

Fairbanks North Star Borough School District
Diversity Committee

Thursday, August 22, 2019
5:30 – 9:00 p.m.

520 Fifth Avenue
School District Administrative Center
Board Room

A G E N D A

A. PRELIMINARIES

1. Call to Order
2. Roll Call / Introductions
3. Approval of Agenda
4. Approval of April 18, 2019, Meeting Notes

B. REPORTS

C. OLD BUSINESS

1. "Faces of Fairbanks"-Website is updated
2. Committee Membership Terms

D. NEW BUSINESS

1. Review Policy and AR's up for review by the School Board

E. INFORMATION

1. Update member's contact information

F. CLOSING COMMENTS FROM COMMITTEE MEMBERS

G. ADJOURNMENT

Fairbanks North Star Borough School District

Diversity Committee Meeting

Quarterly Meeting

MEETING MINUTES

April 18, 2019

A. PRELIMINARIES

1. Call to Order

David Rucker called the meeting to order at 5:35 PM in the Board Room of the FNSBSD Administrative Center at 520 Fifth Avenue.

2. Roll Call / Introductions

Members present:

Elizabeth Holm
Flora Roddy
Carrie Bragonier
Marilyn Russell
Michael Angaiak
Jazzanne Gordon-Fretwell
Maxine Dibert

Administrative support present:

David Rucker
Shayna Lunt

Members Not in Attendance:

Rose O'Hara-Jolley
Sharon McConnell (excused)
Ashley Strauch (excused)
Katie Dabney (excused)
Alyssa Quintyne (excused)
Kenya Edwards

Guest:

Kate LaPlaunt

B. REPORTS

1. Guest Speaker:

- i. Michael Campbell was not able to make it tonight.

2. NCBI Update:

- i. Kate LaPlaunt and Michael Angaiak talking about the 2-day long exposure workshop for NCBI. It was a very successful event. The goal is to have the leadership team each take on a group of 6-8 team members to train them to spread these values and framework throughout the District.
- ii. 2 leaders per group and people in the group can help move the trainings along. The next step is a train-the-trainer workshop in September 2019. This will allow us to grow the understanding of NCBI through the district with those individuals who are excited to learn more and share this great framework.
- iii. There were 2 days of training. The first day had a better cross-section of community members, teachers, support staff, etc. The second day was more administrator heavy, which definitely had an impact on what was shared, how much was shared and what can come from it.
- iv. Flora Roddy shared that it was physically draining because of the raw emotion that was in the room.
- v. Maxine Dibert was on the second day and was nervous about the number of admins in the room. However, each group had concerns that were in

common with one another. It was sharing and expressing our emotions and experiences in the moment and in creating links across bridges.

3. Equity Policy:

- i. Waiting for it to go before the board. Once it has a date for review, we will be sending it out to the committee and then we will send out the finalized date.

4. Dispute Resolution Conference-Carrie Bragonier & Marilyn Russell

- i. NCBI connects to this because of the need for connection. Carrie Bragonier said that only 1% of college courses required internal reflection. It is that reflection that allows empathy and internal growth. There is a movement against using “tolerance in diversity” to “celebrating diversity.”
- ii. Marilyn Russell shared how a simple pencil reminded the speaker of the world’s natural resources. Compassion, empathy... Poverty is a new kind of slavery.

5. Resolution Sub-Committee Update:

- i. Staff and students with disabilities resolution... Elizabeth Holm is on the committee and would like to be contacted to participate in the drafting of the resolution.

C. OLD BUSINESS

1. Equity Policy:

- i. N/A

D. NEW BUSINESS

1. Faces of Fairbanks:

- i. There is concern that there won’t be vetting for students who participate in Faces of Fairbanks. Running stories up the chain of command, for approval,

2. NAEP:

- i. National Assessment of Educational Progress: (This is once a year for 4, 8, 12th grades. It is select schools within the district, which then rotates.) Maxine Dibert would like suggestions on how we can support the students that are on the lower end of the scoring peak.
- ii. Kate LaPlaunt spoke of helping students understand the importance of testing. MAP Testing is adjusted to the students.
- iii. Talking Circles could help families understand the importance of testing, and allow for growth and understanding.

3. Open Committee Discussion:

- i. North Pole High School Incident: It is still currently under investigation, but Dr. Gaborik will be releasing a statement soon.
- ii. Tanana Middle School: There has been a change in staff, racism, etc. How can the Diversity Committee help with some of these situations that arise, but how can we better help in a school where racism is an issue?
- iii. How can we help heal the students of our District?
- iv. NCBI—can offer the tools, to the students of our District, to overcome these major issues. Many of these issues are messy and emotional, but through NCBI we can be more willing to listen, than to convince.

E. INFORMATION

- 1. 4 weeks left of school.

2. School board meeting last Tuesday had very peaceful discourse. There is a place for everyone to find concern. The District is trying to be very mindful of the students involved and their rights and privacy. There is a due process and we have to trust. Our next level of response will be a healing dialogue.

F. ADJOURNMENT

1. Flora Roddy made a motion to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 6:45 PM.



Book	School Board Policy
Section	CHAPTER 01 - (2) Policy Manual
Title	Working Draft DR of Policy 130: Nondiscrimination
Code	130 *
Status	Up for Revision
Legal	Civil Rights Act of 1964, Title VI AS 14.18.060 AS 18.80.220-225 AS 47.80.010 Age Discrimination Act of 1975 Age Discrimination in Employment Act of 1967 Americans with Disabilities Act, Title II, as amended by the ADAAA of 2008 Civil Rights Act of 1964, Title VII Education Amendments of 1972, Title IX Equal Pay Act of 1963 Genetic Information Nondiscrimination Act of 2008, Title II Individuals with Disabilities Education Act Rehabilitation Act of 1973, Section 504
Cross References	130 - AR 130: Nondiscrimination - Nondiscrimination and Affirmative Action 1011 * - Policy 1011: Nondiscrimination
Adopted	July 15, 1980
Last Revised	June 3, 2014

The Board is committed to a policy of nondiscrimination in relation to race, ethnicity, color, religion, creed, sex, age, national origin, physical **AND/or** mental disability, **GENETIC INFORMATION**, marital status, changes in marital status, pregnancy, parenthood, sexual orientation, gender identity, **GENDER EXPRESSION**, disabled veterans and other eligible veterans, or any other basis of discrimination prohibited by local, state, or federal law, except where a Bona Fide **QUALIFICATION** ~~requirement~~ may lawfully disqualify an individual. This policy will prevail in all matters concerning staff, students, contractors, the public, educational facilities, programs, services and activities.

See also AR 130: Nondiscrimination - Nondiscrimination and Affirmative Action and School Board Policy 1011: Nondiscrimination.

Legal References:

Civil Rights Act of 1964, Title VI and Title VII
Equal Pay Act of 1963
Age Discrimination in Employment Act of 1967

Education Amendments of 1972, Title IX
Rehabilitation Act of 1973, Section 504
Individuals with Disabilities Education Act
Age Discrimination Act of 1975
Vocational Educational Act, Title II
Americans with Disabilities Act, Title II, as amended by the ADAAA of 2008
Genetic Information Nondiscrimination Act of 2008, Title II
AS 18.80.220-225; 14.18.060; 47.80.010

Policy Adopted: July 15, 1980
Policy Revised: April 19, 1994
Policy Revised: October 16, 2001
Policy Revised: February 17, 2009
Policy Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 01 - (2) Policy Manual
Title	Working Draft DR of Policy 131.1: Harassment - Sexual Harassment AND SEXUAL VIOLENCE
Code	131.1
Status	Proposed
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE IX OF EDUCATION AMENDMENTS ACT OF 1972
Cross References	131.1 - AR 131.1: Harassment - Sexual Harassment 131 - Policy 131: Harassment 534 - Policy 534: General Personnel Policies - Harassment 535 - Policy 535: General Personnel Policies - Sexual Harassment 1012 - Policy 1012: Harassment 1046.7 - POLICY 1046.7 STUDENTS RIGHTS AND RESPONSIBILITIES - DISRUPTIVE STUDENT BEHAVIOR - HARASSMENT
Adopted	October 4, 1988
Last Revised	October 17, 2006

THE BOARD IS COMMITTED TO MAINTAINING A LEARNING AND WORKING ENVIRONMENT FOR ALL STUDENTS AND EMPLOYEES THAT IS FREE FROM SEXUAL HARASSMENT AND SEXUAL VIOLENCE.

SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE CAN OCCUR ADULT-TO-STUDENT OR STUDENT-TO-STUDENT REGARDLESS OF THE SEX OF THE PARTIES INVOLVED. A HARASSER CAN BE ANYONE A STUDENT OR EMPLOYEE COMES INTO CONTACT WITH AT SCHOOL, A SCHOOL-SPONSORED FUNCTION, OR THE WORKPLACE. THIS COULD INCLUDE BUT IS NOT LIMITED TO AN ADMINISTRATION OFFICIAL, PRINCIPALS, TEACHERS, STAFF, COACHES, VOLUNTEERS, COMMUNITY MEMBERS, PARENTS, OR STUDENTS.

SEXUAL HARASSMENT INCLUDES, BUT IS NOT LIMITED TO, VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL CONDUCT, SOCIAL MEDIA OR ELECTRONIC COMMUNICATION OF UNWELCOME SEXUAL COMMENTS OR CONDUCT THAT CREATES AN INTIMIDATING, HOSTILE, OR ABUSIVE ENVIRONMENT THAT IS SUFFICIENTLY SEVERE, PERVASIVE, OR PERSISTENT THAT IT SUBSTANTIALLY INTERFERES WITH OR LIMITS A STUDENT'S ACADEMIC OR ATHLETIC/ACTIVITY PERFORMANCE. VIOLENCE IS PHYSICAL SEXUAL

ACTS PERPETRATED AGAINST A PERSON'S WILL OR WHERE A PERSON IS INCAPABLE OF GIVING CONSENT DUE TO THEIR USE OF DRUGS OR ALCOHOL, A DISABILITY OR AGE. VIOLENCE INCLUDES, BUT IS NOT LIMITED TO, SEXUAL ASSAULT, SEXUAL ABUSE OF A MINOR, AND ANY NON-CONSENSUAL ORAL, ANAL, OR GENITAL PENETRATION.

ALL ALLEGATIONS OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE SHOULD BE REPORTED IMMEDIATELY TO THE BUILDING PRINCIPAL, SUPERVISOR, TITLE IX SPECIALIST, OR THE EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER. ALLEGATIONS OF HARASSMENT AND/OR VIOLENCE WILL BE PROMPTLY, FAIRLY, AND THOROUGHLY INVESTIGATED. VIOLATIONS OF THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO, AND INCLUDING, TERMINATION OR EXPULSION.

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY DISALLOWED. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ALL STUDENTS, FACULTY AND STAFF SHOULD BE SAFE AND FREE OF RETALIATION WHEN REPORTING INCIDENCES OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION OR EXPULSION.

~~Legal Reference: 29 Code of Federal Regulations, Part 1604.~~

~~See also School Board Policy 131: Harassment; AR 131.1: Harassment—Sexual Harassment; School Board Policy 534: General Personnel Policies—Harassment; School Board Policy 535: General Personnel Policies—Sexual Harassment; and School Board Policy 1012: Harassment.~~

~~Policy Adopted: October 4, 1988~~

~~(Formerly Policy 131.1—number changed to 131, April 19, 1994)~~

~~Revised: November 6, 2001 (number changed to 131.1, formerly Policy 131)~~

~~Rescinded: October 17, 2006~~



Book	School Board Policy
Section	CHAPTER 01 - (2) Policy Manual
Title	Working Draft DR of Policy 131: Harassment
Code	131
Status	Up for Revision
Legal	TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE IX OF THE EDUCATION AMEDEMMENTS ACT OF 1972 TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972 AMERICANS WITH DISABILITIES ACT OF 1990 AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 EQUAL PAY ACT OF 1963 GENETICS INFORMATION NON-DISCRIMINATION ACT OF 2008 AS 18.80.255
Cross References	130 * - Policy 130: Nondiscrimination 534 - Policy 534: General Personnel Policies - Harassment 1012 - Policy 1012: Harassment 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment 1046.7 - AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Adopted	November 6, 2001
Last Revised	June 3, 2014

~~THE BOARD IS COMMITTED TO MAINTAINING~~ It is the policy of the Fairbanks North Star Borough School District to maintain a learning and work environment that is free of harassment. The school district prohibits all forms of harassment.

Harassment includes but is not limited to verbal, nonverbal, written, or physical conduct, SOCIAL MEDIA or electronic communication relating to race, ethnicity, color, religion, creed, sex, age, national origin, physical AND/or mental disability, GENETIC INFORMATION, marital status, change in marital status, pregnancy, parenthood, sexual orientation, gender identity, SEXUAL EXPRESSION, disabled veterans, or other eligible veterans that is sufficiently severe, pervasive, or persistent that it substantially interferes with or limits an individual's work, academic, athletic, or activity performance or creates an intimidating, hostile, or offensive work or academic environment. A HARASSER CAN BE ANYONE A STUDENT OR EMPLOYEE COMES INTO CONTACT WITH AT SCHOOL, SCHOOL SPONSORED FUNCTIONS, OR DISTRICT EMPLOYMENT.

All allegations of harassment should be reported immediately. ~~Reports may be made~~ to the building principal, supervisor, TITLE IX SPECIALIST or the ~~director~~ of Employment and Educational Opportunity OFFICER (EEO OFFICER). Allegations of harassment will be promptly, fairly, and thoroughly investigated. Violations of this policy will be subject to appropriate action, including discipline UP TO AND INCLUDING EXPULSION OR DISCHARGE.

Retaliation against reporters, witnesses, or interested parties is strictly disallowed. Retaliation is defined as any adverse action taken against a person participating in a protected activity because of the person's participation in that protected activity. All students, faculty, and staff should be safe and free of retaliation when reporting incidences of sexual harassment. **ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.**

~~Retaliation against a person alleging harassment or participating in an investigation of alleged harassment is prohibited. The school district shall promptly, fairly, and thoroughly investigate all reported allegations of retaliation and take appropriate action.~~

See also School Board Policy 130: Nondiscrimination; School Board Policy 534: Harassment; School Board Policy 1012: Harassment; School Board Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment; and AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment.

Policy 131 – Nondiscrimination on the Basis of Sex
Adopted: July 15, 1980
Rescinded: April 19, 1994 (see policy 130)

Policy 131 – Harassment
Adopted: November 6, 2001
Revised: October 17, 2006
Revised: February 17, 2009
Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 05 - (3) Administrative Regulations
Title	Working Draft DR of AR 523: NONDISCRIMINATION - GENDER IDENTITY
Code	523
Status	Proposed
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE IX OF THE EDUCATION ACT OF 1972
Cross References	130 POLICY 130: NONDISCRIMINATION 131 POLICY 131: HARASSMENT 523 POLICY 523: GENERAL PERSONNEL POLICIES – EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATION ACTION 534 POLICY 534: GENERAL PERSONNEL POLICIES – HARASSMENT 535 POLICY 535: GENERAL PERSONNEL POLICIES – SEXUAL HARASSMENT 130 AR 130: NONDISCRIMINATION – NONDISCRIMINATION AND AFFIRMATIVE ACTION 131.1 AR 131.1: HARASSMENT – SEXUAL HARASSMENT

THE BOARD IS COMMITTED TO MAINTAINING A WORKING ENVIRONMENT FREE FROM ANY DISCRIMINATION DUE TO AN EMPLOYEE’S SEXUAL ORIENTATION, GENDER EXPRESSION, OR GENDER IDENTITY.

PURPOSE

THE PURPOSE OF THIS REGULATION IS TO ADVISE DISTRICT STAFF REGARDING ISSUES RELATING TO TRANSGENDER AND GENDER-NONCONFORMING EMPLOYEES IN ORDER TO CREATE A POSITIVE WORKING ENVIRONMENT FOR ALL EMPLOYEES AND TO ENSURE THAT EVERY EMPLOYEE IS ABLE TO WORK AND THRIVE IN A HARASSMENT-FREE ENVIRONMENT.

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THE ISSUES ADDRESSED IN THIS REGULATION INCLUDE:

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2. EMPLOYEE TRANSITION
3. NAMES/PRONOUNS
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5. ACCEPTANCE
6. RESTROOM ACCESSIBILITY
7. AFTER SCHOOL ACTIVITIES AND PROGRAMS
8. TRAVEL ON SCHOOL SPONSORED TRIPS

9. CONFIDENTIALITY
10. DISCRIMINATION AND/OR HARASSMENT
11. DISCIPLINARY ACTIONS
12. SUPPLEMENTAL INFORMATION

THIS REGULATION DOES NOT ANTICIPATE EVERY SITUATION THAT MIGHT OCCUR. IT DOES OFFER SUGGESTED APPROACHES TO SPECIFIC ISSUES WHEN THE CONFIDENTIALITY OF PERSONAL INFORMATION, OR PHYSICAL AND/OR SAFETY OF TRANSGENDER AND GENDER-NONCONFORMING EMPLOYEES MAY BE AT RISK.

IF ANY STAFF MEMBER HAS QUESTIONS ABOUT THIS REGULATION OR OTHER ISSUES RELATED TO TRANSGENDER AND/OR GENDER-NONCONFORMING EMPLOYEES, THEY ARE ENCOURAGED TO CONTACT THE SCHOOL ADMINISTRATION, TITLE IX SPECIALIST, OR THE EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICER.

1. **DEFINITIONS**

- A. "GENDER" REFERS TO AN EMPLOYEE'S ACTUAL OR PERCEIVED SEX, AND INCLUDES A PERSON'S GENDER IDENTITY AND GENDER EXPRESSION.
- B. "TRANSGENDER EMPLOYEES" REFERS TO EMPLOYEES WHOSE GENDER IDENTITY IS DIFFERENT FROM THEIR SEX AT BIRTH, AND WHOSE GENDER EXPRESSION MAY BE DIFFERENT FROM THE WAY MALES OR FEMALES ARE EXPECTED TO LOOK OR BEHAVE.
- C. "GENDER IDENTITY" REFERS TO ONE'S CONSISTENT AND DEEPLY HELD KNOWLEDGE, FEELINGS, UNDERSTANDING, INTERESTS, AND OUTLOOK ABOUT WHETHER ONE IS FEMALE OR MALE, OR BOTH, OR NEITHER, REGARDLESS OF ONE'S BIOLOGICAL SEX.
- D. "GENDER EXPRESSION" REFERS TO THE WAY A PERSON EXPRESSES HIS OR HER GENDER, INCLUDING, BUT NOT LIMITED TO, THROUGH GESTURES, MOVEMENT, AND DRESS AND/OR GROOMING.
- E. "GENDER-NONCONFORMING EMPLOYEES" REFERS TO EMPLOYEES WHO HAVE A GENDER EXPRESSION THAT DOES NOT CONFORM TO STEREOTYPICAL EXPECTATIONS. FOR EXAMPLE, "FEMININE BOYS," "MASCULINE GIRLS," AND EMPLOYEES WHO ARE ANDROGYNOUS. GENDER-NONCONFORMING EMPLOYEES OFTEN ARE NOT TRANSGENDER.
- F. "SEXUAL ORIENTATION" REFERS TO AN EMPLOYEE'S SEXUAL ATTRACTION TO OR SEXUAL PREFERENCE FOR A ROMANTIC, EMOTIONAL, MENTAL AND/OR SEXUAL RELATIONSHIP WITH OTHERS. SEXUAL ORIENTATION INCLUDES BUT IS NOT LIMITED TO HOMOSEXUAL, HETEROSEXUAL, OR BISEXUAL.
- G. "GAY," "LESBIAN," AND "BISEXUAL" ARE TERMS THAT REFER TO EMPLOYEES WITH PARTICULAR SEXUAL PREFERENCES TOWARDS OTHERS OF THEIR SAME SEX OR OF EITHER SEX.

H. "GENDER IDENTITY THAT THE EMPLOYEE CONSISTENTLY ASSERTS" IS A TERM REFERRING TO HOW THE EMPLOYEE'S REGULARLY EXPRESSES THEIR GENDER DURING THEIR TIME AT WORK. IT IS UNDERSTOOD THAT THIS MAY NOT BE HOW THEY EXPRESS THEIR GENDER OUTSIDE OF SCHOOL. GENDER IDENTITY MAY CHANGE OVER TIME.

I. "TRANSITION" REFERS TO THE PROCESS WHEN A PERSON BEGINS TO LIVE IN ACCORDANCE TO THEIR GENDER IDENTITY RATHER THAN THE GENDER THEY WERE BORN WITH.

