

STUDENT RIGHTS AND RESPONSIBILITIES:
SEXUAL HARASSMENT/SEXUAL ABUSE

FFH
(EXHIBIT A)

Notice of Parent and Student Rights

What is the District policy concerning sexual misconduct?

Every student has the right to attend District schools and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment.

The District encourages parental and student support in its efforts to address and prevent sexual harassment and sexual abuse in the public schools.

What is sexual harassment?

Sexual harassment of a student by an employee includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. It also includes such activities as engaging in sexual oriented conversations for purposes of personal sexual gratification, telephoning a student at home or elsewhere to solicit inappropriate social relationships, physical contact that would be reasonably construed as sexual in nature, and enticing or threatening a student to engage in sexual behavior in exchange for grades or other school-related benefit.

Sexual harassment of a student or a District employee by a student includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors. The conduct must be sufficiently severe, persistent, or pervasive to limit a student's or employee's ability to participate in or benefit from an employment or educational program or activity or to create a hostile environment.

What is sexual abuse?

Sexual abuse is defined as "illegal sex acts performed against a minor... "It may include, but is not limited, to fondling, sexual assault, or sexual intercourse. Sexual abuse is a form of child abuse that must be reported to appropriate law enforcement authorities.

What laws address sexual harassment of students?

Sexual harassment of students may constitute discrimination on the basis of sex and is prohibited by Title IX (the federal law prohibiting gender-based discrimination by schools that receive federal funds).

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Will I be informed if my child has been sexually harassed or sexually abused at school?

The District will notify parents of students involved in sexual harassment by students when the allegations are not minor or of any incident regarding sexual harassment or sexual abuse by an employee. Notification may be by telephone, letter, or personal conference.

What will the District do when it learns of sexual harassment or sexual abuse of a student?

When a principal or other school administrator receives a report that a student is being sexually harassed or abused by another student, he or she will initiate an investigation and take prompt action to intervene. If a student is found to have sexually harassed or abused another student, the offender will be disciplined. The District will consider the full range of disciplinary options, up to and including expulsion, according to the nature of the offense.

If a District employee is reported to have sexually harassed or abused a student, the Title IX Coordinator will initiate an investigation. Disciplinary action may range from a warning to termination of employment.

What do I do if I am concerned that my child has been sexually harassed or sexually abused at school?

A student or parent who has a complaint alleging sexual harassment by another student(s) or sexual harassment or sexual abuse by an employee may request a conference with the principal, the principal's designee, or the District's Title IX Coordinator. The conference will be scheduled and held as soon as possible but within seven calendar days. The principal or Title IX Coordinator will coordinate an investigation, which ordinarily will be completed within 7 calendar days. The student or parent will be informed if extenuating circumstances delay the investigation. Oral complaints should be reduced to writing to assist in the District's investigation.

Who is the Title IX Coordinator and how do I contact that person?

POSITION: Superintendent, Dr. Stacy Johnson

ADDRESS: P.O. Box 369, Banquete, Tx 78339

TELEPHONE: (361) 387-2551

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The Title IX Coordinator is a District employee who has the responsibility to assure District compliance with the requirements of Title IX. The Coordinator will investigate or oversee an investigation of a complaint alleging violations of Title IX. The District has adopted complaint procedures for handling Title IX complaints, which may be obtained from the principal or Title IX Coordinator. The student may be accompanied by the parent or other advisor throughout the complaint process.

A complaint may also be filed separately with the Office for Civil Rights:

Director – Office for Civil Rights
Southern Division
Dallas Office
1999 Bryan Street, Suite 2600
Dallas, Tx 75201
Telephone: (214) 880-2459
Fax: (214) 880-3082 TDD: (214)880-2456

Will my complaint be confidential?

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

What if I am not satisfied by the District's resolution of my complaint?

If the parent is not satisfied with the District's initial response to the complaint, he or she has seven calendar days to request a conference with the Superintendent or designee, who will schedule and hold a conference. Prior to or at the conference, the parent must submit a written complaint that contains: a statement of the complaint; any evidence to support the complaint; the resolution sought; the student's and/or parent's signature; and the date of the conference with the principal.

If the parent considers the resolution unsatisfactory, he or she may request that the complaint be heard by the Board of Trustees at its next regular meeting. The Board will hear the complaint in closed meeting, unless otherwise required by the Texas Open Meetings Act. At the conclusion of the hearing, the Board will decide what action it deems appropriate.