

POLICY SERIES 5000 – PERSONNEL

SEXUAL HARASSMENT OF 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 volunteers involved in academic, 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 school-sponsored event activity or event.

The District prohibits harassment of, and by, employees and volunteers. The District will not tolerate any form of harassment as defined by this policy. It is a violation of this policy for any employee or volunteer of the District to harass a student, staff member, volunteer, vendor, visitor, parent, or guardian.

Violations of this policy should be immediately reported by the employee, volunteer, or anyone with knowledge of the harassing conduct to the employee/volunteer's supervisor, building administrator, District Title IX Officer, Civil rights Compliance Coordinator, or Director of Human Resources.

DEFINITION

As used in this policy, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature between two or more individuals if:

- a) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
- b) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- c) That conduct or communication has the purpose or effect of substantially interfering with an individual's performance, or of creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include conduct or communication that involves adult to student, student to adult, adult to adult, male to female, female to male, male to male, and female to female.

INVESTIGATION AND RESPONSE

If the District knows, or has reason to suspect, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and 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 the sexual harassment, eliminate the hostile work environment, prevent its recurrence. The District will take prompt corrective disciplinary and remedial action within its authority on complaints or grievances alleging sexual harassment that come to the attention of the District, either formally or informally.

Allegations of criminal conduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether this misconduct is reported to law enforcement, school staff will promptly investigate to the extent possible that such

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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. Any non-student or non-employee who engages in sexual harassment on school property or at school activities will have their access to school property or activities restricted.

RETALIATION AND FALSE ALLEGATIONS

Retaliation against any person who makes a sexual harassment complaint or participant in the investigation of the complaint is prohibited. The District will take appropriate action to protect involved persons from retaliation, and will impose discipline or other appropriate sanctions against those who engage in 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 or other appropriate sanctions.

STAFF RESPONSIBILITIES

The Superintendent will develop and implement procedures for receiving, investigating and resolving complaints 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 employee/volunteer's supervisor, the building administrator, District Title IX Officer or Civil Rights Coordinator. All staff are also responsible for directing complaints to the formal complaint process.

NOTICE OF 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. Information about the policy and procedure will be provided to each employee and reproduced in each staff and volunteer handbook. Such notices will identify the District's Title IX Officer and Civil Rights Compliance Coordinator and provide contact information, including email address.

Policy Review

The Superintendent 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:

Transgender Students.....	Policy 3211
Student Conduct	Policy 3240
Child Abuse, Neglect and Exploitation.....	Policy 3241
Nondiscrimination and Affirmative Action	Policy 5010

Legal References:

Discrimination based on Sex.....	20 USC 1681-1688
Sexual Harassment.....	WAC392-190-056
Regulations, guidelines to eliminate discrimination.....	RCW 28A.640.020

Policy Adopted..... April 18, 2016