

## STUDENT DISCRIMINATION AND HARASSMENT

Any and all discrimination and harassment is prohibited by the Ellsworth School Committee (ESC).

### Discrimination

Discrimination includes but is not limited to an unjust distinction based on race, color, sex, religion or ancestry, national origin, age, or disability.

### Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in the Ellsworth School Department (ESD) Policy JICIA – Weapons, Violence and School Safety.

### Sexual Harassment

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student's education. ESD employees, fellow students, volunteers and visitors to ESD schools, and other persons with whom students may interact in order to pursue ESD activities are required to refrain from such conduct.

Discrimination and/or harassment of students by ESD employees are considered grounds for disciplinary action, up to and including discharge. Discrimination and/or harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for discrimination and/or harassment of students by persons other than ESD employees and students.

The Superintendent or the employee designated as the Affirmative Action Officer will investigate complaints of discrimination and harassment in accordance with ESD Student Discrimination and Harassment Complaint Procedure (Policy ACAA-R). ESD employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the Building Administrators.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d))  
5 MRSA §§ 4602; 4681 et seq.  
20 MRSA § 6553

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA-R – Student Discrimination and Harassment Complaint Procedure  
ACAD - Hazing  
JICIA – Weapons, Violence and School Safety

Adopted: **August 1999**

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