

## ADMINISTRATIVE PROCEDURE

No. 8700 P

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### NONINSTRUCTIONAL OPERATIONS

#### Discrimination and Sexual Harassment

The Northshore School District is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. Toward this end, the following will not be tolerated:

- acts which discriminate against another person
- harassment of another person
- discriminatory or harassing behavior that is personally offensive to an observing party

**Informal Complaint Process:** Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to and the process for filing a formal complaint. Staff shall also direct potential complainants to an appropriate staff member who can explain the informal and formal complaint processes and what a complainant can expect. Staff shall also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include an opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face; a statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant. Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

**Formal Complaint Process:** Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. According to due process requirements, the district will not be able to hold the complainants' identity as confidential. The district will, however, fully implement the anti-retaliation provisions of this policy to protect complainants and witnesses. Student complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The superintendent or designated compliance officer may conclude that the district needs to conduct an investigation based on information in his or her possession regardless of the complainant's interest in filing a formal complaint.

The following process shall be followed:

- A. The compliance officer shall receive and investigate all formal, written complaints of sexual harassment, or information in the compliance officer's possession that the officer believes requires further investigation.
- B. All formal complaints shall be in writing; shall be signed by the complainant; and shall set forth the specific acts, conditions or circumstances alleges to have occurred and to constitute sexual harassment. The compliance officer may draft the complaint, based on the report of the complainant, for the complainant to review and sign.
- C. An investigation of the complaint shall be completed within thirty (30) calendar days. When the investigation is completed, the compliance officer shall compile a full written report of the complaint, the results of the investigation, and recommended action if appropriate. The complainant may appeal the recommended action to the superintendent.
- D. Upon receipt of the report, the superintendent shall respond in writing to the complainant and the accused stating:
  - 1. That the district does not have adequate evidence to conclude that harassment occurred; or
  - 2. Corrective actions that the district intends to take
- E. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) calendar days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If a complainant remains aggrieved by the superintendent's response, he or she may file a written notice of appeal with the Board of Directors by the tenth (10th) calendar day following the date upon which the complainant received the superintendent's response. The board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board shall render a written decision by the tenth (10th) calendar day following the termination of the hearing and shall provide a copy to all parties involved.

In the event the complainant remains aggrieved with the decision of the Board of Directors in connection with any matter, which, if established, would constitute a violation, the complainant may pursue the complaint through other out of district avenues available to him or her. Similarly, staff may pursue complaints further through the appropriate collective bargaining agreement process.

Staff will be provided information on recognizing and preventing discrimination or sexual harassment. Staff shall be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure. Staff shall be reminded of their legal responsibilities to report suspected child abuse and that discrimination and sexual

harassment may be a form of child abuse. Parents, students, and regular volunteers shall be provided with copies of this policy and procedure.

Annually the superintendent and/or compliance officer will review the use and efficacy of this policy and procedure, and recommend changes if needed.

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