

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

SEXUAL HARASSMENT

Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when made by any student, faculty or staff, coach, volunteer, or other visitors to District facilities and events, where
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
 - b. Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's educational or work performance, or creating an intimidating, hostile, or offensive employment or education environment.
2. Sexual harassment may include, but is not limited to:
 - a. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons.
 - b. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)
 - c. Implying or withholding support for an appointment, promotion, or change of assignment; suggesting a poor performance report will be prepared; or suggesting the terms of probation will be compromised. Within the educational environment, implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.
 - d. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the educational environment, engaging in coercive sexual behavior to control,

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

influence, or affect the educational opportunities, grades, and/or learning environment of a student.

- e. Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Filing a Complaint

1. Any Douglas County School District student, faculty or staff member, volunteer, or visitor who believes that she or he has been subjected to sexual harassment should report the incident promptly.
 - a. The report can be made verbally or in writing.
 - b. If the report is being made by an adult, the report can be made to the supervisor, site administrator, the Equal Employment Opportunity (EEO) Officer, or their designee.
 - c. If the report is being made by a student, the report can be made to any staff member who will assist the student in reporting to the principal or designee.
2. Every complaint will be reported promptly to the EEO Officer either by the complainant or by the person receiving the complaint.
3. The EEO Officer for Douglas County School District is the Director of Human Resources.
4. If the alleged perpetrator of sexual harassment is an adult, an investigation will be conducted by the EEO Officer.
 - a. The full circumstances of the situation will be considered in the investigation of possible sexual harassment incidents.
 - b. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

5. If the alleged perpetrator of sexual harassment is a student, an investigation will be conducted by the site administration in accordance with Administrative Regulations on Suspension or Expulsion of a Douglas County School District student.
6. Findings and recommendations will be rendered in as timely a manner as practicable.
 - a. There will be no retaliation against any individual for reporting an incident, or participating in or cooperating with an investigation of an alleged incident. Retaliatory action will result in disciplinary action including, but not limited to, verbal or written reprimand, professional counseling, reassignment, demotion, suspension, termination; or in a case involving a student, suspension or expulsion.
7. Confidentiality will be preserved consistent with applicable laws and Douglas County School District's responsibility to investigate and address such complaints.
8. Any student, faculty or staff member, volunteer, or visitor who violates the sexual harassment policy will be subject to appropriate disciplinary action and/or counseling.
9. Administrators, upon receiving a sexual harassment, shall inform the aggrieved of his or her rights and shall make every effort to assist the reporting party in securing those rights. A substantiated charge against an employee in the school district shall subject such staff member to disciplinary action, including possible termination.
10. If the alleged harassment, or sexual harassment could constitute sexual harassment under Title IX, the Board policy 117 and administrative regulations 117 apply rather than the Board policy 112 and administrative regulations 112.¹ Because the school district must respond with specific

¹ *Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:*

- a. *A school employee conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo); or*
- b. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity; or*
- c. *Sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.*

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

steps whenever any employee has notice of sexual harassment under Title IX, all school district employees are required to report possible incidents of sexual harassment directly to the school district's Title IX Coordinator, as soon as practicable, but not later than a time during the same day on which the employee became aware of an incident of sexual harassment, including allegations of sexual harassment. Reports by school district employees must be made in person, by telephone, and/or by email to the school district's Title IX Coordinator as follows:

Executive Director of Human Resources
Douglas County School District
1638 Mono Avenue
Minden, Nevada 89423
(775) 782-7177
jgirdner@dcsd.k12.nv.us

11. If an employee or volunteer has reasonable cause to believe that sexual misconduct toward students by an employee or volunteer arises to abuse or neglect under NRS 432B and/or NRS 392.275 *et seq.*, such misconduct will be reported to law enforcement officials and Child Protective Service agency personnel in accordance with the procedures set forth in Board policies and regulations concerning mandatory reporting. These procedures are addressed in Board Policy 510 and Administrative Regulation 510.

Staff Training

The District will provide all staff members with a copy of this policy and regulation plus training as deemed necessary.

Awareness for Students:

Every student will be given notice of the District's policy prohibiting sexual harassment as follows:

- Sexual harassment policies and regulations will be included in student handbooks.

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

- Sexual harassment education will be embedded into guidance curriculum.

Awareness for Employees:

1. Every employee will be given notice of the District's policy prohibiting sexual harassment as follows:
 - New employee orientation will include an explanation of the District's policy and procedures prohibiting sexual harassment.
 - Each employee shall be provided with a copy of the District's policy.
2. In addition to the required orientation program that includes training on sexual harassment, The District's Human Resources Department will maintain information on community resources and employee benefits available to employees and/or dependents for assistance in problems related to sexual harassment. The Employee Assistance Program (EAP) is also available for such resource/information referral.
3. Training programs shall be provided to employees in conjunction with sexual harassment and non-discrimination training. Employees are required to attend this training.
4. Supervisory training shall be provided on a periodic basis and shall include the following:
 - Duty to report and procedure for reporting policy violations.
 - Employee awareness and communication procedures.
 - Confrontational/conflict resolution and referral techniques.

Awareness for Volunteers:

Every volunteer will be given notice of the District's policy prohibiting sexual harassment as follows:

- Each volunteer shall be provided with a copy of the District's policy.

Retaliation

ADMINISTRATIVE REGULATION

No. 112

Board of Trustees Douglas County School District

OBJECTIVES

Any report of sexual harassment shall be handled in a confidential manner, with information released only on a need-to-know basis. Students, faculty or staff members, volunteers, or visitors who act in good faith by reporting real or implied sexual harassment or violations of this policy will not be retaliated against or subjected to harassment.

Violations

Violations of this policy by any student or employee will lead to disciplinary action. The District may also take appropriate disciplinary action against any student or employee who intentionally makes a false or malicious statement about co-workers or others.

See Related Board Policy

Ref: NRS 33.200 – 33.360

Adopted: 02/89
Revised: 05/18/94; 06/13/06
Revised: 11/2020