

PROHIBITION OF SEXUAL HARASSMENT AND DISCRIMINATION

Federal and state laws prohibit sexual harassment or discrimination on the basis of gender toward any employee or student. Accordingly, the Governing Board prohibits and will not tolerate sexual harassment or gender discrimination in employment, recruitment, consideration, or selection. It shall be a violation of this policy for any member of the Educational Service Center of Northeast Ohio (ESCNEO) staff or a third party (i.e., visiting speaker) to harass an employee or student through conduct or communications of a sexual nature as defined below. This includes harassment by a supervisor or another co-employee.

Sexual Harassment

1. Sexual harassment is conduct on the basis of gender that satisfies one or more of the following:
 - a. A school employee conditioning education benefits on participation in unwelcome sexual conduct (*i.e., quid pro quo*); or
 - b. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity; or
 - c. Sexual assault (as defined in the Clery Act, 20 U.S.C. 1092(f)), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.
2. Duty to Respond: The ESCNEO will promptly respond when an allegation of sexual harassment or discrimination occurs in an education program or activity. Education programs and activities include locations, events, or circumstances over which the ESCNEO exercises substantial control over both the respondent and the context in which the sexual harassment or discrimination occurs.
3. Supportive Measures: Upon receiving an allegation of sexual harassment or discrimination, the ESCNEO shall offer Supportive Measures to a complainant. “Supportive Measures” are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to an alleged victim or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. The Title IX Coordinator shall 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.

Any individual who believes he or she has been discriminated against or harassed in violation of this policy should contact the ESCNEO’s Title IX Coordinator:

Steve Rogaski, Director of Human Resources and Pupil Services
Educational Service Center of Northeast Ohio
6393 Oak Tree Blvd., Independence, OH 44131
216-524-3000

LEGAL REFS: Title IX of the Education Amendments of 1972
20 C.F.R. 1604.11 Adopted: 2-24-93, Revised: 6-20-12, 5-21-20