2. **EMPLOYEE TRANSITION**

THE DISTRICT WILL ACCEPT THE GENDER IDENTITY EACH EMPLOYEE CONSISTENTLY ASSERTS. SINCE GENDER IDENTITY IS A WHOLLY PERSONAL MANIFESTATION, A TRANSITIONING EMPLOYEE WILL NOT BE REQUIRED TO PRODUCE ANY EVIDENCE, INCLUDING MEDICAL OR TREATMENT DOCUMENTATION, OF THEIR GENDER IDENTITY. IT IS ALSO REALIZED THAT GENDER IDENTITY IS OFTEN FLUID FOR SOME EMPLOYEES AND EVERY EFFORT WILL BE MADE TO ACCEPT ANY CHANGES THAT MAY BE NECESSARY TO ASSIST IN CREATING AN INCLUSIVE WORKPLACE. IT IS UNDERSTOOD THAT EACH PERSON GOES THROUGH "TRANSITION" IN THEIR OWN WAY, AND THEREFORE, STEREOTYPES OR ASSUMPTIONS OF A "NORMAL" PATH ARE NOT VALID. THE DISTRICT WILL CUSTOMIZE EMPLOYEE SUPPORTS TO OPTIMIZE THE INDIVIDUAL EMPLOYEE'S SUCCESS.

3. **NAMES/PRONOUNS**

IT IS STRONGLY SUGGESTED THAT EMPLOYEES PRIVATELY ASK TRANSGENDER OR GENDER-NONCONFORMING EMPLOYEES, WHEN APPROPRIATE, HOW THAT EMPLOYEE WANTS TO BE ADDRESSED. IF A SCHOOL STAFF MEMBER HAS A QUESTION PERTAINING TO HOW AN EMPLOYEE WISHES TO BE ADDRESSED IT IS RECOMMENDED THE STAFF MEMBER CONSULT WITH THEIR SUPERVISOR.

EMPLOYEES ARE TO BE ADDRESSED BY THE NAME AND PRONOUNS THAT CORRESPOND TO THE GENDER IDENTITY THAT THEY CONSISTENTLY ASSERT AT WORK. AN EMPLOYEE MAY REQUEST TO BE ADDRESSED BY THEIR "PREFERRED NAME" AND "PREFERRED PRONOUN" THAT CORRESPONDS TO THEIR GENDER IDENTITY WITHOUT OBTAINING A COURT ORDER OR WITHOUT CHANGING THEIR OFFICIAL RECORDS. IT IS UNDERSTOOD THAT INADVERTENT SLIPS OR HONEST MISTAKES IN THE USE OF THE "PREFERRED" NAMES OR PRONOUNS MAY OCCUR. REPEATED OR DELIBERATE REFUSAL TO USE THE "PREFERRED" NAMES OR PRONOUNS WILL BE CONSIDERED HARASSMENT THAT VIOLATES DISTRICT POLICIES AND DISCIPLINARY ACTION MAY NEED TO BE TAKEN, UP TO AND INCLUDING TERMINATION.

THE DISTRICT IS REQUIRED TO MAINTAIN A PERMANENT EMPLOYEE RECORD WHICH INCLUDES THE LEGAL NAME OF THE EMPLOYEE AND THE EMPLOYEE'S SEX.

THE DISTRICT WILL CHANGE AN EMPLOYEE'S OFFICIAL RECORDS TO REFLECT ANY CHANGE IN LEGAL NAME OR GENDER UPON RECEIPT OF DOCUMENTATION THAT

SUCH LEGAL NAME OR GENDER HAS BEEN CHANGED PURSUANT TO A COURT ORDER.

EMPLOYEES WHO ARE TRANSGENDER AND WHO WISH TO USE THE NAME THEY CONSISTENTLY USE DURING WORK TO SHOW THEIR GENDER IDENTITY SHALL BE ALLOWED TO HAVE THIS NAME INCLUDED IN ANY ASSEMBLY, MEETING, CEREMONY, CERTIFICATE, AWARD, PROGRAM, YEARBOOK, OR OTHER PUBLICATION LISTED REGARDLESS OF THE NAME THAT THE DISTRICT MAINTAINS IN THE OFFICIAL EMPLOYEE FILES BY LAW. THE ONLY EXCEPTION IS IF THE USE OF THE EMPLOYEE'S LEGAL NAME IS REQUIRED BY FEDERAL, STATE, OR LOCAL LAW. FOR CLARIFICATION PURPOSES, BOTH THE LEGAL AND PREFERRED NAME WILL BE LISTED IN THE OFFICIAL DISTRICT RECORDS.

4. **DRESS**

THE DISTRICT'S DRESS CODE SHALL BE APPLIED UNIFORMLY TO ALL EMPLOYEES. TRANSGENDER AND/OR GENDER-NONCONFORMING EMPLOYEES HAVE THE RIGHT TO DRESS IN ACCORDANCE WITH THE GENDER IDENTITY THEY CONSISTENTLY ASSERT AT WORK WHILE RECOGNIZING THE DISTRICT'S DRESS CODE AND THE ACCOMPANYING SAFETY PROVISIONS, PROHIBITIONS, AND GUIDANCE REGARDING APPROPRIATE ATTIRE.

5. **ACCEPTANCE**

TRANSGENDER AND GENDER-NONCONFORMING EMPLOYEES MAY NOT BE OPEN ABOUT THEIR GENDER IDENTITY TO GROUPS OUTSIDE OF THE DISTRICT OR IN THE COMMUNITY-AT-LARGE FOR VARIOUS REASONS. EMPLOYEES SHOULD NOT SPEAK ABOUT ANOTHER EMPLOYEE'S TRANSGENDER OR GENDER-NONCONFORMING STATUS TO OTHERS, AS THIS IS OFTEN A PERSONAL AND PRIVATE MATTER.

TO ENSURE A POSITIVE AND SAFE WORKPLACE, THE DISTRICT WILL TREAT ALL EMPLOYEES WITH THE SAME RESPECT AND WILL NOT ENGAGE IN UNNECESSARY QUESTIONING OF THE EMPLOYEE'S GENDER IDENTITY OR GENDER EXPRESSION. IT IS THE EMPLOYEE'S PREROGATIVE TO EXPLAIN HOW THEY WISH TO BE ADDRESSED AND TREATED.

6. **RESTROOM ACCESSIBILITY**

ALL EMPLOYEES SHALL BE ABLE TO USE THE RESTROOM CORRESPONDING TO THE GENDER IDENTITY THEY CONSISTENTLY ASSERT AT WORK.

7. **AFTER-SCHOOL ACTIVITIES AND PROGRAMS**

ALL EMPLOYEES HAVE THE RIGHT TO EQUITABLE VOLUNTARY AND PAID PARTICIPATION IN AFTER-SCHOOL ACTIVITIES AND PROGRAMS. NO EMPLOYEE SHALL BE EXCLUDED FROM THE ABILITY TO PARTICIPATE IN ANY EXTRA-CURRICULAR GROUP, MEETING, OR SPORTS DUE TO THEIR GENDER ORIENTATION, GENDER EXPRESSION, OR GENDER IDENTITY.

8. **TRAVEL ON SCHOOL-SPONSORED OVERNIGHT TRIPS**

ALL EMPLOYEES WILL BE ALLOWED TO PARTICIPATE IN ANY SCHOOL-SPONSORED EVENT, INCLUDING THOSE THAT REQUIRE OVERNIGHT ACCOMMODATIONS. ALL EMPLOYEES, REGARDLESS OF THEIR GENDER ORIENTATION, GENDER EXPRESSION, OR GENDER IDENTITY, HAVE THE RIGHT TO MAINTAIN CONFIDENTIALITY ABOUT THEIR PERSONAL INFORMATION. NO FACULTY, STAFF, COACH, VOLUNTEER, CHAPERONE, OR OTHER PERSONNEL ASSOCIATED WITH THE DISTRICT IS TO, WITHOUT THE EMPLOYEE'S EXPRESSED PERMISSION, DISCUSS ANYTHING ABOUT THAT EMPLOYEE'S GENDER ORIENTATION, GENDER EXPRESSION, OR GENDER IDENTITY TO ANYONE THAT DOES NOT HAVE A NEED AND RIGHT TO KNOW.

ACCOMMODATIONS FOR OVERNIGHT LODGING WILL BE DISCUSSED WITH THE EMPLOYEE AND, IF NECESSARY, APPROPRIATE ALTERNATIVE ARRANGEMENTS WILL BE OBTAINED. THE TRANSGENDER OR GENDER-NONCONFORMING EMPLOYEE WILL BE PROVIDED ACCOMMODATIONS THAT ARE EQUAL TO OTHER EMPLOYEES WHO CONSISTENTLY EXPRESS THE SAME GENDER IDENTITY. IF THE TRANSGENDER OR GENDER- NON-CONFORMING EMPLOYEE WISHES, THEY MAY REQUEST SPECIAL ACCOMMODATIONS FOR SAFETY OR SECURITY FROM THE ADMINISTRATION AT THEIR SCHOOL. ANY AND ALL ADDITIONAL COSTS OF THESE SPECIAL ACCOMMODATIONS WILL BE BORNE BY THE SPONSORING SCHOOL. IT IS NOT APPROPRIATE FOR ANY STAFF OR OTHER PERSON ASSOCIATED WITH THE DISTRICT TO PROVIDE ANY INFORMATION ABOUT THE GENDER IDENTITY OF ANY EMPLOYEE TO ANY OTHER EMPLOYEE, STUDENT, PARENT, OR COMMUNITY MEMBER.

9. CONFIDENTIALITY

EMPLOYEES HAVE THE RIGHT TO OPENLY DISCUSS AND EXPRESS THEIR GENDER IDENTITY AND EXPRESSION, AND TO DECIDE WHEN, WITH WHOM, AND HOW MUCH INFORMATION IS SHARED.

TRANSGENDER EMPLOYEES HAVE A RIGHT TO PRIVACY REGARDING THEIR TRANSGENDER STATUS. THEREFORE, SCHOOL PERSONNEL SHOULD NOT DISCLOSE AN EMPLOYEE'S TRANSGENDER STATUS TO OTHERS, INCLUDING PARENTS AND/OR OTHER SCHOOL PERSONNEL, UNLESS THERE IS A SPECIFIC "NEED TO KNOW" SITUATION. KNOWINGLY RELEASING INFORMATION TO PEOPLE THAT DO NOT HAVE A NEED TO KNOW MAY BE CONSIDERED HARASSMENT.

WHEN DISCUSSING A PARTICULAR ISSUE, SUCH AS CONDUCT, DISCIPLINE, ATTENDANCE, OR HEALTH ISSUES WITH A TRANSGENDER OR GENDER-NONCONFORMING EMPLOYEE, FOCUS SHOULD BE ON THE CONDUCT OR PARTICULAR ISSUE, AND NOT ON ANY ASSUMPTIONS REGARDING THE EMPLOYEE'S ACTUAL OR PERCEIVED GENDER IDENTITY.

10. DISCRIMINATION AND/OR HARASSMENT

NO EMPLOYEE WILL BE PERMITTED TO DISCRIMINATE AGAINST OR HARASS ANY OTHER EMPLOYEE DUE TO THEIR GENDER ORIENTATION, GENDER IDENTITY, OR GENDER EXPRESSION.

COMPLAINTS AGAINST ANY EMPLOYEE OR STUDENT ALLEGING DISCRIMINATION OR HARASSMENT BASED ON AN EMPLOYEE'S ACTUAL OR PERCEIVED TRANSGENDER OR GENDER-NONCONFORMING IDENTITY ARE TO BE HANDLED IN THE SAME MANNER AS ALL OTHER DISCRIMINATION/HARASSMENT COMPLAINTS. ALL SUPERVISORS

AND MEMBERS OF ADMINISTRATION SHALL TAKE ALL OBSERVED OR REPORTED INCIDENTS OF DISCRIMINATION/HARASSMENT SERIOUSLY AND TAKE APPROPRIATE STEPS TO ENSURE THE HARASSMENT STOPS.

ALL ISSUES REGARDING DISCRIMINATION AND/OR HARASSMENT SHOULD BE DIRECTED TO THE DISTRICT'S EMPLOYMENT AND EDUCATION OFFICER (EEO OFFICER) OR THE TITLE IX SPECIALIST.

11. **DISCIPLINARY ACTION**

ANY KNOWING OR INTENTIONAL ABUSE OF THIS POLICY BY AN EMPLOYEE, WITH THE SOLE INTENT OF CREATING CONCERN, CONFUSION, OR DISCORD WITHIN THE SCHOOL, WILL BE CONSIDERED TO BE IN VIOLATION OF THIS POLICY AND SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

ANY HARASSMENT, BULLYING, OR DISCRIMINATION AGAINST AN EMPLOYEE DUE TO THEIR SEXUAL ORIENTATION, GENDER EXPRESSION, AND/OR GENDER IDENTITY MAY LEAD TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

12. **SUPPLEMENTAL INFORMATION**

GOVERNMENT AGENCIES THAT ACCEPT HARASSMENT COMPLAINTS INCLUDE:

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

800 A STREET, SUITE 204

ANCHORAGE, AK 99501-3669

(907) 474-4692

(800) 478-4692

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SEATTLE DISTRICT OFFICE

FEDERAL OFFICE BUILDING

909 FIRST AVENUE, SUITE 400

SEATTLE, WA 98104-1061

(206) 220-6883

U.S. DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS, REGION X

HENRY M. JACKSON FEDERAL BLDG.

MAIL CODE 109010

915 SECOND AVENUE, ROOM 3310

SEATTLE, WA 98174-1099

(206) 220-7920

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER:

EEO OFFICER

520 FIFTH AVENUE

FAIRBANKS, AK 99701-4756

(907) 452-2000, EXT. 11466

TITLE IX SPECIALIST

520 FIFTH AVENUE

FAIRBANKS, AK 99701-4756
(907) 452-2000, EXT. 11379



Book	School Board Policy
Section	CHAPTER 05 - (2) Policy Manual
Title	Working Draft DR of Policy 523: General Personnel Policies - Equal Employment Opportunity and Affirmative Action
Code	523
Status	Up for Revision
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1974 TITLE IX OF THE EDUCATION ACT OF 1972 AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 EQUAL PAY ACT OF 1963 AMERICANS WITH DISABILITIES ACT OF 1990 GENETIC INFORMATION NON-DISCRIMINATION ACT OF 2008 AS 18.80.220-260
Cross References	130 * - Policy 130: Nondiscrimination 130 - AR 130: Nondiscrimination - Nondiscrimination and Affirmative Action 130.1 - Policy 130.1: Nondiscrimination - Affirmative Action 131 - Policy 131: Harassment 534 - POLICY 534: GENERAL PERSONNEL POLICIES - HARASSMENT
Adopted	August 15, 2006
Last Revised	June 3, 2014

The ~~d~~District shall meet all federal, state, and local criteria required to be an equal opportunity employer. The District shall provide equal opportunity for employment, prohibiting discrimination in employment practices because of race, ethnicity, color, religion, creed, sex, age, national origin, physical AND/or mental disability, GENETIC INFORMATION, marital status, change in marital status, pregnancy, parenthood, sexual orientation, gender identity, GENDER EXPRESSION, or any other basis of discrimination prohibited by local, state, or federal law. The District shall also promote the full realization of equal employment practices through nondiscrimination in hiring, placement, upgrade, promotion, transfer, rates of pay or other compensation, demotion, recruitment, advertisement, solicitation, and selection for training, layoff, termination, and all other terms, conditions, and practices of employment.

The ~~d~~District prohibits unlawful retaliation AGAINST AN EMPLOYEE, including discipline, discharge, OR OTHER ACTS DESIGNED TO HAVE A CHILLING EFFECT ON AN

EMPLOYEE'S WILLINGNESS TO FILE A COMPLAINT OF DISCRIMINATION, TESTIFY, OR ASSIST discrimination against a person who filed a complaint, testified, or assisted in a proceeding filed under THIS POLICY OR UNDER THE VARIOUS FEDERAL, STATE, OR LOCAL CIVIL RIGHTS LAWS. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. the human rights law or because that person has opposed any practice forbidden under AS 18.80.220-260.

THE DISTRICT ALSO PROHIBITS RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES, INCLUDING DISCIPLINE, DISCHARGE, OR OTHER ACTS DESIGNED TO HAVE A CHILLING EFFECT ON THEIR WILLINGNESS TO TESTIFY OR ASSIST IN A PROCEEDING FILED UNDER THIS POLICY OR UNDER THE VARIOUS FEDERAL, STATE, OR LOCAL CIVIL RIGHTS LAWS. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

~~An employee who engages in retaliatory practices or fails to observe and implement this nondiscrimination policy or to oppose retaliatory practices, shall constitute grounds for disciplinary action, including dismissal.~~

The Board shall adopt an affirmative action plan designed to promote equal employment and advancement opportunities for women, minorities, individuals with disabilities, disabled veterans, and other eligible veterans.

See also School Board Policy 130: Nondiscrimination; AR 130: Nondiscrimination and Affirmative Action; Policy 130.1: Nondiscrimination - Affirmative Action and School Board Policy 131: Harassment.

Policy Adopted: August 15, 2006
Policy Revised: October 18, 2011
Policy Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 05 - (3) Administrative Regulations
Title	Working Draft DR of AR 534: Nondiscrimination – Harassment
Code	534
Status	Proposed
Legal	TITLE IX OF THE EDUCATION ACT OF 1972 TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 EQUAL PAY ACT OF 1964 AGE DISCRIMINATION ACT OF 1967 AMERICANS WITH DISABILITIES ACT OF 1990 GENETICS INFORMATION NON-DISCRIMINATION ACT of 2008 AS 18.80.255
Cross References	130.1 - Policy 130.1: Nondiscrimination - Affirmative Action 534 - Policy 534: General Personnel Policies - Harassment

Harassment

Purpose

Provide procedures to implement the School Board's policy on general personnel policies, specifically harassment due to an employee's protected cultures and/or protected groups as defined by law and District policy.

Contents

The issues addressed in this regulation include:

1. Definition
2. Examples of Harassment
3. Procedures
4. Investigative Appeal Process
5. Grievance Process of Severity of Employee Disciplinary Action
6. Retaliation
7. Confidentiality
8. Remedy
9. Responsibilities
10. Supplemental Information

1. Definition

Protected Culture and/or Protected Group: This is how a person defines themselves regarding their race, ethnicity, color, religion, creed, gender, age, national origin, physical and/or mental disability, genetics, marital status, changes in marital status, family structure, parenthood, sexual orientation, gender identity, gender expression, disabled veterans and other eligible veterans, or any other basis of discrimination prohibited by local, state, federal law, or other district policies.

Harassment: Harassment is divided into the following 2 distinct types of harmful actions:

Hostile Environment Harassment (Intangible Harm): This can be any comment(s) or action(s) that is significant in severity and/or frequency that adversely effects or substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work school environment.

Quid Pro Quo Harassment (Tangible Harm): This is the "if you do this for me, I will do that for you." This involves the receipt of something tangible for the victim if they do what the harasser wants. It is most commonly seen in sexual harassment complaints when a supervisor or superior makes a job, promotion, or other benefit of employment contingent on a subordinate engaging in a romantic or sexual relationship. Less common examples can include things such as being pressured to change one's religion to keep a job, having to change one's family status to get a promotion, or being told you can no longer associate with a particular minority group because it does not look good for the organization. Whether a negative action actually is taken or if the harasser actually has the ability to carry out their threat or promise does not matter. It is a violation of this policy to make this type of offer and/or threat.

2. Examples of Harassment

Harassment directed at a particular culture or group, as defined above, may include, but is not limited to the following:

- Verbal or written slurs, epithets, jokes, comments or terms;
- Repeated remarks to a person that contain derogatory or demeaning implications;
- Sabotage of work or projects;
- Negative graffiti;
- Verbal, written, or physical expressions of hatred;
- Display or distribution of oppressive or demeaning objects, pictures, literature, magazines, cartoons, posters or images;
- Harassment involving negatively using or depicting objects or items historically or stereotypically associated with a culture; and/or,
- Unwelcome physical contact, close physical proximity or looks when associated with other forms of culture-based harassment or known not to be customary of a person's culture.
- Offering employment, additional benefits, promotions, or other incentives by a supervisor or superior for romantic or sexual favors.
- Requiring a person to stop associating with a particular minority group as a requirement for employment.

3. Procedures

A. Offenses:

1. Harassment committed by employees against other school district employees constitutes misconduct.
 2. Harassment committed by school district employees against students, volunteers, visitors or agents constitutes misconduct.
 3. Harassment committed by volunteers, visitors, agents or staff against volunteers, visitors or agents constitutes misconduct.
 4. The intentional fabrication, without a good faith believe that harassment has occurred constitutes misconduct.
- B. Students are encouraged to approach teachers, counselors, nurses, principals, or the Employment and Educational Opportunity Officer (EEO Officer) for guidance, support, complaints and/or advocacy to address matters they believe to be harassment or inappropriate behavior. Employees, volunteers, visitors and agents are also encouraged to approach any supervisors, principals, member of management, or the EEO Officer with their concerns.
- C. Any employee that has supervisory responsibility over another employee in the district (including but not limited to managers, supervisors, principals, and directors) are responsible for taking prompt, appropriate, and effective action when they know, or reasonably should know, that an individual is being subjected to harassment. If a member of management sees something or hears something that may be offensive to any employee they are responsible for taking action under the "reasonably should have known" standard.
- D. All staff members are responsible for taking appropriate and effective action to educate students, stop harassing behaviors, and report all incidents of harassment to appropriate school and/or District officials. All employees are responsible for assisting and acting to stop all forms of harassment. Employees should not wait for a complaint. If they see something or hear something that may be offensive to any student they are responsible for taking action under the "reasonably should have known" standard.

