

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

This district is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees, coaches, volunteers and contractors.

### **Definitions**

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by other students, employees or third parties involved in school district activities.

Under federal and state law, the term "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 an intimidation, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied obtaining work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive.

### **Investigation and Response**

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end sexual harassment, eliminate the hostile environment, prevent its reoccurrence and, as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority every time a report, complaint and grievance alleging sexual harassment comes to the attention of the district, either formally or informally.

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 discipline, up to and including discharge from employment, or other appropriate remedies, with the offending staff or third parties in order to correct and prevent the inappropriate behaviors. 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 discipline

### **Staff Responsibilities**

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

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

This policy applies to sexual harassment (including sexual violence) targeted at district employees carried out by a student, employee, or a third party involved in school district activities. A formal complaint filed by an employee or filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3205 and Procedure 3205P.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX Coordinator or Civil Rights Compliance Officer.

### **Notice and Training**

The superintendent will develop procedures to provide information and education to district staff, 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 both employees and non-employees. Information about the policy and procedure will be clearly stated and provided to each employee and included in appropriate handbooks. Such notices will identify the District's Title IX Coordinator and Civil Rights Compliance Coordinator and provide contact information, including the coordinator's email address.

### **Policy Review**

The superintendent will review this policy and procedure periodically with the district's school administrators to review the use and effectiveness of this policy, and as necessary, recommend changes to the policy to the board of directors.

Cross References:	3205 - Sexual Harassment of Students Prohibited 3207 - Prohibition of Harassment, Intimidation and Bullying 3210 - Nondiscrimination 3211 - Gender-Inclusive Schools 3421 - Child Abuse, Neglect, and Exploitation Prevention 5010 - Nondiscrimination and Affirmative Action
Legal References:	RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies WAC 392-190-058 Sexual harassment 20 U.S.C. 1681-1688
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