



ADMINISTRATIVE POLICY

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

SEXUAL HARASSMENT (Employees/Third Parties)

It is the policy of Clarksville-Montgomery County School System (District) to maintain a learning and working environment that is free from sexual or sex-based harassment. The District does not discriminate on the basis of sex and it prohibits any and all forms of sexual harassment and discrimination on the basis of sex in violation of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.

It is a violation of District policy for any employee of this District to engage in sexual or sex-based harassment as defined by District policies against a student, employee, or third-party vendor/contractor/volunteer. It is a violation of District policy to retaliate against any person filing a sexual or sex-based harassment complaint or participating in an investigation. It is a violation of District policy for a District employee to tolerate sexual or sex-based harassment as defined by District policies by a student, employee, third-party vendor/contractor, or volunteer assisting, observing or otherwise engaging in sanctioned District activities subject to the control and supervision of the District or on District property. All employees will receive training on complying with this policy and federal law.

The District will act promptly to investigate all complaints of sexual harassment as defined herein, whether verbal or written and to promptly take appropriate action to protect individuals who may have experienced sexual or sex-based harassment. If it is determined that unlawful sexual or sex-based harassment has occurred to the District will take prompt and appropriate actions to address, to include administering discipline to a student or employee who is found to have violated District policy and/or take other appropriate action reasonably calculated to end the sexual or sex-based harassment. (Ref. [HUM-P019](#), [STS-A007](#) and [STS-P012](#))

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. For an employee and third-party individual, sexual harassment is unwelcome conduct on the basis of sex occurring on District property or at a sanctioned District activity (whether on or off District property) subject to the control and supervision of the District and satisfying one or more of the following:

- a. Submission to or rejection of such conduct is made a term or condition of or is used as a factor in decisions related to, either explicitly or implicitly, obtaining or retaining employment or
- b. The conduct is so severe or pervasive that to a reasonable person in the employee's position it has the purpose or effect of substantially or unreasonably interfering with an employee's employment or creates an intimidating, hostile, or offensive employment environment.

Harassing conduct based on sex includes conduct of a sexualized nature as well as non-sexual conduct based on sex.

Examples of harassing conduct of a sexualized nature includes, but are not limited to: (1) conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or



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involving sexual activity or sexually suggestive or offensive remarks; (2) sexual coercion such as pressure for sexual favors; or (3) sexual violence such as rape or sexual assault.

Examples of harassing non-sexual conduct based on sex includes, but are not limited to, the following: (1) sex-based epithets; (2) sexist comments or sex stereotyping, i.e., women don't belong in management or men shouldn't be nurses; (3) facially sex-neutral offensive conduct motivated by sex, i.e., bullying behavior directed toward employees of one sex; or (4) pregnancy, childbirth or related medical conditions.

Sexual harassment may be directed against a particular person(s) whether of the opposite or same sex.

Submit inquiries or complaints associated with Title VII of the Civil Rights Act of 1964 and employee inquiries or complaints associated with Title IX of the Education Amendments Act of 1972 to:

Melissa Izatt
Chief Human Resources Officer/Designee
621 Gracey Avenue
Clarksville, TN 37040
(931) 920-7913
melissa.izatt@cmcss.net

This policy will be reviewed and approved by legal counsel every two (2) years or upon any changes to the policy content. Approval signatures kept on file.

Implementing Procedures: [HUM-P019](#) Reporting Allegations of Sexual Harassment
[STS-P012](#) Reporting Procedure for Students Subjected to Alleged Sexual Harassment

Associated Documents: [STS-A007](#) Sexual Harassment (Student)
[STS-F037](#) Sexual Harassment Report Form
[HUM-F038](#) Report of Investigation of Sexual Harassment Complaint by Employee
[HUM-M001](#) Employee Handbook
[STS-M001](#) Student Code of Conduct
Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972

Revision History:

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
10/28/05		Initial Release
8/27/12	A	Add statement "This policy will be reviewed and approved by legal counsel every two (2) years or upon any changes to the policy content. Approval signatures kept on file."
11/4/13	B	Added Implementing Procedure: HUM-P028 Student to Student Sexual Misconduct Middle and High School Students and Associated Document: HUM-F076 Report of Middle or High School Student-to-Student Sexual Misconduct; Updated logo and format

5/4/2015	C	Several revisions made to content by legal counsel. Added Implementing Procedure: HUM-P029 Reporting Allegations of Sexual Harassment of Student and Associate Documents: HUM-F037 Investigative Report Regarding Sexual Complaint by Student, STS-M001 Student Code of Conduct. Added annotation Title IX of the Education Amendments of 1972.
1/15/18	D	Para. 4, section c: added “enough” to first sentence.
9/8/20	E	Updated throughout to reflect changes to law that required separate policies – one for students and one for employees. Added “on the basis of sex” throughout the document. Added “occurring on District property or at a sanctioned District activity (whether on or off District property) subject to the control and supervision of the District” throughout. Added “but are not limited to,” and updated items b and g in the list of what constitutes sexual harassment. Added the sentence that sexual harassment may be directed against a particular person whether of the opposite or same sex, and updated information on where to submit inquiries.
5/1/23	F	Added “Employees/Third Parties” to the title of the policy. Replaced Jeanine Johnson with Melissa Izatt.
1/8/24	G	Added designee next to CHRO.
7/15/24	H	Added “sex-based discrimination” to prohibited conduct throughout with descriptions of what constitutes sex-based discrimination. Added a provision that retaliation against an employee who reports harassment of some form is also prohibited.

***** End of Policy *****