

## **Sexual Harassment of District Staff Prohibited**

It is the policy of the Grandview School District to maintain a working environment that is free from all forms of discrimination, including sexual harassment. This policy extends to all employees and other persons involved in academic, educational, extracurricular, athletic, and other programs or activities of the District, whether that program or activity is in a school facility, on school transportation, or conducted at a non-District location. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship and the educational environment.

### **Definitions**

Sexual harassment refers to behavior which is unwelcome, offensive, or interferes with effectiveness in the work environment. Sexual harassment can occur adult to student, student to student, male to female, female to male, male to male, female to female, a group of students, adult to adult, as well as to, from or between transgender students 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 district employees by other students, employees or third parties involved in school district activities. Sexual harassment includes:

1. Acts of sexual violence;
2. Unwelcome sexual advances;
3. Unwelcome requests for sexual favors;
4. Unwelcome sexual or gender-directed conduct or communication that interferes with an individual's employment performance or creates an intimidating, hostile, or offensive environment;
5. Sexual demands where submission or rejection is a factor in an employment or other school- related decision affecting an individual; or
6. Sexual demands when submission is a stated or implied condition of obtaining a work opportunity or other benefit; or
7. Gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
8. Any sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive.

## **Staff Responsibilities**

The Superintendent shall develop and implement procedures delineating staff responsibilities under this policy, including designating a Title IX Officer and describing reporting responsibilities when District employees witness or receive a complaint regarding sexual harassment.

## **Investigation and Response**

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will 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 sexual harassment, eliminate the hostile environment, prevent its occurrence and, as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority every time a report, complaint and grievance alleging sexual harassment comes to the attention of the district, either formally or informally.

The District strongly encourages individuals who believe that a staff member or other adult has been subjected to sexual harassment in the District's work or educational environment to bring a complaint or concern to the immediate attention of a principal or District administrator, including the District's Title IX officer. If the District knows or reasonably believes that sexual harassment has occurred in the work or educational environment, the District will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. The Superintendent shall develop and implement formal procedures for promptly and effectively receiving, investigating, and resolving complaints or reports of sexual harassment that (1) address the requirements of chapter 28A.640 RCW, prohibiting discrimination on the basis of sex; (2) implement the requirements of WAC 392-190-056 through 392-190-075; and (3) incorporate the requirements of Title IX of the Education Amendments of 1972. In establishing these procedures, the Superintendent can refer to the District's Procedure 5010P regarding complaints of discrimination not specific to sexual harassment.

The District will report allegations of criminal misconduct to law enforcement and will report suspected child abuse to either law enforcement or Child Protective Services, as appropriate. Regardless of whether alleged misconduct is reported to another agency, District staff will follow the same procedures applicable to all allegations of sexual harassment to the extent that those procedures do 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.

In an effort to eliminate sexual harassment, prevent its reoccurrence, and curtail its effects, the District shall take prompt, reasonable, and equitable action within its authority on informal and formal reports alleging sexual harassment that come to the attention of the District. Individuals who have been subjected to sexual harassment in the District's work or educational environment shall have appropriate District services and other support made reasonably available to them.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, or other third parties involved in District activities. Others who engages in sexual harassment on school property or at school activities will have his or her access to school property and activities restricted or contracts cancelled, as appropriate.

### **Reprisal, Retaliation, and False Accusations Prohibited**

No one's status with the District shall be adversely affected because of his or her use of this policy or related procedures.

It is unlawful for any District student or employee to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with his or her right to file a report or complaint of sexual harassment. It is also unlawful for any District student or employee to harass, demote, discipline, or otherwise retaliate against anyone because they filed a report or complaint or because they participated in an investigation. The District shall take reasonable steps to protect complainants and witnesses against interference or retaliation by students, employees, or others.

No one shall knowingly or with reckless disregard for the truth make or corroborate false accusations of sexual harassment. However, withdrawal of or failure to prove a claim of sexual harassment is not equivalent to a false allegation. Appropriate discipline or other sanctions may be imposed on individuals who knowingly or with reckless disregard for the truth make or corroborate false accusations of sexual harassment.

A formal complaint filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3205 and Procedure 3205P.

### **Notice and Training**

The Superintendent shall develop procedures to provide information and educational opportunities to District staff, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment.

At a minimum, a copy of this policy—along with any other information that the Superintendent deems reasonably necessary to inform District staff, parents, volunteers, and visitors about this policy—shall be prominently posted in each school building and District facility and shall be provided to each employee. Reference to the District's sexual harassment policy and procedures shall be included in District or school orientation presentations or in any materials or publications specific to staff members, parents/guardians, or volunteers that sets forth the rules, regulations, procedures, and standards of conduct for the school or the District. This written information shall provide notice regarding the Title IX Officer's identity and contact information.

**Policy Review**

The Title IX Officer shall conduct an annual review of the utilization and efficacy of this policy and accompanying administrative procedures governing formal complaints of sexual harassment. The Title IX Officer shall recommend any changes in District policy and/or procedure to the Superintendent.

Legal References:

Ch. 26.44 RCW Child Abuse

Ch. 28A.640 RCW Sexual Equity Mandated for Public Schools

Ch. 49.60 RCW Washington Law Against Discrimination

Ch. 392-190 WAC Equal Educational Opportunity--Sex Discrimination Prohibited

20 USC 1681-1688

Adoption Date: 02.16

Revised: 01.23