E. Filing a complaint

The process of filing a complaint is the same regardless of if you are a student, parent, member of the community, person doing business with the district, or an employee.

1. Any student, employee, parent or member of the community who believes there has been any harassment occurring within the district's preview should report such conduct promptly.
2. Reports can be made in writing or verbally. A verbal report will be handled in the same manner as one submitted in writing.
3. Students should report harassment directed at them or to anyone else to any teacher, counselor, nurse or other staff member(s). That employee shall then report to the complaint to the principal or their designee, Title IX Specialist, or the EEO Officer.
4. The District will abide by all terms of union negotiated Memo of Understandings. This includes but is not limited to abiding by agreed upon time lines and union representation.
5. Any employee, including substitutes and part-time employees, applicants, or former employees may report allegations of harassment to any supervisor, principal, administrator, Title IX Specialist, or the EEO Officer. It is suggested that employees report any harassment to their direct line supervisor. However, employees are not mandated to use this normal chain-of-command when reporting harassment if they feel uncomfortable reporting it to their supervisor. Employees have the right to choose the member of management they feel most comfortable with to report harassment. Once a complaint of harassment is reported to a member of management, the management official shall promptly report the allegation to the EEO Officer.
6. In all cases of harassment, a prompt and appropriate investigation will be conducted by the appropriate member of management. All evidence, including witness statements, will be maintained in an official complaint file. No documents related to the allegation should be destroyed or deleted unless approved by the EEO Officer. This includes but is not limited to any notes or documents, whether formal or informal, kept by the supervisor.
7. Allegations against an employee will immediately be referred to the EEO Officer for investigation. The investigation will be conducted by the EEO Officer or their designated representative with the support and assistance from all employees.
8. Prior to the completion of any investigation, the evidence will be summarized and provided to the appropriate party to ascertain if there may be additional evidence they wish to provide. The Reporting Party(s) will be notified if their allegations are not supported by the facts and the Responding Party(s) will be notified if the allegations against are supported by the facts. This will be done in an attempt to ensure all relevant facts have been obtained, reviewed, and weight in the final outcome of the investigation.
9. Upon completion of the investigation, the file and findings will be presented to the District's Labor Relations Office for coordination with the appropriate supervisor. The supervisor will issue the appropriate disciplinary actions.

4. **Investigative Appeal Process**

All parties of an allegation of harassment have the ability to file an appeal related to the thoroughness of the investigation.

- A. The completeness of an investigation filed under Title IX of the Education Amendments Act of 1972 can be appealed, within 5 days of the completion of the investigation and written notification of the findings to the parties. The appeal needs to be submitted to the Title IX Compliance Officer/EEO Officer who has the sole discretion to uphold the integrity of the investigation or remand it back for additional investigation.
- B. The completeness of an investigation filed under Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, as amended, Title VII of the Civil Rights Act of 1964, as amended, Equal Pay Act of 1964, as amended, Age Discrimination Act of 1967, as amended, Americans with Disabilities Act of 1990, as amended, Genetics Information Non-discrimination Act of 2010, can be appealed, within 7 days of the post mark on the written notification of the findings to the parties. The appeal must to be submitted to the Director of Human Resources or their designated appointee who has the sole discretion to uphold the integrity of the investigation or remand it back for additional investigation.

5. **Grievance Process for Severity of Employee Disciplinary Action**

All employees have the right to file a grievance if they feel the disciplinary action taken at the conclusion of an investigation is unfairly severe. The Reporter of the alleged harassment does not have a right to file a grievance regarding the severity of the disciplinary actions taken against the Respondent.

For details on the appeal process refer to the appropriate Collective Bargaining agreements.

6. **Retaliation:**

Retaliation against reporters, witnesses, or interested parties is strictly disallowed. Retaliation is defined as any adverse action taken against a person participating in a protected activity because of the person's participation in

that protected activity. All students, faculty, and staff should be safe and free of retaliation when reporting incidences of sexual harassment. Anyone who engages in retaliatory practices or fails to observe and implement this non-harassment policy or who fails to oppose retaliatory practices, shall be in violation of this policy and will be subject to disciplinary action.

7. **Confidentiality**

The District will take every step possible to ensure that confidentiality will be preserved consistent with applicable laws and the school district's duty to investigate and address complaints. However, confidentiality is the goal and cannot be guaranteed.

8. **Remedy**

- A. The school district shall endeavor to provide appropriate relief for victims of harassment. Appropriate relief is reasonable, timely, effective, tailored to the specific incident, prevents recurrence, and does not burden the victim(s). Additional support may also be provided to victim(s), as necessary, to overcome any negative impact from the harassment.
- B. An employee who violates the harassment policy will be subject to disciplinary action, up to and including terminated.

9. **Responsibilities**

A. EEO Officer responsibilities:

- 1. Distribute information on the school district's policy, regulations and complaint procedures regarding harassment.
- 2. Provide training regarding harassment, investigation, and resolution of complaints. Inform supervisory staff of their duties, responsibilities and potential liabilities regarding racial harassment in the workplace.
- 3. Seek out assistance from various non-profits or other organizations to assist in ensuring a harassment free work place and assistance in providing remedial remedy for harmed parties.
- 4. Follow up with the Reporter(s) to ensure the harassment has ended and that no actions of retaliation have been conducted.

B. Supervisor/Manager responsibilities:

- 1. Developing and implementing within their units to ensure that employee understand their rights and responsibility related to this policy.
- 2. Ensuring that disciplinary actions are measured against the violation and in alignment with disciplinary actions taken by supervisor for similar violations.
- 3. Take affirmative steps to ensure that any harassment has ceased.

C. Director of Labor Relations responsibilities:

- 1. Determine severity of disciplinary action to be taken against employees found to have violated this policy.
- 2. Follow-up with Supervisors to ensure disciplinary actions have been taken.

10. **Supplemental Information**

A. Government agencies that accept ~~racial~~ harassment complaints include:

Alaska State Commission for Human Rights
800 A Street, Suite 204
Anchorage, AK 99501-3669
(907) 474-4692
(800) 478-4692

U.S. Equal Employment Opportunity Commission
Seattle District Office
Federal Office Building
909 First Avenue, Suite 400
Seattle, WA 98104-1061
(206) 220-6883

U.S. Department of Education
Office for Civil Rights, Region X
Henry M. Jackson Federal Bldg.

Mail Code 109010
915 Second Avenue, Room 33 10
Seattle, WA 98174-1099
(206) 220-7920

Contact agencies for information on time lines for filing a complaint.

B. Fairbanks North Star Borough School District Employment and Educational Opportunity Officer:

EEO Officer
520 Fifth Avenue
Fairbanks, AK 99701-4756
(907) 452-2000, ext. 11466

Title IX Specialist
520 Fifth Avenue
Fairbanks, AK 99701-4756
(907) 452-2000, ext. 11379

Approved: XXXXXXXXXXXXXXXXXXXXXXXX



Book	School Board Policy
Section	CHAPTER 05 - (2) Policy Manual
Title	Working Draft DR of Policy 534: General Personnel Policies - Harassment
Code	534
Status	Up for Revision
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972 AMERICANS WITH DISABILITIES ACT OF 1990 AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 EQUAL PAY ACT OF 1963 GENETICS INFORMATION NON-DISCRIMINATION ACT OF 2008 AS 18.80.255
Cross References	131 - Policy 131: Harassment 1012 - Policy 1012: Harassment 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment 1046.7 - AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Adopted	August 15, 2006
Last Revised	June 3, 2014

~~THE BOARD IS COMMITTED TO MAINTAINING~~ ~~It is the policy of the Fairbanks North Star Borough School District to~~ maintain a learning and work environment that is free of harassment. The school district prohibits all forms of harassment.

Harassment includes but is not limited to verbal, nonverbal, written, or physical conduct, SOCIAL MEDIA or electronic communication relating to race, ethnicity, color, religion, creed, sex, age, national origin, physical AND/or mental disability, GENETIC INFORMATION, marital status, change in marital status, pregnancy, parenthood, sexual orientation, gender identity, SEXUAL EXPRESSION, disabled veterans, or other eligible veterans that is sufficiently severe, pervasive, AND/or persistent that it substantially interferes with or limits an individual's work, ~~academic, athletic, or activity~~ performance or creates an intimidating, hostile, or offensive work or academic environment.

All allegations of harassment should be reported immediately to the employee's supervisor AND/or the Employment and Educational Opportunity ~~OFFICER-Director~~. Allegations of harassment will be promptly, fairly, and thoroughly investigated. Violations of this policy will be subject to DISCIPLINARY ACTION UP, TO AND INCLUDING DISCHARGE. ~~appropriate action, including discipline.~~

AN EMPLOYEE WHO ENGAGES IN RETALIATORY PRACTICES AGAINST A COMPLAINANT, WITNESS, OR ANYONE PARTICIPATING IN THE OPPOSITION OF HARASSMENT IS IN VIOLATION OF THIS POLICY. FURTHER, ANYONE THAT WHO DOES NOT OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL ALSO BE IN VIOLATION OF THIS POLICY. THESE EMPLOYEES MAY BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING DISCHARGE.

~~Retaliation against a person alleging harassment or participating in an investigation of alleged harassment is prohibited. The school district shall promptly, fairly, and thoroughly investigate all reported allegations of retaliation and take appropriate action.~~

See also School Board Policy 131: Harassment; School Board Policy 1012: Harassment; School Board Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment; and AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment.

Policy Adopted: August 15, 2006
Policy Revised: February 17, 2009
Policy Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 05 - (3) Administrative Regulations
Title	Working Draft DR of AR 535: SEXUAL HARASSMENT AND SEXUAL VIOLENCE
Code	535
Status	Proposed
Legal	TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 AS 11.41.410 AS 11.41.420 AS 11.41.425 AS 11.41.434 AS 11.41.436 AS 11.41.438 AS 11.41.440 AS 11.41.452
Cross References	131 - Policy 131: Harassment 535 - Policy 535: General Personnel Policies - Sexual Harassment 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment

PURPOSE

THE PURPOSE OF THIS REGULATION IS TO ADVISE DISTRICT STAFF REGARDING ISSUES RELATED TO SEXUAL HARASSMENT AND SEXUAL VIOLENCE. THE DISTRICT IS DEDICATED TO CREATING AND MAINTAINING A SAFE AND RESPECTFUL WORKING ENVIRONMENT FOR ALL EMPLOYEES REGARDLESS OF THEIR GENDER.

CONTENTS

THE ISSUES ADDRESSED IN THIS REGULATION INCLUDE:

1. DEFINITION
2. REPORTING INCIDENTS/COMPLAINTS
3. INVESTIGATIONS
4. DISCIPLINE
5. APPEAL PROCEDURE – INVESTIGATIVE APPEAL
6. APPEAL PROCEDURE – DISCIPLINARY APPEAL
7. RETALIATION

8. FALSE REPORTING
9. TRAINING

1. **DEFINITIONS**

GENDER/SEX:

GENDER OR SEX REFERS TO AN EMPLOYEE'S ACTUAL OR PERCEIVED SEX, AND INCLUDES A PERSON'S GENDER IDENTITY AND GENDER EXPRESSIONS.

SEXUAL HARASSMENT:

110452. HARASSMENT INCLUDES, BUT IS NOT LIMITED TO, VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL CONDUCT, SOCIAL MEDIA OR ELECTRONIC COMMUNICATION OF UNWELCOME COMMENTS OR CONDUCT THAT CREATES AN INTIMIDATING, HOSTILE, OR ABUSIVE ENVIRONMENT THAT IS SO SEVERE AND/OR PERVASIVE THAT IT PREVENTS AN EMPLOYEE FROM FULLY PARTICIPATING IN ANY AND ALL EMPLOYMENT OPPORTUNITIES AND ACTIVITIES.

SEXUAL VIOLENCE:

SEXUAL VIOLENCE IS PHYSICAL SEXUAL ACTS PERPETRATED AGAINST A PERSON'S WILL OR WHERE A PERSON IS INCAPABLE OF GIVING CONSENT DUE TO THEIR USE OF DRUGS OR ALCOHOL, A DISABILITY, OR AGE. SEXUAL VIOLENCE INCLUDES, BUT IS NOT LIMITED TO, SEXUAL ASSAULT, SEXUAL ABUSE OF A MINOR, AND ANY NON-CONSENSUAL ORAL, ANAL, OR GENITAL PENETRATION.

REPORTING PARTY:

THE PERSON THAT HAS LODGED A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. THIS PERSON MAY OR MAY NOT ALSO BE THE CLAIMANT.

CLAIMANT:

THIS IS A PERSON THAT IS CLAIMING THEY HAVE BEEN SUBJECTED TO SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. THIS PERSON MAY OR MAY NOT BE THE REPORTING PARTY. WHILE IT IS RECOMMENDED THAT ALL CLAIMANTS LODGE A SEPARATE COMPLAINT, THIS IS NOT REQUIRED.

RESPONDING PARTY:

THIS A PERSON THAT HAS HAD A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE LODGED AGAINST THEM. THIS PERSON IS COMMONLY KNOWN AS THE "RESPONDENT." BEING NAMED AS A RESPONDING PARTY IS NOT AN INFERENCE OF GUILT.

WITNESS:

ANY THIRD PERSON, OTHER THAN THE CLAIMANT, REPORTING PARTY, OR RESPONDING PARTY, WHO IS INTERVIEWED OR PROVIDES INFORMATION AND/OR EVIDENCE DURING AN INVESTIGATION.

TITLE IX SPECIALIST:

THIS POSITION RESIDES IN THE EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICE AND IS RESPONSIBLE FOR ENSURING A COMPLETE, THOROUGH,

OBJECTIVE, AND NEUTRAL INVESTIGATION IS CONDUCTED ON ALL MATTERS RELATED TO SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. WHEN NECESSARY, THE EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICER (EEO OFFICER) MAY ACT IN THE ROLE OF THE TITLE IX SPECIALIST.

SUPERVISOR:

ANY EMPLOYEE THAT IS DELEGATED TO HAVE CONTROL, INCLUDING THE RIGHT TO DISCIPLINE, ASSIGN JOB TASKS, OR MAINTAIN HIRING/FIRING AUTHORITY OVER ANY OTHER EMPLOYEE, IS CLASSIFIED AS A SUPERVISOR FOR THE PURPOSE OF THIS POLICY. IF A SUPERVISOR KNOWS, OR SHOULD HAVE KNOWN, ABOUT SEXUAL HARASSMENT OR SEXUAL VIOLENCE ON THE JOB SITE THAT IS DIRECTED AT AN EMPLOYEE, THEY ARE REQUIRED, AS A MATTER OF POLICY AND LAW, TO TAKE PROMPT AND APPROPRIATE ACTION TO END IT.

PREPONDERANCE OF THE EVIDENCE:

THIS IS THE STANDARD OF PROOF USED TO ESTABLISH GUILT DURING A WORKPLACE SEXUAL HARASSMENT OR SEXUAL VIOLENCE INVESTIGATION. THIS IS COMMONLY KNOWN AS A "MORE LIKELY THAN NOT" STANDARD. THIS IS THE SAME STANDARD USED IN MOST CIVIL COURT ACTIONS. IT SHOULD BE NOTED THAT THE STANDARD OF PROOF IS NOT THE SAME AS CRIMINAL VIOLATIONS. THAT STANDARD IS "BEYOND A REASONABLE DOUBT" AND IS A MUCH HIGHER STANDARD THAN "PREPONDERANCE OF THE EVIDENCE."

RESPONSIBLE EMPLOYEE:

AN INDIVIDUAL WHO HAS THE AUTHORITY TO REDRESS OR A DUTY TO REPORT INCIDENTS OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE OR AN INDIVIDUAL WHO STUDENTS REASONABLY BELIEVE HAS THIS AUTHORITY OR DUTY.

2. REPORTING INCIDENTS/COMPLAINTS

EMPLOYEES WHO BELIEVE THEY ARE OR HAVE BEEN SUBJECTED TO OR WITNESSED SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE SHOULD IMMEDIATELY REPORT THEIR CONCERN TO THEIR SUPERVISOR. IF THIS IS NOT EFFECTIVE OR IF THE SUPERVISOR IS THE ALLEGED RESPONDING PARTY, THE EMPLOYEE SHOULD FEEL FREE TO REPORT THEIR CONCERNS TO THEIR SECOND SUPERVISOR, PRINCIPAL/ADMINISTRATOR, TITLE IX SPECIALIST, OR EEO OFFICER. EMPLOYEES MAY REPORT COMPLAINTS VERBALLY OR IN WRITING, USING THE GRIEVANCE FORM.

ALL SUPERVISORS HAVE A DUTY UNDER THIS POLICY AND ADMINISTRATIVE REGULATION TO REPORT SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE TO THE SCHOOL ADMINISTRATION, EEO OFFICER, OR THE TITLE IX SPECIALIST.

ALL EMPLOYEES, WHILE NOT MANDATED TO REPORT SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE, ARE STRONGLY ENCOURAGED TO REPORT ISSUES. THE REPORTING OF THESE ISSUES WILL ENABLE THE DISTRICT TO TAKE ACTION, PROVIDE SUPPORTS, END THE DISCRIMINATORY BEHAVIOR, AND REMEDY THE HARASSMENT OR VIOLENCE.

ALL REPORTS OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE SHOULD BE MADE AS SOON AS POSSIBLE TO ALLOW THE DISTRICT TO TAKE PROMPT AND APPROPRIATE ACTIONS. HOWEVER, THERE ARE NO TIME LIMITS TO LODGING A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE TO THE DISTRICT.

3. INVESTIGATIONS

- THE INVESTIGATION WILL INCLUDE INTERVIEWS OF THE CLAIMANT, REPORTING AND RESPONDING PARTIES, WITNESSES, AND ANY INDIVIDUALS WITH RELEVANT KNOWLEDGE OF THE INCIDENT, AS WELL AS A REVIEW OF ANY OTHER DOCUMENTS OR EVIDENCE SUBMITTED BY THE PARTIES.
- THE DISTRICT WILL, IN GOOD FAITH, ATTEMPT TO CONCLUDE THE INVESTIGATION WITHIN SIXTY (60) CALENDAR DAYS OF RECEIPT OF THE REPORT OF THE DISCRIMINATION. IF LEGITIMATE ISSUES ARISE THAT RESULT IN A REASONABLE EXTENSION TO THE INVESTIGATION BEYOND THE SIXTY (60) DAYS, THE CLAIMANT AND THE RESPONDENT WILL BE PROVIDED WITH NOTICE OF AND REASON FOR THE DELAY.
- IN APPROPRIATE SITUATIONS, AN ADMINISTRATOR MAY PLACE A RESPONDING PARTY ON PAID ADMINISTRATIVE LEAVE PENDING INVESTIGATION.
- AT THE CONCLUSION OF THE INVESTIGATION, THE TITLE IX SPECIALIST WILL MAKE FINDINGS AS TO THE ALLEGATIONS MADE IN THE ORIGINAL REPORT. THE STANDARD USED IN MAKING THE FINDINGS WILL BE BASED ON PREPONDERANCE OF THE EVIDENCE (I.E., WHETHER IT IS MORE LIKELY THAN NOT THAT THE POLICY WAS VIOLATED). THIS REPORT SHALL REMAIN CONFIDENTIAL AND WILL NOT BE RELEASED TO ANY PARTY WITH THE EXCEPTION OF THE RESPONDING PARTY'S SUPERVISOR, LABOR RELATIONS, AND ANY OTHER PARTIES THAT HAVE A NEED TO KNOW.

4. DISCIPLINE

ANY EMPLOYEE WHO IS FOUND TO HAVE ENGAGED IN SEXUAL HARASSMENT OR SEXUAL VIOLENCE WILL BE SUBJECT TO DISCIPLINARY SANCTIONS, UP TO AND INCLUDING TERMINATION.

5. APPEAL PROCEDURE - INVESTIGATORY APPEAL

THE CLAIMANT, REPORTING PARTY, AND RESPONDING PARTY HAS THE RIGHT TO FILE AN APPEAL AS TO THE THOROUGHNESS OF THE INVESTIGATION. THE THOROUGHNESS OF AN INVESTIGATION FILED UNDER TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972 OR TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 CAN BE APPEALED WITHIN TEN (10) DAYS OF DISCIPLINARY ACTION FOR RESPONDING PARTIES.

THE APPEAL MUST BE SUBMITTED IN WRITING TO THE EEO OFFICER. THE EEO OFFICER HAS THE SOLE DISCRETION TO UPHOLD THE THOROUGHNESS OF THE INVESTIGATION OR REMAND IT BACK FOR FURTHER INVESTIGATION. FAILURE TO OFFER EVIDENCE DURING THE INVESTIGATIVE PROCESS DOES NOT CONSTITUTE GROUNDS FOR A REVIEW/APPEAL ON THE BASIS OF NEW EVIDENCE, NOR DOES SIMPLY DISAGREEING WITH THE FINDINGS AND/OR CONCLUSIONS.

