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, contractors and other persons involved in school district programs.

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 and take 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 to end sexual harassment, eliminate the hostile environment, prevent its reoccurrence and, as appropriate, remedy its effects.

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.

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 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.

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 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 formal and informal 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 report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Civil Rights/Title IX Officer. 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 Civil Rights/Title IX Officer.

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. Information about the policy and procedure will be clearly stated and, provided to each employee and reproduce in each staff handbook. Such notices will identify the District’s Civil Rights/Title IX Officer and provide contact information, including the coordinator’s 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.

Cross References: 3205 - Sexual Harassment of Students Prohibited
3207 - Prohibition of Harassment, Intimidation and Bullying
3210 - Nondiscrimination
3211 - Transgender Students
3240 - Student Conduct
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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