

PERSONNEL

Sexual Harassment Prohibited - District Staff

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 or school training held elsewhere.

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. All incidents 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, but is not limited to:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s employment performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining a work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting the individual.

A “hostile environment” for an employee is created when the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

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. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. A criminal investigation does not relieve the District of its independent obligation to investigate and resolve sexual harassment. Kennewick School District staff are required to report all alleged harassment incidents which have been brought to their attention to site administration.

Persons found to have been subjected to sexual harassment will have appropriate School District services made reasonably available to them and adverse consequences of the harassment shall be reviewed and remedied, if appropriate.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff and contractors. Anyone else who engages in sexual harassment on school property or at school activities will have 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 or designee shall 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 timelines and delineate staff responsibilities under this policy. Any school employee who witnesses sexual harassment or receives a report, informal complaint or written complaint 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 Right Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the District's Section 504 Coordinator.

Notice and Training

The Superintendent or designee shall 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, shall be posted in each District building in a place available to staff, parents, volunteers, and visitors. Information about the policy shall be easily understood and conspicuously posted throughout each school building, provided to each employee and 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 shall 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, shall be included in the report. The Superintendent is encouraged to involve staff, volunteers, and parents in the review process.

Legal Reference: [RCW 28A.640.020](#) Regulations, Guidelines to Eliminate
 [WAC 392-190-058](#) Discrimination -- Scope
 Sexual Harassment

Adopted: June 10, 1992
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