THE EEO OFFICER WILL ISSUE A WRITTEN DECISION TO BOTH PARTIES WITHIN THIRTY (30) WORK DAYS OF RECEIPT OF THE INVESTIGATORY APPEAL.

IF NO INVESTIGATORY APPEAL IS FILED OR AN INVESTIGATORY APPEAL IS NOT FILED IN A TIMELY MANNER AS OUTLINED ABOVE, THE FINDINGS OF THE INVESTIGATORY REPORT BECOME FINAL AND THE REPORT'S FINDINGS AND CONCLUSIONS MAY NOT BE APPEALED BY EITHER PARTY.

6. APPEAL PROCEDURE - DISCIPLINARY APPEAL

ANY APPEAL/GRIEVANCE OF DISCIPLINARY ACTION IMPOSED BY AN EMPLOYEE'S SUPERVISOR WILL BE HANDLED ACCORDING TO THE NEGOTIATED AGREEMENT BETWEEN THE DISTRICT AND THE EMPLOYEE'S UNION.

7. RETALIATION

RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. RETALIATION ALSO INCLUDES RETALIATION AGAINST THE COMPLAINANT OR REPORTING PARTY BY THE RESPONDING PARTY OR BY THE RESPONDING PARTY'S FRIENDS OR OTHERS WHO ARE SYMPATHETIC TO THE RESPONDING PARTY, AS WELL AS RETALIATION DIRECTED TOWARDS ANY THIRD PARTIES BECAUSE OF THEIR PARTICIPATION IN A GRIEVANCE PROCESS OR FOR SUPPORTING A COMPLAINANT OR REPORTING PARTY.

THE DISTRICT AND THE BOARD WILL NOT TOLERATE RETALIATION AGAINST EMPLOYEES, FACULTY, OR STAFF THAT ENGAGE IN THE PROTECTED ACTIVITY OF REPORTING PROHIBITED CONDUCT OR PARTICIPATING IN A LAWFUL INVESTIGATION OF SUCH PROHIBITED CONDUCT. INDIVIDUALS THAT REPORT PROHIBITED CONDUCT, OPPOSE PROHIBITED CONDUCT, AND/OR PARTICIPATE IN AN INVESTIGATION REGARDING PROHIBITED CONDUCT SHALL BE ADVISED THAT DISTRICT POLICY AND FEDERAL LAW PROHIBITS RETALIATION AGAINST THEM AND SHALL BE ASSURED THAT THE DISTRICT WILL TAKE STEPS TO PREVENT RETALIATION AND WILL ADDRESS ANY ACT OF RETALIATION OF WHICH IT BECOMES AWARE.

8. FALSE REPORT

IT IS A VIOLATION OF THIS POLICY TO KNOWINGLY AND/OR INTENTIONALLY MAKE A FALSE ALLEGATION OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. NOT BEING ABLE TO PROVE AN ALLEGATION IS NOT THE SAME AS "KNOWINGLY AND INTENTIONALLY" MAKING A FALSE ALLEGATION. IF A REPORTING PARTY OR CLAIMANT HAS A GOOD FAITH BELIEF THAT THERE HAS BEEN SEXUAL HARASSMENT

AND/OR SEXUAL VIOLENCE THEY HAVE NOT MADE A FALSE ALLEGATION UNDER THIS POLICY.

9. TRAINING

THE DISTRICT IS COMMITTED TO ENSURING ALL EMPLOYEES, FACULTY, AND STAFF ARE TRAINED IN TITLE IX AND TITLE VII LAW, PROCEDURE, AND POLICY. ALL ADMINISTRATORS AND SUPERVISORS ARE RESPONSIBLE FOR ENSURING THAT THEIR EMPLOYEES ARE PROPERLY TRAINED REGARDING THEIR OBLIGATIONS UNDER THIS POLICY, TITLE IX, AND TITLE VII.

THE TITLE IX SPECIALIST IS RESPONSIBLE FOR DEVELOPING, IMPLEMENTING, AND OVERSEEING TRAINING AND EDUCATION PROGRAMS TO ENSURE ALL EMPLOYEES, PARENTS AND GUARDIANS, FACULTY, AND STAFF ARE TRAINED IN TITLE IX LAW, PROCEDURE, AND POLICY. THE TITLE IX SPECIALIST IS ALSO RESPONSIBLE FOR PROMOTING THE AWARENESS OF SEXUAL HARASSMENT, SEXUAL VIOLENCE, AND OTHER FORMS OF SEX-BASED DISCRIMINATION.



Book	School Board Policy
Section	CHAPTER 05 - (2) Policy Manual
Title	Working Draft DR of Policy 535: General Personnel Policies - Sexual Harassment
Code	535
Status	Up for Revision
Legal	Title VII of the Civil Rights Act of 1964 Title IX of Education Amendments of Act 1972 AS 11.41.410 AS 11.41.420 AS 11.41.425 AS 11.41.434 AS 11.41.436 AS 11.41.438 AS 11.41.440 AS 11.41.452
Cross References	131 – Policy 131: Harassment 131.1 * - Rescinded - Rescinded Policy 131.1: Harassment - Sexual Harassment
Adopted	August 15, 2006
Last Revised	June 3, 2014

THE BOARD IS COMMITTED TO MAINTAINING A WORKING ENVIRONMENT FOR ALL EMPLOYEES THAT IS FREE FROM SEXUAL HARASSMENT AND SEXUAL VIOLENCE.

SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE CAN OCCUR STUDENT TO ADULT OR ADULT TO ADULT REGARDLESS OF THE SEX OF THE PARTIES INVOLVED. A HARASSER CAN BE ANYONE AN EMPLOYEE COMES INTO CONTACT WITH DURING WORK OR DURING WORK-RELATED ACTIVITIES IF THE IMPACT OF THE SEXUAL HARASSMENT INTERFERES WITH THE EMPLOYEE'S EMPLOYMENT OR WORKING ENVIRONMENT. HARASSERS CAN INCLUDE BUT ARE LIMITED TO SCHOOL OFFICIALS, TEACHERS, STAFF, VOLUNTEERS, COMMUNITY MEMBERS, PARENTS, OR STUDENTS.

SEXUAL HARASSMENT INCLUDES, BUT IS NOT LIMITED TO VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL CONDUCT, SOCIAL MEDIA OR ELECTRONIC COMMUNICATION OF UNWELCOME SEXUAL COMMENTS OR CONDUCT THAT CREATES AN INTIMIDATING, HOSTILE, OR ABUSIVE ENVIRONMENT THAT IS SUFFICIENTLY SEVERE, PERVASIVE, OR

PERSISTENT THAT IT SUBSTANTIALLY INTERFERES WITH OR LIMITS AN INDIVIDUAL'S WORK OR CREATES AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORK ENVIRONMENT.

SEXUAL VIOLENCE IS PHYSICAL SEXUAL ACTS PERPETRATED AGAINST A PERSON'S WILL OR WHERE A PERSON IS INCAPABLE OF GIVING CONSENT DUE TO THEIR USE OF DRUGS OR ALCOHOL, A DISABILITY OR AGE. SEXUAL VIOLENCE INCLUDES, BUT IS NOT LIMITED TO, SEXUAL ASSAULT, SEXUAL ABUSE OF A MINOR, AND ANY NON-CONSENSUAL ORAL, ANAL, OR GENITAL PENETRATION.

EMPLOYEES SHOULD REPORT THE SEXUAL HARASSMENT IMMEDIATELY TO THE SCHOOL PRINCIPAL, SUPERVISOR, MANAGER, DISTRICT'S TITLE IX SPECIALIST, OR THE DISTRICT'S EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER (EEO OFFICER). ALLEGATIONS OF HARASSMENT WILL BE PROMPTLY, FAIRLY, AND THOROUGHLY INVESTIGATED. VIOLATIONS OF THIS POLICY WILL BE SUBJECT TO APPROPRIATE ACTION, UP TO AND INCLUDING DISCHARGE.

ALL SUPERVISORS OR MEMBERS OF MANAGEMENT ARE "RESPONSIBLE EMPLOYEES." A "RESPONSIBLE EMPLOYEE" IS AN EMPLOYEE WHO HAS THE AUTHORITY TO TAKE ACTION TO REDRESS THE SEXUAL HARASSMENT. THEY HAVE AN AFFIRMATIVE DUTY TO TAKE STEPS TO STOP THE SEXUAL HARASSMENT, TO REPORT SEXUAL HARASSMENT TO APPROPRIATE DISTRICT OFFICIALS, AND TO ENSURE THAT NO FURTHER SEXUAL HARASSMENT OCCURS. IF A SUPERVISOR OR MEMBER OF MANAGEMENT KNOWS, OR SHOULD HAVE KNOWN ABOUT ON-GOING SEXUAL HARASSMENT AND DOES STOP IT, THEY MAY BE FOUND TO BE IN VIOLATION OF THIS POLICY AND SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE.

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY DISALLOWED. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ALL FACULTY AND STAFF SHOULD BE SAFE AND FREE OF RETALIATION WHEN REPORTING INCIDENCES OF SEXUAL HARASSMENT. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.

~~It is contrary to district policy for any district employee, male or female, to sexually harass another employee, student, or member of the public by making unwelcome sexual advances, requesting sexual favors, engaging in verbal, nonverbal, written, or electronic communication, or physical conduct of a sexual nature, or exposing members of one sex to disadvantageous terms or conditions of employment to which members of the other sex are not exposed when:~~

- ~~1. submission to such conduct is made either explicitly or implicitly a term or a condition of an employee's continued employment; or~~
- ~~2. submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or~~
- ~~3. such conduct has the effect or purpose of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working environment; or~~
- ~~4. there is sufficient circumstantial evidence of qualitative and quantitative differences in the harassing conduct experienced by female and male employees, even when such conduct is not facially sex-specific.~~

~~Any employee who believes he or she has been subjected to sexual harassment should report the alleged conduct immediately to his or her supervisor or the Employment and Educational Opportunity Director. Allegations of sexual~~

~~harassment shall be investigated promptly, fairly, and thoroughly. Violations of this policy will be subject to appropriate action, including discipline.~~

~~See also School Board Policy 131.1: Sexual Harassment.~~

Policy Adopted: August 15, 2006

Policy Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 06 - (2) Policy Manual
Title	Working Draft DR of Policy 616.1: Due Process Provisions Regarding Teachers - Suspension for Purpose of Investigation
Code	616.1
Status	Up for Revision
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE IX OF THE EDUCATION AMENDMENTS ACT of 1972 AMERICANS WITH DISABILITIES ACT OF 1990 EQUAL PAY ACT OF 1963 AGE DISCRIMINATION ACT OF 1967 GENETICS INFORMATION NON-DISCRIMINATION ACT of 2008
Adopted	August 15, 2006

A teacher may be suspended temporarily with regular compensation during a period of investigation to determine whether or not cause exists for discipline or the issuance of a notification of dismissal. Temporary suspension with pay is also addressed in the negotiated agreement with the representative association of the teachers.

A TEACHER WHO BRINGS FORTH A COMPLAINT OF ILLEGAL DISCRIMINATION, IN GOOD FAITH, WILL NOT BE TEMPORARILY SUSPENDED, AGAINST THEIR WILL, SOLELY TO CONDUCT AN INVESTIGATION INTO THEIR COMPLAINT OF ILLEGAL DISCRIMINATION AS DEFINED BY FEDERAL, STATE, AND LOCAL LAWS.

Policy Adopted: August 15, 2006



Book	School Board Policy
Section	CHAPTER 08 - (2) Policy Manual
Title	Working Draft DR of of Policy 811.2: Employee and Volunteer Use of Electronic and Social Media Communications - Policy
Code	811.2
Status	Up for Revision
Legal	AS 14.20.095 Appropriate Staff-Student Interaction Guidelines - Defining Staff-Student Boundaries Brochure Professional Teaching Practices Commission Code of Ethics (20 AAC 10.020 – 20AAC 10.030) Garcetti v. Ceballos, 547 U.S. 410 (2006) Pickering v. Board of Education, 391 U.S. 563 (1968).
Cross References	543 - Policy 543: Conditions of Employment - Ethical and Professional Conduct 800.2 - Policy 800.2: School Board Policy on Technology - Policy 802.23 - Policy 802.23: Student Use of Technology - Unsuitable Material Filters
Adopted	June 7, 2016

SGE. BOARD IS COMMITTED TO THE DISTRICT EMBRACING THE RESPONSIBLE USE OF ELECTRONIC MEANS OF COMMUNICATION WITH STAFF AND STUDENTS.

DEFINITIONS

1. **ELECTRONIC COMMUNICATION SHALL MEAN, BUT NOT BE LIMITED TO, ANY COMMUNICATION THAT IS SENT BY, DELIVERED BY, RECEIVED BY, OR THAT OTHERWISE USES:**
 - a. **E-MAIL;**
 - b. **INSTANT MESSAGING;**
 - c. **TEXT MESSAGE;**
 - d. **TELEPHONE, INCLUDING CELLULAR OR MOBILE PHONE OR SMARTPHONE;**
 - e. **SOCIAL-MEDIA SITE;**
 - f. **THE INTERNET; OR**
 - g. **ANY SIMILAR TECHNOLOGY.**
2. **ONLINE CONDUCT SHALL MEAN, A) THE TRANSMISSION OF ANY ELECTRONIC COMMUNICATION, AND B) THE PUBLICATION OF ANY CONTENT VIA SOCIAL**

MEDIA.

3. SOCIAL MEDIA SHALL MEAN FORMS OF ELECTRONIC COMMUNICATION THROUGH WHICH USERS CREATE ONLINE COMMUNITIES TO SHARE INFORMATION, PERSONAL MESSAGES, IDEAS, PHOTOGRAPHS, VIDEOS, AND OTHER CONTENT.

Communication is an essential element of the learning process. Using available technology can enhance communication and thereby enhance learning (cross reference School Board Policy 800.2: Technology).

All employees are held to a professional standard in their conduct toward students, parents, guardians, co-workers, and members of the public, including engagement in constructive, tactful communication. ALL

Electronic communication is held to the same professional standard of conduct as traditional face-to-face, verbal, or written communication (cross_ reference School Board Policy 543: Ethical and Professional Conduct).

Employees and volunteers must understand the importance of establishing and maintaining the proper boundaries in communications with students. The same standards for appropriate content apply to electronic and social media communication (see Guidelines in the Defining Staff-Student Boundaries Brochure).

The District reserves the right to monitor electronic communications conducted using district equipment, systems, ~~or~~ networks, OR EMPLOYEE OFFICIAL EMAIL. Employees and volunteers using electronic communication and social media should be mindful that it can be difficult to control and maintain privacy online, remembering that social media content can always become public and; even content with privacy controls may be made available to those outside preferred settings. Any content posted online may be discovered or reported to the district. For example, the District may discover information as a result of its ~~own~~ efforts to monitor its online reputation, as a result of an investigation or complaint, or other legitimate reason. The District will handle information received or discovered in accordance with the District's policies and procedures. Electronic and social media communication found to violate law, policy, regulations, guidelines or rules may result in corrective or disciplinary action, up to and including termination.

This policy supplements, and does not replace, other district policies. Electronic communications remains subject to all applicable district policies, including but not limited to nondiscrimination and harassment, sexual misconduct, telecommunications access, staff ethics, confidentiality, and professional and ethical conduct standards. The superintendent shall develop an administrative regulation to implement this policy. The administrative regulation shall be reviewed periodically and revised as needed ~~in~~ ~~order~~ for it to evolve to reflect emerging social media technologies.

Use of Social Media on Behalf of the District

The school district has a presence with online sites and social media accounts. The superintendent shall develop policies governing access to and control over official school district accounts.

A successful social media presence requires monitoring and attention. Individuals using social media to disseminate information for the district should consider whether there are adequate resources (including time) to maintain the communication, monitor and address responses and communications from others regarding the content.

Individuals using social media for the District must be transparent and make clear that any postings made as part of their job are posted for the district.

Everyone using social media for the district should be accurate, fair and courteous, use proper grammar and avoid jargon and unnecessary abbreviations or acronyms that may be unfamiliar to the intended audience, students or parents.

No one should conduct or encourage illegal activity or engage in commercial solicitation while using social media for the district.

No one should publish profane or obscene or sexually explicit language or content while using social media for the district.

No one using social media for the district should violate the legal ownership interests of any party. It is important to respect copyrights and give credit where credit is due.

No one should use social media for the district to promote, foster or perpetuate impermissible discrimination.

Everyone using social media for the district must refrain from disseminating information that may tend to compromise the safety or security of students, the public, or the district. Guidelines and legal limitations such as FERPA apply in social media. Confidential matters must be kept private.

It is important for everyone using social media for the district to do so in a respectful and professional manner.

Users who make an error while using social media for the district should be honest about mistakes and correct them quickly. Negative comments or developments should be handled quickly and professionally. If employees or volunteers choose to modify an earlier post, they should make clear they have done so.

The District reserves the right to restrict or remove any content provided by employees or volunteers in the course of their employment that is in violation of District policy or applicable law.

Communication with Students

1. An employee's communication with students in the classroom or directly related to instruction is an extension of the employee's job.
2. An employee's communication with students outside of the classroom or not directly related to instruction may be restricted and require parental consent.
3. When using electronic communication and social media to communicate with students and their families, employees and volunteers are required to do so in a manner that:
 - a. is consistent with responsible and professional use;
 - b. does not interfere with THE efficient and effective operation of the district; and
 - c. does not compromise the safety and well-being of students

D. BE PREAPPROVED BY THE SCHOOL PRINCIPAL.

4. An employee using social media to communicate with students must provide equitable communication by alternative methods to those students without technology.

5. Employee communication with students must comply with individual sites' terms of use and privacy policies, THIS INCLUDES THE GUIDELINES OUTLINED IN THE CHILDREN'S ONLINE PRIVACY PROTECTION ACT (COPPA).
6. Employee communication with students recognizes the school district's student web protection parameters which limit student access during school hours (see School Board Policy 802.23: Unsuitable Material Filters) (CIPA).

Private Use of Social Media

Volunteers and employees of the district have First Amendment rights to speak on matters of public concern.

Employees and volunteers engaging in social media as private citizens should not attribute their personal statements, opinions, or beliefs to the district.

Employees and volunteers should not use district logos or trademarks or other intellectual property of the district when engaging in social media as private citizens.

Employees and volunteers engaged in social media as private citizens should remain aware that guidelines and limitations such as FERPA remain applicable and should not use social media to disclose confidential information regarding students.

Employees should be mindful of their ongoing ethical obligations as educators and should not post any material that constitutes harassment, hate speech, or libel.

THE SUPERVISORY RELATIONSHIP WITH OTHER DISTRICT EMPLOYEES DOES NOT END BECAUSE A MANAGER OR SUPERVISOR IS NOT PHYSICALLY PRESENT AT THE WORK SITE. MANAGERS AND SUPERVISORS WHO ENGAGE IN HARASSING, DISCRIMINATORY COMMENTS, OR POSTS, AS DEFINED BY DISTRICT ANTI-DISCRIMINATION AND HARASSMENT POLICIES, ON SOCIAL MEDIA OR ANY OTHER ELECTRONIC FORUM, WILL BE TREATED AS IF THESE COMMENTS OR POSTS OCCURRED AT WORK IF THEY HAVE A NEGATIVE IMPACT AT THE WORKPLACE. THIS TYPE OF BEHAVIOR MAY LEAD TO DISCIPLINARY ACTIONS, UP TO AND INCLUDING DISCHARGE.

Nothing in this policy restricts or modifies the right of a teacher to engage in comment and criticism outside of school hours regarding school personnel, members of the governing body of any school or school district, or any other public official or any school employee to the same extent that a private individual may exercise that right in accordance with Alaska Statute 14.20.095.

~~Factors the district may consider when considering violations of this policy include:~~

- ~~1. whether the employee or volunteer knowingly and directly initiated inappropriate communication with students;~~
- ~~2. whether the employee or volunteer intended or intentionally disregarded the possibility that students would see his or her inappropriate postings; and~~
- ~~3. whether the nature of the communication itself reflected,~~
 - ~~a. inappropriate employee-student communication, such as discussion of sexually suggestive or sexually explicit topics, or~~
 - ~~b. unprofessional communication that has negatively impacted the employee's or volunteer's ability to perform his or her job responsibilities effectively.~~

Definitions

4. ~~Electronic communication shall mean, but not be limited to, any communication that is sent by, delivered by, received by, or that otherwise uses:~~
 - a. ~~e-mail;~~
 - b. ~~instant messaging;~~
 - c. ~~text message;~~
 - d. ~~telephone, including cellular or mobile phone or smartphone;~~
 - e. ~~social media site;~~
 - f. ~~the Internet;~~ or
 - g. ~~any similar technology.~~
5. ~~Online conduct shall mean, a) the transmission of any electronic communication, and b) the publication of any content via social media.~~
6. ~~Social media shall mean forms of electronic communication through which users create online communities to share information, personal messages, ideas, photographs, videos, and other content.~~

Legal reference: Professional Teaching Practices Commission Code of Ethics (20 AAC 10.020 – 20AAC 10.030); AS 14.20.095; Garcetti v. Ceballos, 547 U.S. 410 (2006); Pickering v. Board of Education, 391 U.S. 563 (1968) and Defining Staff-Student Boundaries Brochure.

