SEXUAL HARASSMENT OF STUDENTS PROHIBITED

This district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

Definitions
For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees or third parties involved in school district activities.

The term “sexual harassment” may include:

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

A “hostile environment” has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Investigation and Response
If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its
authority on reports, complaints and grievances alleging sexual harassment that come to the
attention of the district, either formally or informally. The district will take these steps every
time a complaint, alleging sexual harassment comes to the attention of the district, either
formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child
abuse will be reported to law enforcement or Child Protective Services. Regardless of whether
the misconduct is reported to law enforcement, school staff will promptly investigate to
determine what occurred and take appropriate steps to resolve the situation, to the extent that
such investigation does not interfere with an ongoing criminal investigation. A criminal
investigation does not relieve the district of its independent obligation to investigate and resolve
sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions
against offending students, staff or other third parties involved in school district activities.
Anyone else who engages in sexual harassment on school property or at school activities will
have their access to school property and activities restricted, as appropriate.

**Retaliation and False Allegations**
Retaliation against any person who makes or is a witness in a sexual harassment complaint is
prohibited and will result in appropriate discipline. The district will take appropriate actions to
protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons
found to knowingly report or corroborate false allegations will be subject to appropriate
discipline.

**Staff Responsibilities**
The superintendent or designee will develop and implement formal and informal procedures for
receiving, investigating and resolving complaints or reports of sexual harassment. The
procedures will include reasonable and prompt time lines and delineate staff responsibilities
under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint,
or written complaint about sexual harassment is responsible for informing the district Title IX or
Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to
the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district’s Title
IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will
be referred to the district’s Section 504 Coordinator.

**Notice and Training**
The superintendent or designee will develop procedures to provide age-appropriate information
and education to district staff, students, parents and volunteers regarding this policy and the
recognition and prevention of sexual harassment. At a minimum sexual harassment recognition
and prevention and the elements of this policy will be included in staff, student and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District’s Title IX Coordinator and provide contact information, including the coordinator’s email address.

Policy Review
The superintendent or designee will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent or designee is encouraged to involve staff, students, volunteers and parents in the review process.

Cross References:
3207 - Prohibition of Harassment, Intimidation and Bullying
3210 - Nondiscrimination
3240 - Student Conduct Expectations and Reasonable Sanctions
3241 - Classroom Management, Discipline and Corrective Action
5010 - Nondiscrimination and Affirmative Action
5011 - Sexual Harassment of District Staff Prohibited

Legal References:
20 U.S.C. __ 1681-1688
34 C.F.R. 106
WAC 392-190-058 Sexual harassment
RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies

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