

1 Great Falls School District

2
3 **STUDENTS**

3225

4
5 Sexual Harassment of Students

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7 The District does not discriminate on the basis of sex in any education program or activity that it
8 operates. The District is required by Title IX of the Education Amendments of 1972 and the
9 regulations promulgated through the U.S. Department of Education not to discriminate in such a
10 manner. Inquiries about the application of Title IX to the District may be referred to the
11 District’s Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of
12 Education, or both.

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14 The Board designated the following individual to serve as the District’s Title IX Coordinator:

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16 Title: Lance Boyd – Director of Student Services
17 Office Address: 1100 4th Street South, Great Falls, MT 59405
18 Email: lance_boyd@gfps.k12.mt.us
19 Phone Number: 406-268-6777
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21 Any person may report sex discrimination, including sexual harassment, at any time, including
22 during non-business hours. Such a report may be made in person, by mail, by telephone or by
23 electronic mail, using the contact information listed for the Title IX Coordinator, or by any other
24 means that results in the Title IX Coordinator receiving the person’s verbal or written report.

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26 For purposes of this policy and the grievance process, “sexual harassment” means conduct on the
27 basis of sex that satisfies one or more of the following:

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29 1. A District employee conditioning the provision of an aid, benefit, or service of the
30 District on an individual’s participation in unwelcome sexual conduct;
31 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and
32 objectively offensive that it effectively denies a person equal access to the District’s
33 education program or activity; or
34 3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in
35 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or
36 “stalking” as defined in 34 USC 12291(a)(30).
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38 When the harassment or discrimination on the basis of sex does not meet the definition of sexual
39 harassment, the Title IX Coordinator directs the individual to the applicable sex discrimination
40 process for investigation.

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42 An individual is not required to submit a report of sexual harassment involving the Title IX
43 Coordinator. In the event the Title IX Coordinator is responsible for or a witness to the alleged
44 harassment, the individual may report the allegations to the building principal or Superintendent
45 or other unbiased school official.
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Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination, or a report or formal complaint of sexual harassment, for the purpose or interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator or conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and the union(s) with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, when applicable, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All

1 materials used to train individuals who receive training under this section must not rely on sex
2 stereotypes and must promote impartial investigations and adjudications of formal complaints of
3 sexual harassment and are made publicly available on the District’s website.

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5 Conflict of Interest and Bias
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7 The District ensures that Title IX Coordinators, investigators, decision-makers, and any person
8 who facilitates an informal resolution process do not have a conflict of interest or bias for or
9 against complainants or respondents generally or an individual complainant or respondent.

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11 Determination or Responsibility
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13 The individual who has been reported to be the perpetrator of conduct that could constitute
14 sexual harassment is presumed not responsible for alleged conduct. A determination regarding
15 responsibility will be made by the decision-maker at the conclusion of the investigation in
16 accordance with the process outlined in Policy 3225P. No disciplinary sanctions will be imposed
17 unless and until a final determination of responsibility is reached.

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19 Cross References:

20 Policy 1700	Uniform Grievance Protocol
	Title IX Grievance Procedure
	Section 504 Grievance Procedure
23 Policy 3210	Equal Education, Nondiscrimination and Sex Equity
24 Policy 3215	Student Uniform Complaint Procedure
25 Policy 3300	Suspension and Expulsion
26 Policy 3310	Student Discipline
27 Policy 3225P	Sexual Harassment Grievance Procedure - Students
28 Policy 3225F	Sexual Harassment Reporting/Intake Form for Students
29 Policy 3226	Hazing/Harassment/Intimidation/Bullying
30 Policy 5012	Sexual Harassment Intimidation in Workplace
31 Policy 5215	Personnel Uniform Complaint Procedure
32 Policy 5232	Abused and Neglected Child Reporting
33 Policy 5255	Disciplinary Action

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35 Legal References:
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37 20 U.S.C.	
38 34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education 39 Programs or Activities Receiving Federal Financials 40 Assistance

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46 10.55.801(1)(a), ARM	School Climate

- 1 Civil Rights Act, Title VI; 42 USC 2000d et seq.
- 2 Civil Rights Act, Title VII; 42 USC 2000e et seq.
- 3 Education Amendments of 1972, Title IX; 20 USC 1681 et seq.

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5 Policy History:

- 6 Adopted on: July 1, 2000
- 7 Reviewed on: November 12, 2001
- 8 Revised on: April 12, 2018
- 9 Revised on: March 12, 2018
- 10 Revised on: September 9, 2019
- 11 Revised on: November 9, 2019
- 12 Revised on: February 14, 2022
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