See also School Board Policy 543: Conditions of Employment - Ethical and Professional Conduct, School Board Policy 800.2: School Board Policy on Technology - Policy, and School Board Policy 802.23: Student Use of Technology - Unsuitable Material Filters.

Policy Adopted: June 7, 2016

Last Modified by Sharon Tuttle on May 12, 2017



Book	School Board Policy
Section	CHAPTER 10 - (3) Administrative Regulation
Title	Working Draft DR of AR 1011: Gender Identity
Code	1011
Status	Up for Revision
Legal	Title IX of the Education Amendments of 1972 AS 18.80.255
Cross References	130 * - Policy 130: Nondiscrimination 130.1 - Policy 130.1: Nondiscrimination - Affirmative Action 1011 * - Policy 1011: Nondiscrimination 1012 - Policy 1012: Harassment 1012.1 * - Policy 1012.1: Harassment - Sexual Harassment 131.1 AR 131.1: Harassment - Sexual Harassment 131.1 - AR 131.1: Harassment - Sexual Harassment 1012 - AR 1012: Harassment 1012.1 - AR 1012.1: Harassment - Sexual Harassment 1041.1 - POLICY 1041.1: STUDENT RIGHTS AND RESPONSIBILITIES - RIGHTS - FREEDOM OF SPEECH & ASSEMBLY 1041.1 - AR 1041.1: STUDENT RIGHTS AND RESPONSIBILITIES - RIGHTS - FREEDOM OF SPEECH & ASSEMBLY
Adopted	January 12, 1998

The board is committed to maintaining a learning environment free from any discrimination due to a student's sexual orientation, gender expression, or gender identity.

Purpose

The purpose of this regulation is to advise District staff regarding issues relating to transgender and gender-nonconforming students in order to create a safe and inclusive learning environment for all students by ensuring equal access to all aspects of the educational programs and activities provided by the District.

Contents

The issues addressed in this regulation include:

1. Definition
2. Student Transition
3. Names/Pronouns
4. Dress
5. Family Acceptance
6. Health Curriculum

7. Access to Physical Education and Sports
8. Locker Room Accessibility
9. Restroom Accessibility
10. After School Activities and Programs
11. Travel on School-Sponsored Overnight Trips
12. Confidentiality
13. Discrimination and/or Harassment
14. Disciplinary Actions
15. Supplemental Information

This regulation does not anticipate every situation that might occur. It does offer suggested approaches to specific issues when the confidentiality of personal information, or physical and/or safety of transgender and gender-nonconforming students may be at risk.

If any staff member has questions about this regulation or other issues related to transgender and/or gender-nonconforming students, they are encouraged to contact the school administration, Title IX Specialist, or the Employment and Education Opportunity Officer.

1. Definitions

- A. "Gender" refers to a student's actual or perceived sex, and includes a person's gender identity and gender expressions.
- B. "Transgender Students" refers to students whose gender identity is different from their sex at birth, and whose gender expression is different from the way males or females are expected to look or behave.
- C. "Gender Identity" refers to one's consistent and deeply held knowledge, feelings, understanding, interests, and outlook about whether one is female or male, both, or neither, regardless of one's biological sex.
- D. "Gender Expression" refers to the way a person expresses his or her gender, including, but not limited to, through gestures, movement, and dress and/or grooming.
- E. "Gender-Nonconforming Students" refers to students who have a gender expression that does not conform with stereotypical expectations. For example, "feminine boys," "masculine girls," and/or students who are androgynous. Gender-nonconforming students often are not transgender.
- F. "Sexual Orientation" refers to a student's sexual attraction to or sexual preference for a romantic, emotional, mental and/or sexual relationship with others. Sexual orientation could be homosexual, heterosexual, or bisexual.
- G. "Gay, Lesbian, Bisexual" are terms that refer to students with particular sexual preferences towards others of their same or opposite sex.
- H. "Gender identity that the student consistently asserts" is a term that refers to how the student regularly expresses their gender during their time at school. This 'identity' may or may not be how they express their gender outside of school due to outside pressures. Further, a student's gender identity may change over time.
- I. "Transition" refers to the process in which a person begins to live in accordance with their gender identity rather than the gender they assigned at birth. Transition is a process, not a path. Each person's

"transition" is unique and should be supported at each stage of their process. It may or may not involve a student taking steps to change their social interactions, legal status, or physical attributes.

2. Student Transition

The District will accept each gender identity a student consistently asserts. Since gender identity is a wholly personal manifestation, a transitioning student will not be required to produce any evidence, including medical or treatment documentation, of their gender identity. It is also realized that gender identity is often fluid for some students, and every effort shall be made to accept any changes that may be necessary to create a caring and secure learning experience for the student. It is understood that each person goes through "transition" in their own way, and therefore, stereotypes and/or assumptions of a "normal" path are not valid. The District will customize student supports to optimize the individual student's educational success.

- v. possible, transgender and gender nonconforming students should be asked and/or allowed to express their preference in any situation that involves male and female separations. For example, selection of partners in a physical education dance program, placement in nurse's recovery rooms, or school-sponsored overnight trips.

3. Names/Pronouns

It is strongly suggested that teachers, including counselors, privately ask transgender or gender-nonconforming students, when appropriate, how that student wants to be addressed. If a staff member has a question about how a student wishes to be addressed, it is recommended they consult with the student's counselor who can determine the student's preference and then communicate to the staff, as appropriate. In cases where a student and the student's parent/guardian are in disagreement about the name and pronoun being used at school, school officials should seek a resolution acceptable to the student and the parent/guardian.

To ensure a sense of belonging and safety at school a transgender and/or gender nonconforming student, like other students, will be allowed to select a name that they prefer to be called at school ~~which more closely aligns with their gender identity~~. All staff and students are to use this name when interacting with the student. Parent/guardian permission is not needed for the use of this name. If a parent/guardian is opposed to the use of any other name than the one given at birth or used at home, the staff, out of courtesy to the parent/guardian, will use the birth or home name when discussing the student with the parent/guardian, but will use the student's preferred name all other times during school events.

Students are to be addressed by the name and pronoun that corresponds to the gender identity that the student consistently asserts at school. A student may request to be addressed by their "preferred name" and "preferred pronoun" that corresponds to their gender identity without obtaining a court order or without changing their official records. It is understood that inadvertent slips or honest mistakes in the use of the "preferred" names or pronouns might occur. Acknowledging the mistake to the student is the polite thing and shows that you respect them. Repeated or deliberate refusal to use the "preferred" names or pronouns will be considered harassment that is a violation of District policies and disciplinary action may be warranted, up to and including suspension or expulsion.

The District is required to maintain a permanent student record, which includes the legal name of the student and the student's sex.

The District will change a student's official records to reflect a change in legal name or gender upon receipt of documentation that such legal name or gender has been changed pursuant to a court order.

Students who are transgender or gender non-conforming who wish to use the name they consistently use during school to show their gender identity shall be allowed to have this name used in an assembly, meeting, ceremony, certificate, award, program, or other publication regardless of the name that the District maintains in the official student files by law. The only exception is if the use of the student's legal name is required by federal, state, or local law. For clarification purposes, both the legal and preferred name of the student will be listed in the official District file.

4. Dress

The District's dress code should be applied uniformly to all students WITHOUT REGARD TO THEIR SEX OR GENDER IDENTITY. ~~Transgender and/or gender nonconforming students have the right to dress in accordance with the gender identity at school while recognizing the District's dress code and the accompanying safety provisions, prohibitions, and guidance regarding appropriate attire.~~

5. Family Acceptance

Some transgender and gender nonconforming students are not open about their gender identity at home for a variety of issues, including potential safety concerns. A school should focus on the student's safety as the priority when providing or reporting information about the student to a parent/guardian.

To ensure a positive and safe learning environment, the District will treat all students with the same respect and will not engage in the unnecessary question of the student's gender identity or gender expression. It is the student's prerogative to explain how they wish to be addressed and treated.

6. Health Curriculum

All students shall be, with parent/guardian permission, allowed to attend the health curriculum for classes geared to the gender identity the student consistently asserts during school. To provide appropriate educational instruction, the student will also be allowed, with parental/guardian permission, to attend the class geared to their gender assigned at birth.

7. Access to Physical Education and Sports

All students, including transgender and gender-nonconforming students, shall have the same opportunities to participate in physical education and school supported sports. Students shall be permitted to participate in physical education and non-competitive sports based on their gender identity that the student consistently asserts during school.

The District will follow rules developed by the Alaska Schools Activity Association (ASAA) that explain the eligibility of all students, including transgender students, in school sponsored CONTACT AND/OR competitive sports. ~~If ASAA does not provide guidelines, the District will follow the guidelines adopted by the National Collegiate Athletic Association (NCAA).~~ TRANSGENDER STUDENTS CAN PARTICIPATE IN CONTACT SPORTS AND/OR GENDER SEPARATED COMPETITIVE TEAMS SPORTS IN HIGH SCHOOL ACCORDING TO THEIR GENDER IDENTITY, IF THEY PROVIDE THEIR SCHOOL'S ATHLETICS DIRECTOR OBJECTIVE EVIDENCE REGARDING THEIR TRANSGENDER STATUS. EVIDENCE CAN INCLUDE, BUT IS NOT LIMITED TO: DIAGNOSIS OF GENDER DYSPHORIA, CURRENT MEDICAL TREATMENT RELATED TO TRANSITIONING, OR A HISTORY OF CONSISTENTLY ASSERTING A PARTICULAR GENDER IDENTITY DURING SCHOOL. ONCE A STUDENT IS DETERMINED ELIGIBLE FOR PARTICIPATION IN A CONTACT OR GENDER SEPARATED COMPETITIVE SPORT THAT DOES NOT CONFORM TO THE STUDENT'S GENDER AT BIRTH, THAT DETERMINATION OF ELIGIBILITY REMAINS IN EFFECT FOR THE DURATION OF THE STUDENT'S HIGH SCHOOL ELIGIBILITY.

8. Locker Room Accessibility

ALL sStudents shall be provided with appropriate locker room facility access to THAT ALIGNS WITH THEIR ~~nonconforming~~ gender identity ~~students~~. If, for any bona fide reason, a student requires increased privacy, the student shall be provided access to a reasonable alternative locker room, such as use of a private area (i.e., a nearby restroom stall with a door, an area separated by a curtain or other divider, a P.E. instructor's office in the locker room, separate changing schedule, or a nearby health office restroom).

9. Restroom Accessibility

All students shall be able to use the restroom corresponding to the identity that the student consistently asserts during school. Any student feeling that there is a reason or desire for increased privacy will be given access to an alternative restroom such as a single stall "unisex" restroom or the health office restroom.

10. After-School Activities and Programs

All students have the right to equitable access to activities and programs at school. No student will be excluded from participation in any extra-curricular groups or meetings due to their gender orientation, gender expression, or gender identity. (SEE EXCEPTION IN # 7).

~~The District will follow rules developed by the Alaska Schools Activity Association (ASAA) that explain the eligibility of all students, including transgender student, in school sponsored competitive sports. If ASAA does not provide guidelines the District will follow the adopted eligibility standards defined by the National Collegiate Athletic Association (NCAA) for transgender athletes.~~

11. Travel on School-Sponsored, Overnight Trips

All students shall be allowed to participate in all school-sponsored events, including those that require overnight accommodations. All students, regardless of their gender orientation, gender expression, or gender identity, have the right to maintain confidentiality about their personal information. No faculty, staff, coach, volunteer, chaperones, or other personnel associated with the District is to, without the student's expressed permission, discuss the student's gender orientation, gender expression, or gender identity to anyone that does not have a need and right to know. Other student's parents, other students, most District staff, and all staff from other school Districts, do not have a need and right to know.

Accommodations for overnight lodging will be discussed with the student and, if necessary, appropriate arrangements will be obtained. The transgender or gender-nonconforming student will be provided accommodations that are equal to those other students who consistently express the same gender identity. If the transgender or gender-nonconforming student wishes, they may request special accommodations for safety or security from the administration. Any and all additional costs of these special accommodations will be borne by the District.

If other students are uncomfortable with shared sleeping arrangements with a transgender or gender-nonconforming student, they can request special accommodations. Any and all additional costs of these special accommodations will be borne by the student requesting them. Please be mindful that it is not for any staff or other person associated with the District to provide any information about the gender identity of any student to any other student or parent.

12. Confidentiality

Students have the right to openly discuss and express their sexual orientation, gender expression, or gender identity, and to decide when, to whom, and how much information is shared. Transgender students have a right to privacy regarding their transgender status. Therefore, school personnel should not disclose a student's transgender status to others, including parents/guardians, and/or other school personnel unless there is a specific need to know situation. Knowingly releasing information to people that do not have a need to know may be considered harassment.

When discussing a particular issue such as conduct, discipline, grades, attendance, or health with a transgender or gender-nonconforming student, the focus shall be on the conduct or particular issue, and not on any assumptions regarding the student's actual or perceived gender identity.

13. Discrimination and/or Harassment

No student or employee shall be permitted to discriminate against, harass, or sexually harass any student due to their gender orientation, gender identity, or gender expression.

Complaints against any student or employee alleging discrimination or harassment based on a student's actual or perceived transgender or gender-nonconforming identity are to be handled in the same manner as other discrimination/harassment complaints. All faculty and staff shall take all observed or reported incidents of harassment seriously and take appropriate steps to ensure the harassment stops. They are also to report all incidents to the site principal.

All issues regarding discrimination and/or harassment should be directed to the District's Employment and Education Officer (EEO Officer) or the Title IX Specialist.

14. Disciplinary Actions

ANY knowing or intentional abuses of this policy by a student with the sole intent of creating concern, confusion, or discord within the school will be considered to be in violation of the policy and may be subject to disciplinary action, up to and including expulsion.

Any harassment, bullying, or discrimination against any student due to their actual or perceived sexual orientation, gender expression, or gender identity may lead to disciplinary action up to and including expulsion.

15. Supplemental Information

Government agencies that accept harassment complaints include:

Alaska State Commission for Human Rights
800 A Street, Suite 204
Anchorage, AK 99501-3669
(907) 474-4692
(800) 478-4692

~~U.S. Equal Employment Opportunity Commission
Seattle District Office
Federal Office Building
909 First Avenue, Suite 400
Seattle, WA 98104-1061
(206) 220-6883~~

U.S. Department of Education
Office for Civil Rights, Region X
Henry M. Jackson Federal Bldg.
Mail Code 10-9010
915 Second Avenue, Room 3310
Seattle, Washington 98174-1099
Toll free: (800) 421-3481
Telephone: (206) 220-7900
TTY/TDD: (206) 220-7907

Racial Harassment

Purpose

~~To provide procedures to implement the School Board's policy on nondiscrimination and affirmative action, specifically racial harassment.~~

Definition

~~Racially based conduct that consists of different treatment of students by other students, school district employees or agents acting within the scope of their official duties when the conduct subjects a student to discrimination on the basis of race, color, or national origin or when such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile, or offensive academic environment.~~

~~Racial harassment, as defined above, may include, but is not limited to the following:~~

~~Verbal or written racial slurs, epithets, jokes, comments or terms;~~

~~Repeated remarks to a person that contain racial, derogatory or demeaning implications;~~

~~Sabotage of schoolwork or projects when associated with other forms of racial harassment;~~

~~Racially oriented graffiti;~~

~~Verbal, written, or physical expressions of hatred due to race;~~

~~Display or distribution of racially oppressive or demeaning objects, pictures, literature, magazines, cartoons, posters or images;~~

~~Harassment involving objects or items historically or stereotypically associated with race; and/or~~

~~Unwelcome physical contact, close physical proximity or looks when associated with other forms of racial harassment.~~

Procedure

- ~~A. Racial harassment committed by students against other students or against school district employees constitutes misconduct. Racial harassment committed by school district employees against students constitutes misconduct. Racial harassment committed by volunteers, visitors or agents or against volunteers, visitors or agents constitutes misconduct. The intentional fabrication of a racial harassment complaint constitutes misconduct.~~

- B. ~~Students may approach teachers, counselors, nurses, principals, and the Employment and Educational Opportunity (EEO) director for guidance, support, and/or advocacy in addressing matters related to racial harassment or inappropriate behavior of a racial nature. Employees may approach their supervisors, principals and EEO director for this information.~~
- C. ~~Supervisors, principals, and directors are responsible for taking appropriate and effective action when they know, or reasonably should have known, that an individual under their supervision is being racially harassed.~~
- D. ~~All staff are responsible for taking appropriate and effective action to educate students and report racial harassment incidents.~~

E. ~~Filing a complaint.~~

1. ~~Any student or employee who believes that he or she or his/her student has been subjected to racial harassment should report such conduct promptly.~~
 - a. ~~The report may be verbal or written;~~
 - b. ~~The student or parent may report to any teacher, counselor, nurse or other staff member(s), who in turn shall report to the principal or designee. The employee may report to the supervisor, principal, administrator or EEO director.~~
2. ~~The supervisor, principal or designee, administrator or EEO director shall promptly investigate any complaints of racial harassment. The principal or designee, supervisor or administrator shall confer with the EEO director.~~
3. ~~A written report stating the findings and action taken shall be rendered in a timely manner and reported to the EEO director.~~
4. ~~The EEO director will present the findings of investigations to the Superintendent of Schools or designee for his/her concurrence.~~

F. ~~Grievance Process~~

1. ~~Any student or employee who is not satisfied with the outcome of the complaint process may file a grievance. A copy of the grievance procedure and form is available from the EEO director.~~
2. ~~Level One: Grievant may informally discuss the grievance with the school principal or immediate supervisor.~~
3. ~~Level Two: Grievant may formalize the allegation of noncompliance by submitting the grievance in writing to the EEO director within fifteen (15) working days from the date of final action of the complaint. The EEO director shall investigate the grievance, attempt to resolve it, and write a report within fifteen (15) working days after receipt of the written grievance.~~
4. ~~Level Three: Grievant may appeal the level two response to the superintendent. The request to appeal must be submitted in writing within ten (10) working days after receipt of the level two report. The superintendent will render a written decision within ten (10) working days after receipt of the written appeal.~~
5. ~~Level Four: Grievant may appeal the level three response to the Board of Education. The request to appeal must be submitted in writing within ten (10) working days after receipt of the decision from the superintendent. The Board of Education will render a decision at the next regularly scheduled meeting. Grievant will receive written notice of the Board's decision within ten (10) working days.~~

- G. ~~Retaliation or adverse action against an individual for reporting an incident or participating in or cooperating with an investigation of an alleged incident is prohibited.~~

- H. ~~Confidentiality will be preserved consistent with applicable laws and the school district's duty to investigate and address complaints.~~

- I. ~~The school district shall endeavor to provide appropriate relief for victims of racial harassment. Appropriate relief is reasonable, timely, effective, tailored to the specific incident, prevents recurrence, and does not burden the victim(s).~~
- J. ~~A student who violates the racial harassment policy will be subject to disciplinary action deemed necessary and appropriate, including parental notification, warnings, counseling, suspension, expulsion and/or exclusion.~~
- K. ~~An employee who violates the racial harassment policy will be subject to disciplinary action, which may include verbal warning, letter of reprimand, suspension and/or termination.~~

Responsibilities

A. ~~EEO director responsibilities:~~

- 1. ~~Distribute information on the school district's policy, regulations and complaint procedures regarding racial harassment.~~
- 2. ~~Provide training regarding racial harassment and investigation and resolution of complaints. Inform supervisory staff of their duties, responsibilities and potential liabilities regarding sexual harassment in schools and the workplace.~~
- 3. ~~Ensure that students are provided information appropriate to grade level on racial harassment and how to respond to it.~~

B. ~~School principals shall be responsible for developing and implementing a plan to help students recognize, understand and prevent racial harassment that will include:~~

- 1. ~~Guidelines for responding to racial harassment.~~
- 2. ~~Opportunities designed for students to develop appropriate behaviors and attitudes in school, work and social settings.~~
- 3. ~~Incorporating available Fairbanks North Star Borough School District student materials.~~

Supplemental Information

A. ~~Government agencies that accept racial harassment complaints include:~~

~~Alaska State Commission for Human Rights
800 A Street, Suite 204
Anchorage, Alaska 99501-3669
Toll free: (800) 478-4692
In Anchorage: (907) 274-4692
TTY/TDD: (800) 478-3177~~

~~U.S. Equal Employment Opportunity Commission
Seattle District Office, Federal Office Building
909 First Avenue, Suite 400
Seattle, Washington 98104-1061
Toll free: (800) 669-4000
In Seattle: (206) 220-6883
TTY/TDD: (206) 220-6682~~

~~U.S. Department of Education
Office for Civil Rights, Region X
Henry M. Jackson Federal Bldg.
Mail Code 10-9010
915 Second Avenue, Room 3310
Seattle, Washington 98174-1099
Toll free: (800) 421-3481
Telephone: (206) 220-7900
TTY/TDD: (206) 220-7907~~

~~Contact agencies for information on time lines for filing a complaint.~~

B. References

1. Title XI of the Education Amendments of 1972
2. 34 CFR Part 100
3. AS 18.80.255
4. School Board Policy 1011

C. Fairbanks North Star Borough School District Employment and Educational Opportunity Director:

EEO Director
520 Fifth Avenue, Room 410
Fairbanks, Alaska 99701
(907) 452-2000, ext. 11466

See also School Board Policy 1011: Nondiscrimination.

