

## **PERSONNEL**

### **Sexual Harassment of District Staff Prohibited**

The District is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other persons involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation, or at a class training elsewhere.

#### **Definitions**

For the purpose of this policy, sexual harassment means unwelcome sexual advances, requests for favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term of condition of a person's employment or advancement, or of a student's participation in school programs or activities;
- b. Submission to or rejection of such conduct by an employee or student is used as the basis for decisions affecting the employee or student;
- c. Such conduct has the purpose or effect of unreasonably interfering with an employee's or student's performance or creating an intimidating, hostile, or offensive work or learning environment.

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, and female to female. The District prohibits sexual harassment of District employees by other students, employees or third parties involved in school District activities.

Examples of "sexual harassment" includes:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communications that interferes with an individual's employment performance or creates intimidation, hostile, or offensive work environment;
- Unwelcome sexual advances;
- Unwelcome request for sexual favors;
- Sexual demands where submission is stated or implied obtaining work opportunity or other benefit; or
- Sexual demands where submission or rejection is a factor in a work-related decision affecting an individual.

For the purposes of this policy, a "hostile work environment" for an employee is created where the unwanted conduct is sufficiently severe, persistent, or pervasive to create a work environment that it limits or denies and employee's ability to participate in or benefit from the employee's employment.

### **Investigation and Response**

The District will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the District, either formally or informally. Persons found to have been subjected to the sexual harassment will have appropriate school District services made reasonable available to them and adverse consequences of the harassment will be reviewed and remedied as appropriate.

Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation to the extent that such investigation does not interfere with an on-going criminal investigation. A criminal investigation does not relieve the District of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff or third parties involved in school District activities. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

### **Retaliation and False Allegations**

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The District will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

### **Staff Responsibilities**

The Superintendent will develop procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt timelines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives report, informal complaint, or written complaint about sexual harassment is responsible for informing the District's Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the District's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the District's Section 504 Coordinator.

**Notice and Training**

The Superintendent will develop procedures to provide information and education to District staff, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each District building in a place available to staff, parents, volunteers and visitors. The policy will be reproduced in each staff, volunteer and parent handbook. Such notices will identify the District’s Title IX coordinator and provide contact information, including the coordinator’s email address.

**Policy Review**

The Superintendent or designee will make an annual report to the Board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report.

Cross References:	Policy No. 3205	Sexual Harassment of Students Prohibited
	Policy No. 3207	Prohibition of Harassment, Intimidation and Bullying
	Policy No. 3210	Nondiscrimination
	Policy No. 3211	Transgender Students
	Policy No. 3240	Student Conduct Expectations and Reasonable Sanctions
	Policy No. 3421	Child Abuse, Neglect and Exploitation Prevention
	Policy No. 5010	Nondiscrimination and Affirmative Action

Legal References:	RCW 28A.640.020	Regulations, guidelines to eliminate discrimination—Scope—Sexual harassment policies
	WAC 392-190-056	Sexual harassment
	WAC 392-190-057	Sexual harassment policy
	WAC 392-190-0555	Discriminatory harassment
	20 U.S.C 1681	

Classification: Essential

Adoption Date: April 26, 1995

Revision Date: August 22, 2018