FERPA), or as required by law, or as necessary to carry out a Title IX proceeding.

Complaints alleging retaliation may be filed according to the procedures set forth for sex discrimination as set forth above.

The exercise of a right protected under the First Amendment of the Constitution does not constitute retaliation.

Charging an individual with a code of conduct violation for making materially false statement in bad faith in the course of a grievance procedure under this part does not constitute retaliation; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

RECORD RETENTION

The School District will maintain all written records of actions taken in response to a complaint for at least seven (7) years.

Approved: June 3, 2025

Ref: 42 USC 2000e (*Civil Rights-Definitions*); 29 CFR 1604.11 (*Guidelines on Discrimination Because of Sex-Sexual Harassment*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 6-3-25.