Approved January 12, 1998



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1011: Nondiscrimination
Code	1011 *
Status	Up for Revision
Legal	AS 14.18.060 AS 18.80.220-225 AS 47.80.010 Civil Rights Act of 1964, Title VI and Title VII Equal Pay Act of 1963 Age Discrimination in Employment Act of 1967 Education Amendments of 1972, Title IX Rehabilitation Act of 1973, Section 504 Individuals with Disabilities Education Act Age Discrimination Act of 1975 Vocational Educational Act, Title II Americans with Disabilities Act, Title II, as amended by the ADAAA of 2008
Cross References	130 * - Policy 130: Nondiscrimination 130 - AR 130: Nondiscrimination - Nondiscrimination and Affirmative Action 1011 * - Policy 1011: Nondiscrimination
Adopted	August 27, 1980
Last Revised	June 3, 2014

The Board is committed to a policy of nondiscrimination in relation to race, ethnicity, color, religion, creed, sex, age, national origin, physical or mental disability, marital status, GENETIC INFORMATION, changes in marital status, pregnancy, parenthood, sexual orientation, gender identity, GENDER EXPRESSION, disabled veterans or other eligible veterans, or any other basis of discrimination prohibited by local, state, or federal law, except where a bona fide requirement may lawfully disqualify an individual. This policy will prevail in all matters concerning ~~staff, students, contractors, the public,~~ educational facilities, programs, services and activities.

THE DISTRICT PROHIBITS UNLAWFUL RETALIATION AGAINST ANY STUDENT, INCLUDING DISCIPLINE, EXPULSION, OR OTHER ACTS DESIGNED TO HAVE A CHILLING EFFECT ON AN STUDENT'S WILLINGNESS TO FILE A COMPLAINT OF DISCRIMINATION,

TESTIFY, OR ASSIST discrimination against a person who filed a complaint, testified, or assisted in a proceeding filed under THIS POLICY OR UNDER THE VARIOUS FEDERAL, STATE, OR LOCAL CIVIL RIGHTS LAWS. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES SHALL BE IN VIOLATION OF THIS POLICY AND SHALL BE SUBJECT TO DISCIPLINARY ACTION. ~~the human rights law or because that person has opposed any practice forbidden under AS 18.80.220-260.~~

See also AR 1011: Nondiscrimination and Affirmative Action; School Board Policy 130: Nondiscrimination; and AR 130: Nondiscrimination and Affirmative Action.

Policy Adopted: August 27, 1980

Revised: October 7, 1980

Revised: April 19, 1994

Revised: October 16, 2001

Revised: February 17, 2009

Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 10 - (3) Administrative Regulation
Title	Working Draft DR of AR 1012: NONDISCRIMINATION – HARASSMENT
Code	1012
Status	Proposed
Legal	TITLE IX OF THE EDUCATION ACT OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AMERICANS WITH DISABILITIES ACT OF 1990 504 OF THE REHABILITATION ACT OF 1973 AS 18.80.255
Cross References	AR 130: NONDISCRIMINATION – NONDISCRIMINATION AND AFFIRMATIVE ACTION AR 130.2: NONDISCRIMINATION – GENDER IDENTITY AR 131.1: HARASSMENT – SEXUAL HARASSMENT AR 1011: NONDISCRIMINATION AND AFFIRMATIVE ACTION AR 1012.1: HARASSMENT – SEXUAL HARASSMENT 1011 * - Policy 1011: Nondiscrimination 1012 - Policy 1012: Harassment 130 * - Policy 130: Nondiscrimination 131 - Policy 131: Harassment

PURPOSE

TO PROVIDE PROCEDURES TO IMPLEMENT THE SCHOOL BOARD'S POLICY ON GENERAL STUDENT POLICIES, SPECIFICALLY HARASSMENT DUE TO AN INDIVIDUAL'S CULTURES AND/OR PROTECTED BASIS AS DEFINED BY LAW AND DISTRICT POLICY.

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THE ISSUES ADDRESSED IN THIS REGULATION INCLUDE:

1. DEFINITION
2. EXAMPLES OF HARASSMENT
3. PROCEDURES
4. INVESTIGATIVE APPEAL PROCESS
5. GRIEVANCE PROCESS OF SEVERITY OF EMPLOYEE DISCIPLINARY ACTION
6. RETALIATION
7. CONFIDENTIALITY
8. REMEDY
9. RESPONSIBILITIES
10. SUPPLEMENTAL INFORMATION

DEFINITION

PROTECTED CULTURE AND/OR PROTECTED GROUP: THIS IS HOW A PERSON DEFINES THEMSELVES REGARDING THEIR RACE, ETHNICITY, COLOR, RELIGION, CREED, GENDER, AGE, NATIONAL ORIGIN, PHYSICAL AND/OR MENTAL DISABILITY, GENETIC INFORMATION, MARITAL STATUS, CHANGES IN MARITAL STATUS, FAMILY STRUCTURE, PARENTHOOD, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, DISABLED VETERANS AND OTHER ELIGIBLE VETERANS, OR ANY OTHER BASIS OF DISCRIMINATION PROHIBITED BY LOCAL, STATE, OR FEDERAL LAW.

HARASSMENT: HARASSMENT IS DIVIDED INTO THE FOLLOWING 2 DISTINCT TYPES OF HARMFUL ACTIONS:

HOSTILE ENVIRONMENT HARASSMENT (INTANGIBLE HARM): THIS CAN BE ANY COMMENT(S) OR ACTION(S) THAT IS SIGNIFICANT IN SEVERITY AND/OR FREQUENCY THAT ADVERSELY EFFECTS OR SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATES AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORK SCHOOL ENVIRONMENT.

QUID PRO QUO HARASSMENT (TANGIBLE HARM): THIS IS THE 'IF YOU DO THIS FOR ME, I WILL DO THAT FOR YOU.' THIS INVOLVES THE RECEIPT OF SOMETHING TANGIBLE FOR THE VICTIM IF THEY DO WHAT THE HARASSER WANTS. IT IS MOST COMMONLY SEEN IN SEXUAL HARASSMENT COMPLAINTS WHEN A TEACHER MAKES A GOOD GRADE OR OTHER EDUCATIONAL BENEFIT IS CONTINGENT ON A STUDENT ENGAGING IN A ROMANTIC OR SEXUAL RELATIONSHIP. LESS COMMON EXAMPLES CAN INCLUDE THINGS SUCH AS BEING PRESSURED TO CHANGE STOP ASSOCIATING WITH A PARTICULAR MINORITY GROUP OR PERSONS TO JOIN A PARTICULAR SCHOOL SPONSORED ORGANIZATION. WHETHER A NEGATIVE ACTION ACTUALLY IS TAKEN OR IF THE HARASSER ACTUALLY HAS THE ABILITY TO CARRY OUT THEIR THREAT OR PROMISE DOES NOT MATTER. IT IS A VIOLATION OF THIS POLICY TO MAKE THIS TYPE OF OFFER AND/OR THREAT.

2. EXAMPLES OF HARASSMENT

HARASSMENT DIRECTED AT A PARTICULAR CULTURE OR GROUP, AS DEFINED ABOVE, MAY INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING:

- VERBAL OR WRITTEN SLURS, EPITHETS, JOKES, COMMENTS OR TERMS;
- REPEATED REMARKS TO A PERSON THAT CONTAIN DEROGATORY OR DEMEANING IMPLICATIONS;
- SABOTAGE OF WORK OR PROJECTS;
- NEGATIVE GRAFFITI;
- VERBAL, WRITTEN, OR PHYSICAL EXPRESSIONS OF HATRED;
- POSTING ON SOCIAL MEDIA RACIST, SEXIST, OR OTHER DEMEANING COMMENTS ABOUT FELLOW STUDENTS WHEN THESE POSTS THAT HAVE A NEGATIVE IMPACT OTHER STUDENTS AND THE EDUCATION;
- DISPLAY OR DISTRIBUTION OF OPPRESSIVE OR DEMEANING OBJECTS, PICTURES, LITERATURE, MAGAZINES, CARTOONS, POSTERS OR IMAGES;
- HARASSMENT INVOLVING NEGATIVELY USING OR DEPICTING OBJECTS OR ITEMS HISTORICALLY OR STEREOTYPICALLY ASSOCIATED WITH A CULTURE; AND/OR,
- UNWELCOME PHYSICAL CONTACT, CLOSE PHYSICAL PROXIMITY OR LOOKS WHEN ASSOCIATED WITH OTHER FORMS OF CULTURE-BASED HARASSMENT OR KNOWN NOT TO BE CUSTOMARY OF A PERSON'S CULTURE.

3. PROCEDURES

A. OFFENSES:

1. HARASSMENT COMMITTED BY A STUDENT ATTENDING ANY DISTRICT SCHOOL AGAINST ANOTHER STUDENT, STAFF, TEACHER, OR ADMINISTRATOR CONSTITUTES MISCONDUCT IF IT OCCURS DURING SCHOOL HOURS OR AT AN EVENT THAT THE DISTRICT IS SPONSORING OR PARTICIPATING.
2. HARASSMENT COMMITTED BY A STUDENT OUTSIDE OF SCHOOL AGAINST ANOTHER STUDENT, STAFF, TEACHER, ADMINISTRATOR IF THE HARASSMENT SIGNIFICANTLY ADVERSELY IMPACTS ANOTHER EDUCATIONAL OPPORTUNITY.
3. HARASSMENT COMMITTED BY SCHOOL DISTRICT EMPLOYEES AGAINST STUDENTS CONSTITUTES MISCONDUCT.
4. HARASSMENT COMMITTED BY A MEMBER OF THE COMMUNITY TOWARDS A STUDENT CONSTITUTES MISCONDUCT IF IT OCCURS DURING A TIME WHEN OR AT AN EVENT THAT THE DISTRICT IS SPONSORING OR ACTIVELY PARTICIPATING.
5. THE INTENTIONAL FABRICATION, WITHOUT A GOOD FAITH BELIEF THAT HARASSMENT HAS OCCURRED CONSTITUTES MISCONDUCT.

- B. STUDENTS ARE ENCOURAGED TO APPROACH TEACHERS, COUNSELORS, NURSES, PRINCIPALS, OR THE EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER (EEO OFFICER) FOR GUIDANCE, SUPPORT, COMPLAINTS AND/OR ADVOCACY TO ADDRESS MATTERS THEY BELIEVE TO BE RELATED TO HARASSMENT OR INAPPROPRIATE BEHAVIOR. EMPLOYEES, VOLUNTEERS, VISITORS AND AGENTS ARE ALSO ENCOURAGED TO APPROACH ANY SUPERVISORS, PRINCIPALS, MEMBER OF MANAGEMENT, OR THE EEO OFFICER IF THEY SEE ANY HARASSMENT.
- C. ALL STAFF MEMBERS ARE RESPONSIBLE FOR TAKING APPROPRIATE AND EFFECTIVE ACTION TO EDUCATE STUDENTS, STOP HARASSING BEHAVIORS, AND REPORT ALL INCIDENTS OF HARASSMENT TO SCHOOL MANAGEMENT OFFICIALS. ALL EMPLOYEES ARE RESPONSIBLE FOR ASSISTING AND ACTING TO STOP ALL FORMS OF HARASSMENT. EMPLOYEES SHOULD NOT WAIT FOR A COMPLAINT. IF THEY SEE SOMETHING OR HEAR SOMETHING THAT MAY BE OFFENSIVE TO ANY STUDENT THEY ARE RESPONSIBLE FOR TAKING ACTION UNDER THE "REASONABLY SHOULD HAVE KNOWN" STANDARD.
- D. FILING A COMPLAINT

- 1. ANY STUDENT, EMPLOYEE, PARENT, OR MEMBER OF THE COMMUNITY WHO BELIEVES THERE HAS BEEN ANY HARASSMENT AGAINST A STUDENT WITHIN THE DISTRICT'S PREVIEW SHOULD PROMPTLY REPORT SUCH CONDUCT.
- 2. THERE IS NO LIMITATION ON WHEN A COMPLAINT CAN BE REPORTED. HOWEVER, IT IS ALWAYS BEST TO REPORT HARASSMENT AS SOON AS POSSIBLE SO STEPS CAN BE TAKEN TO STOP THE HARASSMENT. IT IS OFTEN EASIER TO PROVE HARASSMENT IF THE INCIDENTS ARE FRESH IN PEOPLE MINDS THEN IF THE REPORT IS MADE MONTHS LATER.
- 3. REPORTS CAN BE MADE IN WRITING OR VERBALLY. A VERBAL REPORT WILL BE HANDLED IN A SIMILAR MANNER AS ONE SUBMITTED IN WRITING.
- 4. STUDENTS SHOULD REPORT HARASSMENT DIRECTED AT THEM OR AGAINST ANOTHER TO ANY TEACHER, COUNSELOR, NURSE OR OTHER STAFF MEMBER(S), WHO IN TURN SHALL ENSURE THAT THE PRINCIPAL OR THEIR DESIGNEE, TITLE IX SPECIALIST, OR EEO OFFICER ARE PROPERLY ADVISED.
- 5. IN ALL CASES OF HARASSMENT, A PROMPT AND APPROPRIATE INVESTIGATION WILL BE CONDUCTED BY THE APPROPRIATE MEMBER OF MANAGEMENT. ALL EVIDENCE, INCLUDING WITNESS STATEMENTS, WILL BE MAINTAINED IN AN OFFICIAL COMPLAINT FILE. NO DOCUMENTS RELATED TO THE ALLEGATION SHOULD BE DESTROYED OR DELETED WITHOUT DIRECT APPROVAL BY THE EEO OFFICER.

- a. ALLEGATIONS AGAINST A STUDENT, WHICH COULD LEAD TO A SUSPENSION OF LESS THAN 10 DAYS THE INVESTIGATION AND THE MAINTENANCE OF DOCUMENTATION WILL BE KEPT WITH THE SCHOOL PRINCIPAL AND REPORTED TO THE TITLE IX COORDINATOR ON A QUARTERLY BASIS.
- b. ALLEGATIONS AGAINST A STUDENT THAT COULD LEAD TO A SUSPENSION OF 10 DAY OR MORE MUST IMMEDIATELY BE REFERRED TO THE TITLE IX SPECIALIST OR THE EEO OFFICER FOR APPROPRIATE INVESTIGATION. UPON COMPLETION OF THE INVESTIGATION AND A FINDING, THE INVESTIGATORY FILE WILL BE REFERRED BACK TO THE PRINCIPAL FOR THEIR DECISION REGARDING APPROPRIATE DISCIPLINARY ACTION.

- E. PRIOR TO THE COMPLETION OF ANY INVESTIGATION, THE EVIDENCE WILL BE SUMMARIZED AND PROVIDED TO THE APPROPRIATE PARTY TO ASCERTAIN IF THERE MAY BE ADDITIONAL EVIDENCE THEY WISH TO PROVIDE. THE REPORTING PARTY (ALLEGED VICTIM) WILL BE NOTIFIED IF THEIR ALLEGATIONS ARE NOT SUPPORTED BY THE FACTS AND THE RESPONDING PARTY (ALLEGED HARASSER) WILL BE NOTIFIED IF THE ALLEGATIONS AGAINST THEM ARE SUPPORTED BY THE FACTS. THIS WILL BE DONE IN AN ATTEMPT TO ENSURE ALL RELEVANT FACTS HAVE BEEN OBTAINED, REVIEWED, AND WEIGHT IN THE FINAL OUTCOME OF THE INVESTIGATION.

4. INVESTIGATIVE APPEAL PROCESS

- SGE. REPORTING PARTY (ALLEGED VICTIM) HAS THE RIGHT TO APPEAL THE INVESTIGATIVE FINDINGS IF THEIR ALLEGATIONS ARE NOT SUPPORTED BY THE FACTS AND THE RESPONDING PARTY (ALLEGED HARASSER) HAS THE RIGHT TO APPEAL THE INVESTIGATIVE FINDING IF THE ALLEGATIONS AGAINST THEM ARE SUPPORTED BY THE FACTS.
- 1. THE COMPLETENESS OF AN INVESTIGATION FILED UNDER TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972 CAN BE APPEALED, WITHIN 5 DAYS OF THE COMPLETION OF THE INVESTIGATION ISSUANCE OF DISCIPLINARY CONSEQUENCES. THE APPEAL NEEDS TO BE SUBMITTED TO THE EEO OFFICER/TITLE IX COMPLIANCE OFFICER WHO HAS THE SOLE DISCRETION TO UPHOLD THE INTEGRITY OF THE INVESTIGATION OR REMAND IT BACK FOR ADDITIONAL INVESTIGATION.
- 2. THE COMPLETENESS OF AN INVESTIGATION FILED UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED, CAN BE APPEALED, WITHIN 5 DAYS OF THE POST MARK ON THE COMPLETION OF THE INVESTIGATION AND THE ISSUANCE OF DISCIPLINARY CONSEQUENCES. THE APPEAL MUST TO BE SUBMITTED TO THE DIRECTOR OF HUMAN RESOURCES OR THEIR DESIGNATED APPOINTEE WHO HAS THE SOLE DISCRETION TO UPHOLD THE INTEGRITY OF THE INVESTIGATION OR REMAND IT BACK FOR ADDITIONAL INVESTIGATION.

5. GRIEVANCE PROCESS FOR SEVERITY OF STUDENT DISCIPLINARY ACTION

SGE. RESPONDENT CAN FILE GRIEVANCE IF THEY FEEL THE DISCIPLINARY ACTION TAKEN AT THE CONCLUSION OF AN INVESTIGATION IS UNFAIRLY SEVERE. THE REPORTING PARTY DOES NOT HAVE RIGHT TO REQUEST A MORE SEVERE DISCIPLINE.

SUSPENSIONS OF LESS THAN 10 DAYS:

RESPONDENT MAY INFORMALLY DISCUSS THE GRIEVANCE WITH THE SCHOOL PRINCIPAL. FOR DISCIPLINARY ACTION OF LESS THAN 10 DAYS THE SCHOOL PRINCIPAL HAS THE SOLE DISCRETION TO ISSUE DISCIPLINE. THERE IS NO RIGHT TO APPEAL SUSPENSIONS OF LESS THAN 10 DAYS.

SUSPENSIONS OF MORE THAN 10 DAYS:

RESPONDENT MAY FILE A GRIEVANCE DUE TO THE SEVERITY OF DISCIPLINE BY WRITING TO THE DISCIPLINARY HEARINGS OFFICER WITHIN THREE (3) DAYS IF NOTIFICATION IS HAND DELIVERED OR SEVEN (7) WORK DAYS, IF MAILED VIA U.S. POSTAL SERVICE, FROM THE DATE OF ISSUANCE OF DISCIPLINARY CONSEQUENCE. THE DISCIPLINARY OFFICER ONLY HAS THE AUTHORIZATION TO DETERMINE IF THE FACTS SUPPORT THE SEVERITY OF THE DISCIPLINARY ACTION. THE DISCIPLINARY HEARINGS OFFICER SHALL REVIEW THE EVIDENCE AND WRITE A REPORT WITHIN TEN (10) WORKING DAYS AFTER RECEIPT OF THE WRITTEN GRIEVANCE.

SUSPENSIONS OF MORE THAN 20 DAYS:

GRIEVANT MAY APPEAL THE DISCIPLINARY HEARINGS OFFICER'S DECISION TO THE DISTRICT'S BOARD OF EDUCATION IF THE DISCIPLINE IS MORE SEVERE THAN A TWENTY (20) DAY SUSPENSION. THE REQUEST TO APPEAL MUST BE SUBMITTED IN WRITING WITHIN FIVE (5) WORKING DAYS AFTER RECEIPT OF THE DECISION FROM THE DISCIPLINARY HEARINGS OFFICER. A RESPONDENT MUST FIRST HAVE GONE THROUGH FILING A GRIEVANCE WITH THE DISCIPLINARY HEARINGS OFFICER BEFORE FILING A GRIEVANCE WITH THE BOARD OF EDUCATION. THE GRIEVANT WILL HAVE TO MEET WITH THE BOARD OF EDUCATION DURING THIS FINAL STEP IN THE GRIEVANCE PROCESS. THE BOARD OF EDUCATION NORMALLY RENDERS A DECISION AT THE NEXT REGULARLY SCHEDULED MEETING.

FOR DISCIPLINARY ACTION OF LESS THAN A TWENTY (20) DAY SUSPENSION THERE IS NO APPEAL RIGHTS TO THE BOARD OF EDUCATION.

6. RETALIATION:

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY DISALLOWED. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ALL STUDENTS SHOULD BE SAFE AND FREE OF RETALIATION WHEN REPORTING INCIDENCES OF SEXUAL HARASSMENT. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.

7. CONFIDENTIALITY

THE DISTRICT WILL TAKE EVERY STEP POSSIBLE TO ENSURE THAT CONFIDENTIALITY WILL BE PRESERVED CONSISTENT WITH APPLICABLE LAWS AND THE SCHOOL DISTRICT'S DUTY TO INVESTIGATE AND ADDRESS COMPLAINTS. HOWEVER, CONFIDENTIALITY IS THE GOAL AND CANNOT BE GUARANTEED.

8. REMEDY

- A. SCHOOL PRINCIPALS SHALL BE RESPONSIBLE FOR DETERMINING WHAT REMEDIES ARE APPROPRIATE. APPROPRIATE RELIEF IS REASONABLE, TIMELY, EFFECTIVE, TAILORED TO THE SPECIFIC INCIDENT, AND PREVENTS RECURRENCE. ADDITIONAL SUPPORT MAY ALSO BE PROVIDED TO VICTIM(S), AS NECESSARY, TO OVERCOME ANY NEGATIVE IMPACT FROM THE HARASSMENT.
- B. A STUDENT WHO VIOLATES THE HARASSMENT POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION DEEMED NECESSARY AND APPROPRIATE, UP TO AND INCLUDING EXPULSION.
- C. AN EMPLOYEE WHO VIOLATES THE HARASSMENT POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

9. RESPONSIBILITIES

A. EEO OFFICER RESPONSIBILITIES:

- 1. DISTRIBUTE INFORMATION ON THE SCHOOL DISTRICT'S POLICY, REGULATIONS AND COMPLAINT PROCEDURES REGARDING HARASSMENT.
- 2. PROVIDE TRAINING REGARDING HARASSMENT, INVESTIGATION, AND RESOLUTION OF COMPLAINTS. INFORM SUPERVISORY STAFF OF THEIR DUTIES, RESPONSIBILITIES AND POTENTIAL LIABILITIES REGARDING RACIAL HARASSMENT IN SCHOOLS AND THE WORKPLACE.

3. SEEK OUT ASSISTANCE FROM VARIOUS NON-PROFITS OR OTHER ORGANIZATIONS TO ASSIST IN ENSURING A HARASSMENT FREE EDUCATION AND WORK PLACE AND ASSISTANCE IN PROVIDING REMEDIAL REMEDY FOR HARMED PARTIES.
4. ENSURE THAT STUDENTS ARE PROVIDED INFORMATION APPROPRIATE TO GRADE LEVEL ON HARASSMENT AND HOW TO RESPOND TO IT.
5. FOLLOW UP WITH THE REPORTER(S) TO ENSURE THE HARASSMENT HAS ENDED AND THAT NO ACTIONS OF RETALIATION HAVE BEEN CONDUCTED.

B. SCHOOL PRINCIPALS RESPONSIBILITIES:

1. DEVELOPING AND IMPLEMENTING A PLAN TO HELP STUDENTS RECOGNIZE, UNDERSTAND AND PREVENT HARASSMENT.
2. ENSURING THAT DISCIPLINARY ACTIONS ARE MEASURED AGAINST THE VIOLATION AND IN ALIGNMENT WITH DISCIPLINARY ACTIONS TAKEN BY OTHER PRINCIPALS FOR SIMILAR VIOLATIONS.
3. PROVIDE OPPORTUNITIES DESIGNED FOR STUDENTS TO DEVELOP APPROPRIATE BEHAVIORS AND ATTITUDES IN SCHOOL, WORK AND SOCIAL SETTINGS.
4. INCORPORATING AVAILABLE FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT STUDENT MATERIALS AND PROGRAMS TO ASSIST IN PREVENTING HARASSMENT.

10. SUPPLEMENTAL INFORMATION

A. GOVERNMENT AGENCIES THAT ACCEPT HARASSMENT COMPLAINTS INCLUDE:

U.S. DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION X
HENRY M. JACKSON FEDERAL BLDG.
MAIL CODE 109010
915 SECOND AVENUE, ROOM 33 10
SEATTLE, WA 981741099
(206) 220-7920

CONTACT AGENCIES FOR INFORMATION ON TIME LINES FOR FILING A COMPLAINT.

B. FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER:

EEO OFFICER
520 FIFTH AVENUE
FAIRBANKS, AK 997014756
(907) 4522000, EXT. 11466

TITLE IX SPECIALIST
520 FIFTH AVENUE
FAIRBANKS, AK 997014756
(907) 4522000, EXT. 11379

APPROVED: XXXXXXXXXXXXXXXXXXXXXXXX



Book	School Board Policy
Section	CHAPTER 10 - (3) Administrative Regulation
Title	Working Draft DR of AR 1012.1: SEXUAL HARASSMENT AND SEXUAL VIOLENCE
Code	1012.1
Status	Proposed
Legal	AS 11.41.410 AS 11.41.420 AS 11.41.425 AS 11.41.434 AS 11.41.436 AS 11.41.438 AS 11.41.440 AS 11.41.452
Cross References	131 - Policy 131: Harassment 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment 1046.7 - AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment

PURPOSE

THE PURPOSE OF THIS REGULATION IS TO ADVISE DISTRICT STAFF REGARDING ISSUES RELATED TO SEXUAL HARASSMENT AND SEXUAL VIOLENCE. THE DISTRICT IS DEDICATED TO CREATING AND MAINTAINING A SAFE AND RESPECTFUL LEARNING ENVIRONMENT FOR ALL STUDENTS REGARDLESS OF THEIR GENDER.

CONTENTS

THE ISSUES ADDRESSED IN THIS REGULATION INCLUDE:

1. **DEFINITION**
2. **REPORTING INCIDENTS/COMPLAINTS**
3. **INVESTIGATIONS**
4. **DISCIPLINE**
5. **APPEAL PROCEDURE – INVESTIGATIVE APPEAL**
6. **APPEAL PROCEDURE – DISCIPLINARY APPEAL**
7. **RETALIATION**
8. **FALSE REPORTING**

9. TRAINING

1. **DEFINITIONS**

GENDER/SEX:

GENDER OR SEX REFERS TO A STUDENT'S ACTUAL OR PERCEIVED SEX AND INCLUDES A PERSON'S GENDER IDENTITY AND GENDER EXPRESSIONS.

SEXUAL HARASSMENT:

SEXUAL HARASSMENT INCLUDES, BUT IS NOT LIMITED TO VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL CONDUCT, SOCIAL MEDIA OR ELECTRONIC COMMUNICATION OF UNWELCOME SEXUAL COMMENTS OR CONDUCT THAT CREATES AN INTIMIDATING, HOSTILE, OR ABUSIVE ENVIRONMENT THAT IS SO SEVERE AND/OR PERVASIVE THAT IT PREVENTS A STUDENT FROM FULLY PARTICIPATING IN AN EDUCATION PROGRAM OR ACTIVITY.

SEXUAL VIOLENCE:

SEXUAL VIOLENCE IS PHYSICAL, SEXUAL ACTS PERPETRATED AGAINST A PERSON'S WILL OR WHERE A PERSON IS INCAPABLE OF GIVING CONSENT DUE TO THEIR USE OF DRUGS OR ALCOHOL, A DISABILITY OR AGE. SEXUAL VIOLENCE INCLUDES, BUT IS NOT LIMITED TO, SEXUAL ASSAULT, SEXUAL ABUSE, AND ANY NON-CONSENSUAL ORAL, ANAL, OR GENITAL PENETRATION.

REPORTING PARTY:

THE REPORTING PARTY IS THE PERSON THAT HAS LODGED A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. THIS PERSON MAY OR MAY NOT ALSO BE THE CLAIMANT.

CLAIMANT:

THE CLAIMANT IS THE PERSON THAT HAS BEEN SUBJECTED TO SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. THIS PERSON MAY OR MAY NOT BE THE REPORTING PARTY. WHILE IT IS RECOMMENDED THAT ALL CLAIMANTS LODGE A SEPARATE COMPLAINT, THIS IS NOT REQUIRED.

RESPONDING PARTY:

THE RESPONDING PARTY IS THE PERSON THAT HAS HAD A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE LODGED AGAINST THEM. THIS PERSON IS COMMONLY KNOWN AS "RESPONDENT." BEING NAMED AS A RESPONDING PARTY DURING AN INVESTIGATION IS NOT AN INFERENCE OF GUILT.

WITNESS:

A WITNESS IS ANY THIRD PERSON, OTHER THAN THE CLAIMANT, REPORTING PARTY, OR RESPONDING PARTY, WHO IS INTERVIEWED OR PROVIDES INFORMATION DURING AN INVESTIGATION.

SCHOOL TITLE IX LIAISON:

EACH SCHOOL IN THE DISTRICT HAS A TITLE IX LIAISON WHOSE ROLE WILL BE TO TAKE INITIAL COMPLAINTS OF DISCRIMINATION OR SEXUAL HARASSMENT/VIOLENCE LODGED BY ANY STUDENT. THE LIAISON WILL BEGIN A PRELIMINARY INVESTIGATION INTO THE ALLEGATION AND COORDINATE WITH THE EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICE AND THE TITLE IX SPECIALIST. IT IS AT THE DISCRETION OF THE EEO OFFICE IF IT WILL ASSUME RESPONSIBILITY OF THE INVESTIGATION FROM THE LIAISON AT ANY POINT IN THE INVESTIGATIVE PROCESS.

TITLE IX SPECIALIST:

THIS POSITION RESIDES IN THE EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICE AND IS RESPONSIBLE FOR ENSURING A COMPLETE, THOROUGH, OBJECTIVE, AND NEUTRAL INVESTIGATION IS CONDUCTED ON ALL MATTERS RELATED TO SEXUAL HARASSMENT OR SEXUAL VIOLENCE.

RESPONSIBLE EMPLOYEE:

ALL FACULTY AND STAFF ARE "RESPONSIBLE EMPLOYEES." A "RESPONSIBLE EMPLOYEE" IS AN EMPLOYEE WHO HAS THE AUTHORITY TO TAKE ACTION TO REDRESS THE SEXUAL HARASSMENT, WHO HAS THE DUTY TO REPORT SEXUAL HARASSMENT TO APPROPRIATE DISTRICT OFFICIALS, OR AN INDIVIDUAL WHO A STUDENT COULD REASONABLY BELIEVE HAS THIS AUTHORITY OR RESPONSIBILITY. IF A DISTRICT EMPLOYEE KNOWS, OR SHOULD HAVE KNOWN ABOUT SEXUAL HARASSMENT DIRECTED AT A STUDENT, THEY ARE REQUIRED, AS A MATTER OF LAW, TO NOTIFY THE APPROPRIATE DISTRICT AUTHORITY AND LAW ENFORCEMENT, IF NECESSARY.

PREPONDERANCE OF THE EVIDENCE:

THIS IS THE STANDARD OF PROOF THAT ALLOWS THE INVESTIGATOR AND TITLE IX COORDINATOR TO MAKE A FINDING. THIS IS COMMONLY KNOWN AS A "MORE LIKELY THAN NOT" STANDARD. THIS IS THE SAME STANDARD USED IN MOST CIVIL COURT ACTIONS. IT SHOULD BE NOTED THAT THE STANDARD OF PROOF IS NOT THE SAME AS CRIMINAL VIOLATIONS. THAT STANDARD IS "BEYOND A REASONABLE DOUBT" AND IS A MUCH HIGHER STANDARD THAN "PREPONDERANCE OF THE EVIDENCE."

2. REPORTING INCIDENTS/COMPLAINTS

STUDENTS WHO BELIEVE THEY HAVE BEEN SUBJECTED TO OR WITNESSED SEXUAL HARASSMENT OR SEXUAL VIOLENCE SHOULD IMMEDIATELY REPORT THEIR CONCERN TO THE SCHOOL ADMINISTRATION, SCHOOL TITLE IX LIAISON, EMPLOYMENT AND EDUCATION OPPORTUNITY OFFICER (EEO OFFICER), OR THE TITLE IX SPECIALIST. STUDENTS MAY MAKE COMPLAINTS VERBALLY OR IN WRITING, USING THE GRIEVANCE FORM.

ALL FACULTY AND STAFF ARE CONSIDERED "RESPONSIBLE EMPLOYEES" UNDER THE LAW. RESPONSIBLE EMPLOYEES HAVE A DUTY UNDER THIS POLICY AND ADMINISTRATIVE REGULATION TO REPORT SEXUAL HARASSMENT OR SEXUAL VIOLENCE TO THE SCHOOL ADMINISTRATION, SCHOOL TITLE IX LIAISON, A SUPERVISOR, EEO OFFICER, OR THE TITLE IX SPECIALIST.

STUDENTS, WHILE NOT MANDATED TO REPORT SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE ARE STRONGLY ENCOURAGED TO DO SO. THEIR REPORTING OF THESE ISSUES WILL ENABLE THE DISTRICT TO TAKE ACTION, PROVIDE SUPPORTS, END THE DISCRIMINATORY BEHAVIOR, AND REMEDY THE HARASSMENT OR VIOLENCE.

ALL REPORTS OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE SHOULD BE MADE AS SOON AS POSSIBLE TO ALLOW THE DISTRICT TO TAKE APPROPRIATE ACTIONS. HOWEVER, THERE ARE NO TIME LIMITS TO MAKING A COMPLAINT OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE TO THE DISTRICT.

3. INVESTIGATIONS

- THE INVESTIGATION WILL INCLUDE INTERVIEWS OF THE CLAIMANT, REPORTING AND RESPONDING PARTIES AND ANY INDIVIDUALS WITH RELEVANT KNOWLEDGE OF THE INCIDENT, AS WELL AS A REVIEW OF ANY OTHER DOCUMENTS OR EVIDENCE SUBMITTED BY THE PARTIES.
- EACH SCHOOL IN THE DISTRICT SHALL HAVE A DESIGNATED TITLE IX LIAISON. INVESTIGATIONS OF ALL ALLEGATIONS OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE IN WHICH THERE IS A POTENTIAL DISCIPLINARY ACTION OF A SUSPENSION OF MORE THAN 10 DAYS SHALL BE REFERRED TO THE TITLE IX SPECIALIST FOR INVESTIGATION AS SOON AS POSSIBLE BY THE SCHOOL TITLE IX LIAISON. IT WILL BE THE RESPONSIBILITY OF THE TITLE IX SPECIALIST TO CONDUCT THESE MORE SIGNIFICANT INVESTIGATIONS.
- THE DISTRICT WILL, IN GOOD FAITH, ATTEMPT TO CONCLUDE THE INVESTIGATION WITHIN SIXTY (60) CALENDAR DAYS OF RECEIPT OF THE REPORT OF THE DISCRIMINATION. IF LEGITIMATE ISSUES ARISE THAT RESULT IN A REASONABLE EXTENSION TO THE INVESTIGATION BEYOND THE SIXTY (60) DAYS, THE REPORTER/CLAIMANT AND THE RESPONDENT WILL BE PROVIDED WITH NOTICE OF AND REASON FOR THE DELAY.
- IN APPROPRIATE SITUATIONS, AN ADMINISTRATOR MAY PLACE A STUDENT ON A 10-DAY SUSPENSION PENDING INVESTIGATION.
- AT THE CONCLUSION OF THE INVESTIGATION, THE TITLE IX SPECIALIST WILL MAKE FINDINGS AS TO THE ALLEGATIONS MADE IN THE ORIGINAL REPORT. THE STANDARD USED IN MAKING THE FINDINGS WILL BE BASED ON PREPONDERANCE OF THE EVIDENCE (I.E., WHETHER IT IS MORE LIKELY THAN NOT THAT THE ALLEGED BEHAVIOR OCCURRED). THE TITLE IX SPECIALIST WILL PROVIDE A WRITTEN REPORT OF THE FINDINGS OF THE INVESTIGATION TO THE EEO OFFICER FOR THEIR REVIEW AND APPROVAL. THIS REPORT WILL NOT CONTAIN ANY PROPOSED SANCTIONS OR DISCIPLINE; SANCTIONS AND DISCIPLINE WILL BE CONSIDERED SEPARATELY BY THE SCHOOL ADMINISTRATION. THIS REPORT

SHALL REMAIN CONFIDENTIAL AND WILL NOT BE RELEASED TO ANY PARTY WITH THE EXCEPTION OF THE DISCIPLINE HEARING OFFICER.

4. DISCIPLINE

ANY STUDENT WHO IS FOUND TO HAVE ENGAGED IN SEXUAL HARASSMENT OR SEXUAL VIOLENCE WILL BE SUBJECT TO DISCIPLINARY SANCTIONS, UP TO AND INCLUDING EXPULSION.

5. APPEAL PROCEDURE - INVESTIGATORY APPEAL

THE REPORTING PARTY, RESPONDENT PARTY, AND/OR ANY NAMED VICTIM, HAS THE RIGHT TO FILE AN APPEAL AS TO THE THOROUGHNESS OF THE INVESTIGATION. THE THOROUGHNESS OF AN INVESTIGATION FILED UNDER TITLE IX CAN BE APPEALED WITHIN TEN (10) DAYS OF DISCIPLINARY ACTION OF THE RESPONDING PARTY OR RECEIPT OF WRITTEN NOTIFICATION OF THE FINDINGS TO THE REPORTING PARTY AND/OR VICTIMS.

THE APPEAL MUST BE SUBMITTED IN WRITING TO THE EEO OFFICER. THE EEO OFFICER HAS THE SOLE DISCRETION TO UPHOLD THE THOROUGHNESS OF THE INVESTIGATION OR REMAND IT BACK FOR FURTHER INVESTIGATION. FAILURE TO OFFER EVIDENCE DURING THE INVESTIGATIVE PROCESS DOES NOT CONSTITUTE GROUNDS FOR A REVIEW/APPEAL ON THE BASIS OF NEW EVIDENCE, NOR DOES SIMPLY DISAGREEING WITH THE FINDINGS AND/OR CONCLUSIONS.

THE EEO OFFICER WILL ISSUE A WRITTEN DECISION TO BOTH PARTIES WITHIN THIRTY (30) SCHOOL DAYS OF RECEIPT OF THE INVESTIGATORY APPEAL.

IF NO INVESTIGATORY APPEAL IS FILED OR AN INVESTIGATORY APPEAL IS NOT FILED IN A TIMELY MANNER AS OUTLINED ABOVE, THE FINDINGS OF THE INVESTIGATORY REPORT BECOME FINAL AND THE REPORT'S FINDINGS AND CONCLUSIONS MAY NOT BE APPEALED BY EITHER PARTY.

6. APPEAL PROCEDURE - DISCIPLINARY APPEAL

SHOULD THE FINDINGS OF THE INVESTIGATION RESULT IN DISCIPLINARY ACTION OF A LONG-TERM SUSPENSION OR EXPULSION, STUDENTS HAVE THE RIGHT TO FILE AN APPEAL TO THE DISCIPLINE HEARING OFFICER AS TO THE DISCIPLINARY ACTION TAKEN AT THE CONCLUSION OF AN INVESTIGATION SHOULD THEY FEEL THE RECOMMENDED DISCIPLINE WAS UNFAIR AND/OR EXCESSIVE. THE STUDENT AND/OR THEIR PARENT OR GUARDIAN MAY CONTACT THE HEARING OFFICE IN WRITING OR TELEPHONICALLY WITHIN THREE (3) SCHOOL DAYS OF IN-PERSON RECEIPT OF A RECOMMENDATION OF A LONG-TERM SUSPENSION OR EXPULSION OR FIVE (5) SCHOOL DAYS IF RECEIVED VIA CERTIFIED MAIL. THE PROCEDURAL GUIDELINES GOVERNING STUDENT DISCIPLINE SHALL BE FOLLOWED AS OUTLINED IN THE STUDENT'S RIGHTS, RESPONSIBILITIES & BEHAVIORAL CONSEQUENCES HANDBOOK.

IF A FINAL INVESTIGATORY REPORT AND/OR AN INVESTIGATORY REPORT APPEAL DETERMINES THAT A RESPONDING PARTY HAS VIOLATED A SEXUAL MISCONDUCT POLICY, THE TITLE IX SPECIALIST WILL PROVIDE A COPY OF THE INVESTIGATORY REPORT, INVESTIGATORY REPORT APPEAL (IF ANY), AND ANY OTHER RELEVANT EVIDENCE CONTAINED IN THE FILE TO THE DISCIPLINE HEARING OFFICER. THE INVESTIGATORY REPORT REMAINS CONFIDENTIAL AND SHALL ONLY BE RELEASED TO THE DISCIPLINE HEARING OFFICER.

SHOULD THE ROLES OF THE TITLE IX SPECIALIST AND THE DISCIPLINE HEARING OFFICER BE HELD BY ONE INDIVIDUAL, ALL DISCIPLINE THAT ARISES FROM A TITLE IX INVESTIGATION IS AN AUTOMATIC CONFLICT OF INTEREST. IN THESE CASES, THE DISCIPLINARY APPEAL HEARING SHALL BE CONDUCTED BY DIRECTOR OF LABOR RELATIONS OR THEIR DESIGNATED REPRESENTATIVE.

7. RETALIATION AND FALSE REPORTING

RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. RETALIATION ALSO INCLUDES RETALIATION AGAINST THE COMPLAINANT OR REPORTING PARTY, BY THE RESPONDING PARTY, OR BY THE RESPONDING PARTY'S FRIENDS OR OTHERS WHO ARE SYMPATHETIC TO THE RESPONDING PARTY, AS WELL AS RETALIATION DIRECTED TOWARDS ANY THIRD PARTIES BECAUSE OF THEIR PARTICIPATION IN A GRIEVANCE PROCESS OR FOR SUPPORTING A COMPLAINANT OR REPORTING PARTY.

THE DISTRICT AND THE BOARD WILL NOT TOLERATE RETALIATION AGAINST STUDENTS, EMPLOYEES, FACULTY, OR STAFF THAT ENGAGE IN THE PROTECTED ACTIVITY OF REPORTING PROHIBITED CONDUCT OR PARTICIPATING IN A LAWFUL INVESTIGATION OF SUCH PROHIBITED CONDUCT. INDIVIDUALS THAT REPORT PROHIBITED CONDUCT, OPPOSE PROHIBITED CONDUCT, AND/OR PARTICIPATE IN AN INVESTIGATION REGARDING PROHIBITED CONDUCT SHALL BE ADVISED THAT DISTRICT POLICY AND FEDERAL LAW PROHIBITS RETALIATION AGAINST THEM AND SHALL BE ASSURED THAT THE DISTRICT WILL TAKE STEPS TO PREVENT RETALIATION AND WILL ADDRESS ANY ACT OF RETALIATION OF WHICH IT BECOMES AWARE.

IT IS A VIOLATION OF THIS POLICY TO KNOWINGLY AND/OR INTENTIONALLY MAKE A FALSE ALLEGATION OF SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE. NOT BEING ABLE TO PROVE AN ALLEGATION IS NOT THE SAME AS "KNOWINGLY AND INTENTIONALLY" MAKING A FALSE ALLEGATION. IF A REPORTING PARTY OR CLAIMANT HAS A GOOD FAITH BELIEF THAT THERE HAS BEEN SEXUAL HARASSMENT AND/OR SEXUAL VIOLENCE, THEY HAVE NOT MADE A FALSE ALLEGATION UNDER THIS POLICY.

8. TRAINING

THE DISTRICT IS COMMITTED TO ENSURING ALL EMPLOYEES, STUDENTS, PARENTS AND GUARDIANS, FACULTY, AND STAFF ARE TRAINED IN TITLE IX LAW, PROCEDURE, AND POLICY. ALL ADMINISTRATORS AND SUPERVISORS ARE RESPONSIBLE FOR ENSURING THAT THEIR EMPLOYEES ARE PROPERLY TRAINED REGARDING THEIR OBLIGATIONS UNDER THIS POLICY AND TITLE IX.

THE TITLE IX SPECIALIST IS RESPONSIBLE FOR DEVELOPING, IMPLEMENTING, AND OVERSEEING TRAINING AND EDUCATION PROGRAMS TO ENSURE ALL STUDENTS, PARENTS AND GUARDIANS, FACULTY, AND STAFF ARE TRAINED IN TITLE IX LAW, PROCEDURE, AND POLICY. THE TITLE IX SPECIALIST IS ALSO RESPONSIBLE FOR PROMOTING THE AWARENESS OF SEXUAL HARASSMENT, SEXUAL VIOLENCE, AND OTHER FORMS OF SEX-BASED DISCRIMINATION.



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1012.1: Harassment - Sexual Harassment and Sexual Violence
Code	1012.1 *
Status	Up for Revision
Legal	Title IX of the 1972 Education Amendments AS 11.41.410 AS 11.41.425 AS 11.41.425 AS 11.41.434 AS 11.41.436 AS 11.41.438 AS 11.41.440 AS 11.41.452
Cross References	131.1 - AR 131.1: Harassment - Sexual Harassment 535 - Policy 535: General Personnel Policies - Sexual Harassment 1012.1 - AR 1012.1: Harassment - Sexual Harassment
Adopted	April 6, 1993
Last Revised	June 3, 2014

THE BOARD IS COMMITTED TO MAINTAINING A LEARNING ENVIRONMENT FOR ALL STUDENTS THAT IS FREE FROM SEXUAL HARASSMENT AND SEXUAL VIOLENCE.

SEXUAL HARASSMENT CAN OCCUR REGARDLESS OF THE SEX OF THE PARTIES INVOLVED. A HARASSER CAN BE ANYONE A STUDENT OR EMPLOYEE COMES INTO CONTACT WITH AT THE SCHOOL, DURING SCHOOL SPONSORED EVENTS, OR OUTSIDE OF SCHOOL IF THE IMPACT OF THE SEXUAL HARASSMENT INTERFERES WITH THE STUDENT'S EDUCATIONAL PURSUITS OR SCHOOL ACTIVITIES. SEXUAL HARASSMENT INCLUDES, BUT IS NOT LIMITED TO, VERBAL, NONVERBAL, WRITTEN OR PHYSICAL CONDUCT, SOCIAL MEDIA OR ELECTRONIC COMMUNICATION, OR UNWELCOME SEXUAL COMMENTS OR CONDUCT THAT CREATES AN INTIMIDATING, HOSTILE, OR ABUSIVE ENVIRONMENT THAT PREVENTS A STUDENT FROM FULLY PARTICIPATING IN AN EDUCATIONAL PROGRAM OR ACTIVITY.

SEXUAL VIOLENCE IS PHYSICAL SEXUAL ACTS PERPETRATED AGAINST A PERSON'S WILL OR WHERE A PERSON IS INCAPABLE OF GIVING CONSENT DUE TO THEIR USE OF DRUGS OR ALCOHOL, A DISABILITY IMPAIRING THEIR ABILITY TO GIVE CONSENT, OR YOUTH.

STUDENTS SHOULD REPORT THE HARASSMENT OR VIOLENCE IMMEDIATELY TO SCHOOL PRINCIPALS, TEACHERS, COUNSELORS, THE DISTRICT'S TITLE IX SPECIALIST, OR THE DISTRICT'S EMPLOYMENT AND EDUCATIONAL OPPORTUNITY OFFICER (EEO OFFICER).

ALLEGATIONS OF HARASSMENT WILL BE PROMPTLY, FAIRLY, AND THOROUGHLY INVESTIGATED. VIOLATIONS OF THIS POLICY WILL BE SUBJECT TO APPROPRIATE ACTION, INCLUDING EXPULSION OR TERMINATION.

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY FORBIDDEN. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.

~~It is the policy of the Fairbanks North Star Borough School District to maintain a learning environment that is free from sexual harassment.~~

~~It shall be a violation of policy for any person to harass a student under school authority through conduct or communications of a sexual nature. It shall also be a violation of policy for students to harass students or other persons through conduct or communications of a sexual nature.~~

~~Any student or other person who believes he or she has been subjected to sexual harassment should report the alleged conduct immediately to the building principal, counselor, or other individual designated to receive such complaints. Allegations of sexual harassment shall be investigated promptly, fairly, and thoroughly.~~

~~Violations of this policy will be subject to appropriate action, including discipline.~~

~~Legal Reference: Title VII of the Civil Rights Act of 1964 and Title IX of the 1972 Education Amendments.~~

~~See also AR 1012.1: Harassment—Sexual Harassment; AR 131.1: Harassment—Sexual Harassment; and Policy 535: General Personnel Policies—Sexual Harassment.~~

Policy Adopted: April 6, 1993
Revised: November 6, 2001 (formerly 1011.1)
Revised: October 17, 2006
Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1012: Harassment
Code	1012
Status	Up for Revision
Legal	TITLE IX OF THE EDUCATION ACT OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED SECTION 504 OF THE REHABILITATION ACT OF 1973
Cross References	131 - Policy 131: Harassment 1011 - POLICY 1011: NONDISCRIMINATION 1012.1 - POLICY 1012.1: SEXUAL HARASSMENT 1013 - POLICY 1013: RELIGIOUS EXPRESSION IN THE SCHOOLS 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment 130 - AR 130: NONDISCRIMINATION - NONDISCRIMINATION AND AFFIRMATIVE ACTION 131.1 - AR 131.1: HARASSMENT - SEXUAL HARASSMENT 1011: - AR 1011: NONDISCRIMINATION AND AFFIRMATIVE ACTION 1012.1 - AR 1012.1: HARASSMENT - SEXUAL HARASSMENT 1046.7 - AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Adopted	November 6, 2001
Last Revised	June 3, 2014

~~THE BOARD IS COMMITTED TO MAINTAINING~~ It is the policy of the Fairbanks North Star Borough School District to maintain a learning and work environment that is free of harassment. The school district prohibits all forms of harassment.

Harassment includes but is not limited to verbal, nonverbal, written, or physical conduct, SOCIAL MEDIA or electronic communication relating to race, ethnicity, color, religion, creed, sex, age, national origin, physical AND/or mental disability, GENETIC INFORMATION, marital status, change in marital status, pregnancy, parenthood, sexual orientation, gender identity, SEXUAL EXPRESSION, disabled veterans, or other eligible veterans that is sufficiently severe, pervasive, or persistent that it substantially interferes with or limits an individual's work, academic, athletic, or activity performance or creates an intimidating, hostile, or offensive work or academic environment. A HARASSER CAN BE ANYONE WHOM A STUDENT WITH HAS CONTACT THAT CAN AFFECT THEIR EDUCATIONAL EXPERIENCE. THESE PEOPLE MAY INCLUDE ADMINISTRATION OFFICIALS; PRINCIPALS; TEACHERS; STAFF; COACHES; VOLUNTEERS OR OTHER STUDENTS.

All allegations of harassment ~~should~~ SHALL be reported immediately. ~~Reports may be made to the building principal, a supervisor, TITLE IX SPECIALIST, or the director of Employment and Educational Opportunity OFFICER (EEO).~~ Allegations of harassment will be promptly, fairly, and thoroughly investigated. Violations of this policy will be subject to appropriate action, including discipline.

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY DISALLOWED. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ALL STUDENTS SHOULD BE SAFE AND FREE OF RETALIATION WHEN REPORTING INCIDENCES OF SEXUAL HARASSMENT. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.

~~Retaliation against a person alleging harassment or participating in an investigation of an allegation of harassment is prohibited. The school district shall promptly, fairly, and thoroughly investigate all reported allegations of retaliation and take appropriate action.~~

See also School Board Policy 131: Harassment; School Board Policy 534: General Personnel Policies - Harassment; School Board Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment; and AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment.

Policy Adopted: November 6, 2001
Revised: October 17, 2006
Revised: February 17, 2009
Revised: June 3, 2014



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1013: Religious Expression in the Schools
Code	1013 *
Status	Up for Revision
Legal	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
Cross References	1013 - AR 1013: Religious Expression in the Schools
Adopted	March 21, 2006

It is district policy to comply with existing state and federal law regarding religion and religious expression in public schools. The term religion is generally defined as a specific system of belief or worship encompassing the nature of a Supreme Being and the relationship of human beings to that Supreme Being. However, the term religion is not limited to orthodox belief systems or practices; an individual's belief does not have to recognize a Supreme Being or meet any organizational or doctrinal test to be protected under this policy. THESE BELIEF SYSTEMS OR PRACTICES CAN ALSO BE ETHICAL AND/OR MORAL BELIEFS THAT ARISE TO AN ENGRAINED PERSONAL BELIEF SYSTEM WHICH CREATES A SET OF TRULY HELD BELIEFS WHICH GUIDES A PERSON'S SENSE OF BEING AND WAYS ONE SHOULD INTERACT WITH THE WORLD AROUND THEM.

Specifically, it is district policy to:

1. Allow religious ideas, organizations, and resources to be discussed and utilized in the instructional context for their educational value AN with emphasis on the impact of religions in history, literature, art, music, and principles of ethics and morals.
2. Maintain the schools' official neutrality regarding religious issues. This includes requiring official neutrality on the part of all representatives of the school district regarding religious activity when acting in their official capacities. Specifically, this means teachers, administrators, other school employees, and volunteers while acting in their official capacities before, during, or after regular school hours shall not use their positions to endorse, promote, inhibit or disparage a particular religious belief, viewpoint, or practice.
3. Allow students and employees to express personal religious views or beliefs within the parameters of the current body of law. Express means to signify through speech or conduct. Based on the current body of law, the administrative regulation includes guidance on the following topics:
 - Permissible and non-permissible religious expression of personal religious beliefs or views
 - by students
 - by employees
 - by volunteers,
 - Religion in the curriculum,
 - Religious music, and

- Religious holidays.

If expression unreasonably interferes with the ability of school officials to maintain order and/or discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates the concepts of civility or propriety appropriate to the school setting, it may be restricted.

4. Take all reasonable steps to resolve disputes in schools over religious issues promptly, equitably, and respectfully.

It is the Board's purpose to adhere to these principles and promote mutual understanding and respect for the interests and rights of all individuals regarding their beliefs, values, and customs.

See also AR 1013: Religious Expression in Schools.

Policy Adopted: March 21, 2006



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of of Policy 1023: Admission - Admission of Exchange Students and Foreign Students
Code	1023
Status	Up for Revision
Adopted	August 27, 1980
Last Revised	August 3, 2004

EXCHANGE STUDENTS UNDER J-1 VISA:

Exchange students who are sponsored by an approved foreign exchange organization (under a J-1 visa) from other nations may be enrolled in any of the secondary schools within the school district. The district retains the right to maintain an equitable distribution of exchange students among the secondary schools.

FOREIGN STUDENTS UNDER F-1 VISA:

High school-aged foreign students who are privately sponsored (under an F-1 visa) may be enrolled for up to one year in any of the high schools (grades 9 to 12) within the school district. These foreign students must comply with requirements established by the United States Citizenship and Immigration Service and the Department of Homeland Security. Foreign students shall be charged tuition for attending the public schools. Foreign student shall also be required to show proof of health insurance coverage while enrolled in the public schools.

Policy Adopted: August 27, 1980

Policy Revised: August 3, 2004



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1046.1: Student Rights and Responsibilities - Disruptive Student Behavior - General Dishonesty
Code	1046.1 *
Status	Up for Revision
Cross References	1046.1 - AR 1046.1: Student Rights and Responsibilities - Disruptive Student Behavior - General Dishonesty
Adopted	September 20, 2005

Misrepresentation of the truth, including, but not limited to: forging signatures, KNOWINGLY MAKING ANY VERBAL OR WRITTEN false accusation against others, giving false self-identification, lying, misuse of school documents, willful withholding of information during a school investigation, hampering an investigation, and diverting attention to avoid detection is prohibited and may result in disciplinary action.

See also AR 1046.1: Student Rights and Responsibilities - Disruptive Student Behavior - General Dishonesty.

Policy Adopted: September 20, 2005



Book	School Board Policy
Section	CHAPTER 10 - (3) Administrative Regulation
Title	Working Draft DR of of AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Code	1046.7
Status	Up for Revision
Legal	TITLE IX OF THE EDUCATION ACT OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
Cross References	1012 - Policy 1012: Harassment 1012.1 * - Policy 1012.1: Harassment - Sexual Harassment 1046.7 * - Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment 1011 - AR 1011: Nondiscrimination and Affirmative Action 1012.1 - AR 1012.1: Harassment - Sexual Harassment
Last Revised	August 11, 2014

Harassment is defined as any verbal, nonverbal, written, physical conduct, **SOCIAL MEDIA**, or electronic communication relating to race, ethnicity, color, religion, creed, sex, age, national origin, physical **AND/or** mental disability, marital status, change in marital status, pregnancy, **GENETIC INFORMATION**, parenthood, sexual orientation, gender identity, **GENDER EXPRESSION**, disabled veterans, or other eligible veterans that is sufficiently severe, pervasive, or persistent that it substantially interferes with or limits an individual's work, academic, athletic, or activity performance or creates an intimidating, hostile, or offensive academic or work environment (see also School Board Policies 1012 and 1012.1 and Administrative Regulations 1011 and 1012.1).

Actions taken when harassment is committed may include:

Elementary Consequences:

1st offense

Principal's discretion

2nd offense

Up to 3-day short term suspension, principal's discretion

3rd offense

Up to 5-day short term suspension, principal's discretion

Subsequent offense

Up to 10-day short term suspension, principal's discretion

Secondary Consequences:

1st offense

Principal's discretion

2nd offense

Minimum 3-day short term suspension, principal's discretion

3rd offense

Minimum 5-day short term suspension, principal's discretion

4th offense

Minimum 10-day short term suspension, principal's discretion

Subsequent offense

Recommendation for long term suspension or expulsion, principal's discretion

See also School Board Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment; School Board Policy 1012: Harassment; School Board Policy 1012.1: Harassment - Sexual Harassment; AR 1011: Nondiscrimination and Affirmative Action; and AR 1012.1: Harassment - Sexual Harassment.

Approved: February 6, 2006

Revised: August 11, 2014



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Code	1046.7 *
Status	Up for Revision
Legal	TITLE IX OF THE 1972 EDUCATION AMENDMENTS TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
Cross References	131 - Policy 131: Harassment 534 - Policy 534: General Personnel Policies - Harassment 1012 - Policy 1012: Harassment 1046.7 - AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment
Adopted	September 20, 2005
Last Revised	September 2, 2014

Any verbal, nonverbal, written, physical conduct, SOCIAL MEDIA, or electronic communication relating to race, ethnicity, color, religion, creed, sex, age, national origin, physical AND/or mental disability, marital status, change in marital status, pregnancy, parenthood, sexual orientation, gender identity, GENDER EXPRESSION, disabled veterans, or other eligible veterans that is sufficiently severe, pervasive, or persistent that it substantially interferes with or limits a STUDENT'S individual's work, academic, athletic, or activity performance or creates an intimidating, hostile, or offensive academic ~~or work~~ environment is prohibited and may result in disciplinary action, UP TO AND INCLUDING EXPULSION.

See also AR 1046.7: Student Rights and Responsibilities - Disruptive Student Behavior - Harassment; School Board Policy 131: Harassment; Policy 534: General Personnel Policies - Harassment; and School Board Policy 1012: Harassment.

Policy Adopted: September 20, 2005
Policy Revised: February 17, 2009
Policy Revised: September 2, 2014



Book	School Board Policy
Section	CHAPTER 10 - (2) Policy Manual
Title	Working Draft DR of Policy 1048.2: Student Rights and Responsibilities - Behavioral Standards Involving Violence and/or Weapons - Intimidating Behavior/Bullying
Code	1048.2 *
Status	Up for Revision
Legal	TITLE IX OF THE EDUCATION ACT OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
Cross References	1048.2 - AR 1048.2: Student Rights and Responsibilities - Behavioral Standards Involving Violence and/or Weapons - Intimidating Behavior/Bullying
Adopted	September 20, 2005

Intentional and generally unprovoked attempts by one or more individuals to inflict physical harm or emotional distress upon another person or group is prohibited and may result in disciplinary action **UP TO AND INCLUDING EXPULSION**. The misbehavior may be direct or indirect. **THE ACTS CAN BE IN PERSON OR THROUGH SOCIAL MEDIA OR ANY OTHER MEANS OF COMMUNICATION. BEHAVIOR THAT OCCURS OFF SCHOOL GROUNDS OR AWAY FROM SCHOOL EVENTS CAN ALSO LEAD TO DISCIPLINARY ACTION IF THE ACTS HAVE AN ADVERSE IMPACT ON ANOTHER STUDENT'S EDUCATIONAL OPPORTUNITIES OR THEIR SENSE OF SAFETY AT SCHOOL.** Some examples include but are not limited to:

. The misbehavior may be direct or indirect. Some examples include but are not limited to:

- Physical intimidation - punching, hitting, **SLAPPING**, poking, choking, hair pulling, beating, biting, unwanted tickling, and encroachment of personal space,
- Verbal intimidation - teasing, tormenting, gossiping, spreading rumors, name-calling, ridicule and insults,
- Emotional intimidation - rejection, terrorizing, humiliation, ostracizing, or the fearful anticipation by the victim of future attacks,
- Sexual intimidation - sexual propositioning, voyeurism, **STALKING**, or escalation to physical contact. Includes but is not limited to indecent exposure, pulling down another's pants, etc.

RETALIATION AGAINST REPORTERS, WITNESSES, OR INTERESTED PARTIES IS STRICTLY FORBIDDEN. RETALIATION IS DEFINED AS ANY ADVERSE ACTION TAKEN AGAINST A PERSON PARTICIPATING IN A PROTECTED ACTIVITY BECAUSE OF THE PERSON'S PARTICIPATION IN THAT PROTECTED ACTIVITY. ALL STUDENTS SHOULD BE SAFE AND FREE OF RETALIATION WHEN REPORTING INCIDENCES OF SEXUAL HARASSMENT. ANYONE WHO ENGAGES IN RETALIATORY PRACTICES OR FAILS TO OBSERVE AND IMPLEMENT THIS NON-HARASSMENT POLICY OR WHO FAILS TO OPPOSE RETALIATORY PRACTICES, SHALL BE IN VIOLATION OF THIS POLICY AND WILL BE SUBJECT TO DISCIPLINARY ACTION.

See also AR 1048.2: Student Rights and Responsibilities - Behavioral Standards Involving Violence and/or Weapons - Intimidating Behavior/Bullying.

Policy Adopted: September 20, 2005